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:

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

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

2. **School districts, boards of cooperative educational services, county vocational education and extension boards and charter schools shall develop and implement a cardiac emergency response plan that addresses the appropriate use of personnel to respond to incidents involving any individual experiencing sudden cardiac arrest or a similar life-threatening emergency on any school site owned or operated by a school or at a 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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response plan shall include the training of appropriate personnel including but not limited to school personnel, coaches, school nurses and athletic trainers. The cardiac emergency response plan shall integrate evidenced based core elements as recommended by the American Heart Association or other nationally recognized organization that provides the guidelines training for the use of an automated external defibrillator (AED) and cardiopulmonary resuscitation (CPR) and shall include provisions consistent with requirements of a public access defibrillation provider pursuant to section three thousand-a and three thousand-b of the public health law.

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

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

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

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