

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:

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

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

5 31. The commissioner shall develop information that is reviewed by the
6 commissioner of education related to students who exhibit signs or symp-
7 toms of pending or increased risk of sudden cardiac arrest. Such infor-
8 mation shall include, but not be limited to, the definition of sudden
9 cardiac arrest, signs and symptoms of sudden cardiac arrest, and guide-
10 lines for a student's participation in interscholastic athletics after
11 exhibiting signs or symptoms of pending or increased risk of sudden
12 cardiac arrest. Such information shall be posted on the department's
13 website.

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

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

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

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

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

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

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

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

1 nonpublic school system, except as provided in subdivision two of this
2 section, to hold a valid certificate of completion of a course of study
3 in first aid knowledge and skills offered by [~~the American National Red~~
4 ~~Cross~~] a nationally recognized organization, as defined in paragraph (d)
5 of subdivision one of section three thousand-b of the public health law
6 and approved by the commissioner, or to meet equivalent requirements as
7 certified by the commissioner. Any such course of study or equivalent
8 requirements must include instruction in recognizing signs and symptoms
9 of pending or increased risk of cardiac arrest and sudden cardiac arrest
10 and the administration of adult cardiopulmonary resuscitation. Prior to
11 the start of each sports season, coaches must provide valid evidence to
12 their chief school officer that their first aid and adult cardiopulmo-
13 nary resuscitation knowledge and skills are current pursuant to the
14 requirements established by [~~the American National Red Cross~~] a
15 nationally recognized organization, as defined in paragraph (d) of
16 subdivision one of section three thousand-b of the public health law or
17 that they meet equivalent requirements as certified by the commissioner.
18 § 6. This act shall take effect on the first of July next succeeding
19 the date on which it shall have become a law. Effective immediately, the
20 addition, amendment and/or repeal of any rule or regulation necessary
21 for the implementation of this act on its effective date are authorized
22 to be made and completed on or before such effective date.