

STATE OF NEW YORK

2388

2021-2022 Regular Sessions

IN ASSEMBLY

January 19, 2021

Introduced by M. of A. AUBRY, HYNDMAN, NIOU, CAHILL, L. ROSENTHAL, SEAWRIGHT, THIELE, BARNWELL -- Multi-Sponsored by -- M. of A. COOK, SIMON -- read once and referred to the Committee on Education

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:

16 § 923. Sudden cardiac arrest. a. The commissioner shall review the
17 information developed by the commissioner of health required by subdivi-
18 sion thirty-one of section two hundred six of the public health law to
19 assist in the education and awareness of the signs and symptoms of pend-
20 ing or increased risk of sudden cardiac arrest. Such information shall

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

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1 be posted on the department's website. In addition, each school shall be
2 required to include such information reviewed by the department and
3 developed by the department of health in any permission form or parent
4 or person in parental relation consent form or similar document that may
5 be required for a student's participation in interscholastic athletics
6 and shall also include such information, or reference how to obtain such
7 information from the department and the department of health's websites,
8 on the school's website, if one exists.

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

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

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

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

50 1. On and after the effective date of this section, it shall be
51 required of coaches of high school extra-class athletic activities in a
52 nonpublic school system, except as provided in subdivision two of this
53 section, to hold a valid certificate of completion of a course of study
54 in first aid knowledge and skills offered by [~~the American National Red~~
55 ~~Cross~~] a nationally recognized organization, as defined in paragraph (d)
56 of subdivision one of section three thousand-b of the public health law

1 and approved by the commissioner, or to meet equivalent requirements as
2 certified by the commissioner. Any such course of study or equivalent
3 requirements must include instruction in recognizing signs and symptoms
4 of pending or increased risk of cardiac arrest and sudden cardiac arrest
5 and the administration of adult cardiopulmonary resuscitation. Prior to
6 the start of each sports season, coaches must provide valid evidence to
7 their chief school officer that their first aid and adult cardiopulmo-
8 nary resuscitation knowledge and skills are current pursuant to the
9 requirements established by [~~the American National Red Cross~~] a
10 nationally recognized organization, as defined in paragraph (d) of
11 subdivision one of section three thousand-b of the public health law or
12 that they meet equivalent requirements as certified by the commissioner.

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