

# STATE OF NEW YORK

2388--B

Cal. No. 351

2021-2022 Regular Sessions

## IN ASSEMBLY

January 19, 2021

Introduced by M. of A. AUBRY, HYNDMAN, NIOU, CAHILL, L. ROSENTHAL, SEAWRIGHT, THIELE, BARNWELL, BUTTENSCHON, CRUZ, GONZALEZ-ROJAS, OTIS, DICKENS -- Multi-Sponsored by -- M. of A. COOK, SIMON -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- advanced to a third reading, passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

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 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, in conjunction with  
6 the commissioner of education related to students who exhibit signs or  
7 symptoms of pending or increased risk of sudden cardiac arrest. Such  
8 information shall include, but not be limited to, the definition of  
9 sudden cardiac arrest, signs and symptoms of sudden cardiac arrest.  
10 Such information shall be posted on the department's website.

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

13 § 923. Sudden cardiac arrest. a. The commissioner shall review the  
14 information developed by the commissioner of health required by subdivi-

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

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

12 b. The commissioner shall promulgate rules and regulations requiring  
13 that any student displaying signs or symptoms of pending or increased  
14 risk of sudden cardiac arrest shall be immediately removed from athletic  
15 activities and shall not resume athletic activity until he or she has  
16 been evaluated by and received written and signed authorization from a  
17 licensed physician. Such authorization shall be kept on file in the  
18 pupil's permanent health record.

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

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

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

45 1. On and after the effective date of this section, it shall be  
46 required of coaches of high school extra-class athletic activities in a  
47 nonpublic school system, except as provided in subdivision two of this  
48 section, to hold a valid certificate of completion of a course of study  
49 in first aid knowledge and skills offered by [~~the American National Red~~  
50 ~~Cross~~] a nationally recognized organization, as defined in paragraph (d)  
51 of subdivision one of section three thousand-b of the public health law  
52 and approved by the commissioner, or to meet equivalent requirements as  
53 certified by the commissioner. Any such course of study or equivalent  
54 requirements must include instruction in recognizing signs and symptoms  
55 of cardiac arrest and sudden cardiac arrest and the administration of  
56 adult cardiopulmonary resuscitation. Prior to the start of each sports

1 season, coaches must provide valid evidence to their chief school offi-  
2 cer that their first aid and adult cardiopulmonary resuscitation know-  
3 ledge and skills are current pursuant to the requirements established by  
4 [~~the American National Red Cross~~] a nationally recognized organization,  
5 as defined in paragraph (d) of subdivision one of section three thou-  
6 sand-b of the public health law and approved by the commissioner, or  
7 that they meet equivalent requirements as certified by the commissioner.  
8 § 6. This act shall take effect on the first of July next succeeding  
9 the date on which it shall have become a law. Effective immediately, the  
10 addition, amendment and/or repeal of any rule or regulation necessary  
11 for the implementation of this act on its effective date are authorized  
12 to be made and completed on or before such effective date.