

STATE OF NEW YORK

4100--A

2023-2024 Regular Sessions

IN SENATE

February 3, 2023

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- recommitted to the Committee on Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to requiring automated external defibrillator equipment to be immediately available at school-sponsored events

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

1 Section 1. Subdivisions 1, 2, 3 and 4 of section 917 of the education
2 law, as amended by chapter 61 of the laws of 2002, are amended to read
3 as follows:

4 1. School districts, boards of cooperative educational services, coun-
5 ty vocational education and extension boards and charter schools shall
6 provide and maintain on-site in each instructional school facility auto-
7 mated external defibrillator (AED) equipment, as defined in paragraph
8 (a) of subdivision one of section three thousand-b of the public health
9 law, in quantities and types deemed by the commissioner in consultation
10 with the commissioner of health to be adequate to ensure ready and
11 appropriate access for use during emergencies, provided however, and
12 such AED shall be immediately available in and at all school sponsored
13 events including to athletic coaching and/or training staff at the
14 location of any school-sponsored practice or athletic event.

15 2. School districts, boards of cooperative educational services, coun-
16 ty vocational education and extension boards and charter schools shall
17 develop and implement a cardiac emergency response plan that addresses
18 the appropriate use of personnel to respond to incidents involving any
19 individual experiencing sudden cardiac arrest or a similar life-threat-
20 ening emergency on any school site owned or operated by a school or at a
21 location of any practice or athletic event. Such cardiac emergency

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

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1 response plan shall include the training of appropriate personnel
2 including but not limited to school personnel, coaches, school nurses
3 and athletic trainers. The cardiac emergency response plan shall inte-
4 grate evidenced based core elements as recommended by the American Heart
5 Association or other nationally recognized organization that provides
6 the guidelines training for the use of an automated external defibrilla-
7 tor (AED) and cardiopulmonary resuscitation (CPR) and shall include
8 provisions consistent with requirements of a public access defibrilla-
9 tion provider pursuant to section three thousand-a and three thousand-b
10 of the public health law.

11 3. Whenever public school facilities pursuant to subdivision one of
12 this section are used for school sponsored or school approved curricular
13 or extracurricular events or activities and whenever a school-sponsored
14 athletic contest is held at any location, the public school officials
15 and administrators responsible for such school facility or athletic
16 contest shall ensure the presence of at least one staff person who is
17 trained, pursuant to paragraph (a) of subdivision three of section three
18 thousand-b of the public health law, in the operation and use of an AED.
19 Where a school-sponsored [~~competitive~~] practice or athletic event is
20 held at a site other than a public school facility, the public school
21 officials shall assure that automated external defibrillator equipment
22 is provided on-site at the practice or athletic event and immediately
23 available to athletic coaching and/or training staff.

24 [~~3-~~] 4. Public school facilities and staff pursuant to subdivisions
25 one and two of this section shall be deemed a "public access defibrilla-
26 tion provider" as defined in paragraph (c) of subdivision one of section
27 three thousand-b of the public health law and shall be subject to the
28 requirements and limitations of such section.

29 [~~4-~~] 5. Pursuant to section three thousand-a and three thousand-b of
30 the public health law, any public access defibrillation provider, or any
31 employee or other agent of the provider who, in accordance with the
32 provisions of this section, voluntarily and without expectation of mone-
33 tary compensation renders emergency medical or first aid treatment using
34 an AED which has been made available pursuant to this section, to a
35 person who is unconscious, ill or injured, shall be liable only pursuant
36 to section three thousand-a of the public health law.

37 § 2. This act shall take effect on the one hundred eightieth day after
38 it shall have become a law.