

STATE OF NEW YORK

2388--A

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 -- 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

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 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-

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

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

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

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

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

53 1. On and after the effective date of this section, it shall be
54 required of coaches of high school extra-class athletic activities in a
55 nonpublic school system, except as provided in subdivision two of this
56 section, to hold a valid certificate of completion of a course of study

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

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