STATE OF NEW YORK

4876--A

2019-2020 Regular Sessions

IN ASSEMBLY

February 5, 2019

Introduced by M. of A. AUBRY, D'URSO, HYNDMAN, NIOU, ORTIZ, CAHILL, L. ROSENTHAL, JAFFEE, BLAKE, SEAWRIGHT, THIELE, BARNWELL -- Multi-Sponsored by -- M. of A. COOK, SIMON -- read once and referred to the Committee on Education -- reported and referred to the Committee on Ways and Means -- recommitted to the Committee on Ways and Means in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law and the education law, in relation to directing the commissioners of education and health to establish rules and regulations for the treatment and monitoring of students of school districts, boards of cooperative educational services and nonpublic schools who exhibit signs or symptoms of pending or increased risk of sudden cardiac arrest

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Short title. This act shall be known and may be cited as the "Dominic Murray sudden cardiac arrest prevention act".

§ 2. Section 206 of the public health law is amended by adding a new subdivision 31 to read as follows:

31. The commissioner shall develop information that is reviewed by the commissioner of education related to students who exhibit signs or symptoms of pending or increased risk of sudden cardiac arrest. Such information shall include, but not be limited to, the definition of sudden cardiac arrest, signs and symptoms of sudden cardiac arrest, and guidelines for a student's participation in interscholastic athletics after exhibiting signs or symptoms of pending or increased risk of sudden cardiac arrest. Such information shall be posted on the department's website.

§ 3. The education law is amended by adding a new section 923 to read as follows:

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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§ 923. Sudden cardiac arrest. a. The commissioner shall review the information developed by the commissioner of health required by subdivision thirty-one of section two hundred six of the public health law to assist in the education and awareness of the signs and symptoms of pending or increased risk of sudden cardiac arrest. Such information shall be posted on the department's website. In addition, each school shall be required to include such information reviewed by the department and developed by the department of health in any permission form or parent or person in parental relation consent form or similar document that may be required for a student's participation in interscholastic athletics and shall also include such information, or reference how to obtain such information from the department and the department of health's websites, on the school's website, if one exists.

b. The commissioner shall promulgate rules and regulations that authorize school districts, in their discretion, to establish a sudden cardiac arrest management team. Such management team shall be composed of an athletic director, a school nurse, a school physician, a coach of the interscholastic team, an athletic trainer or other appropriate personnel as designated by the school or school district. Provided further, every sudden cardiac arrest management team may establish and implement a program that annually provides information on sudden cardiac arrest to parents or persons in parental relation. In developing such rules and regulations, the commissioner shall consider input from stakeholders and other interested parties including, but not limited to, parents, teachers, students, school administrators, school athletic trainers, coaches, medical and health professionals, the public schools athletic league (PSAL), the New York state public high school athletic association (NYSPHSAA), and other athletic associations.

§ 4. Subdivision 1 of section 3001-b of the education law, as added by chapter 498 of the laws of 1991, is amended to read as follows:

1. On and after the effective date of this section, in addition to any provision of law or rule or regulation of the department related to the requirements necessary for teachers within the public school systems, whether certified in physical education or not, to coach any extra-class athletic activity, it shall be required of such teachers, except as provided in subdivision two of this section, to hold a valid certificate of completion of a course of study in first aid knowledge and skills offered by [~~the American National Red Cross~~] a nationally recognized organization, as defined in paragraph (d) of subdivision one of section three thousand-b of the public health law and approved by the commissioner, or to meet equivalent requirements as certified by the commissioner. Any such course of study or equivalent requirements must include instruction in recognizing signs and symptoms of pending or increased risk of cardiac arrest and sudden cardiac arrest and the administration of adult cardiopulmonary resuscitation. Prior to the start of each sports season, coaches must provide valid evidence to their chief school officer that their first aid and adult cardiopulmonary resuscitation knowledge and skills are current pursuant to the requirements established by [~~the American National Red Cross~~] a nationally recognized organization, as defined in paragraph (d) of subdivision one of section three thousand-b of the public health law or that they meet equivalent requirements as certified by the commissioner.

§ 5. Subdivision 1 of section 3001-c of the education law, as added by chapter 39 of the laws of 1994, is amended to read as follows:

1. On and after the effective date of this section, it shall be required of coaches of high school extra-class athletic activities in a

nonpublic school system, except as provided in subdivision two of this section, to hold a valid certificate of completion of a course of study in first aid knowledge and skills offered by [~~the American National Red Cross~~] a nationally recognized organization, as defined in paragraph (d) of subdivision one of section three thousand-b of the public health law and approved by the commissioner, or to meet equivalent requirements as certified by the commissioner. Any such course of study or equivalent requirements must include instruction in recognizing signs and symptoms of pending or increased risk of cardiac arrest and sudden cardiac arrest and the administration of adult cardiopulmonary resuscitation. Prior to the start of each sports season, coaches must provide valid evidence to their chief school officer that their first aid and adult cardiopulmonary resuscitation knowledge and skills are current pursuant to the requirements established by [~~the American National Red Cross~~] a nationally recognized organization, as defined in paragraph (d) of subdivision one of section three thousand-b of the public health law or that they meet equivalent requirements as certified by the commissioner.

§ 6. This act shall take effect on the first of July next succeeding the date on which it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.