



Senate

General Assembly

File No. 664

February Session, 2014

Substitute Senate Bill No. 229

Senate, April 24, 2014

The Committee on Appropriations reported through SEN. BYE of the 5th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING SUDDEN CARDIAC ARREST PREVENTION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2014*) (a) For purposes of this
2 section and sections 2 to 4, inclusive, of this act, "intramural or
3 interscholastic athletics" shall include any activity sponsored by a
4 school or local education agency, as defined in section 10-15f of the
5 general statutes, or an organization sanctioned by the local education
6 agency that involves any athletic contest, practice, scrimmage,
7 competition, demonstration, display or club activity.

8 (b) For the school year commencing July 1, 2015, and each school
9 year thereafter, the State Board of Education, in consultation with (1)
10 the Commissioner of Public Health, (2) the governing authority for
11 intramural and interscholastic athletics, (3) an appropriate
12 organization representing licensed athletic trainers, and (4) an
13 organization representing county medical associations, shall develop
14 or approve a sudden cardiac arrest awareness education program for
15 use by local and regional boards of education. Such program shall be

16 published on the State Board of Education's Internet web site and shall
17 include: (A) The warning signs and symptoms associated with a
18 sudden cardiac arrest, (B) the risks associated with continuing to
19 engage in intramural or interscholastic athletics after exhibiting such
20 warning signs and symptoms, (C) the means of obtaining proper
21 medical treatment for a person suspected of experiencing a sudden
22 cardiac arrest, and (D) the proper method of allowing a student who
23 has experienced a sudden cardiac arrest to return to intramural or
24 interscholastic athletics. When developing or approving such program,
25 the State Board of Education may utilize existing materials developed
26 by organizations such as Simon's Fund.

27 Sec. 2. (NEW) (*Effective October 1, 2014*) For the school year
28 commencing July 1, 2015, and each school year thereafter, any person
29 who holds or is issued a coaching permit by the State Board of
30 Education and is a coach of intramural or interscholastic athletics shall
31 annually review the program developed or approved pursuant to
32 subsection (b) of section 1 of this act, prior to commencing the
33 coaching assignment for the season of such intramural or
34 interscholastic athletics.

35 Sec. 3. (NEW) (*Effective October 1, 2014*) (a) (1) The coach of any
36 intramural or interscholastic athletics shall immediately remove a
37 student from participating in any intramural or interscholastic athletics
38 who is observed to exhibit signs, symptoms or behaviors consistent
39 with a sudden cardiac arrest.

40 (2) The coach shall not permit such student to participate in any
41 intramural or interscholastic athletics until such student receives
42 written clearance to participate in such intramural or interscholastic
43 athletics from a licensed health care professional.

44 (b) For purposes of this section, "licensed health care professional"
45 means a physician licensed pursuant to chapter 370 of the general
46 statutes, a physician assistant licensed pursuant to chapter 370 of the
47 general statutes, or an advanced practice registered nurse licensed
48 pursuant to chapter 378 of the general statutes.

49 Sec. 4. (NEW) (*Effective October 1, 2014*) The State Board of Education
 50 may revoke the coaching permit, in accordance with the provisions of
 51 subsection (i) of section 10-145b of the general statutes, of any coach
 52 found to be in violation of any of the provisions of sections 2 and 3 of
 53 this act.

54 Sec. 5. (NEW) (*Effective October 1, 2014*) Any person who holds or is
 55 issued a coaching permit by the State Board of Education and is a
 56 coach of intramural or interscholastic athletics shall be immune from
 57 suit and liability, both personally and in his or her official capacity, for
 58 any actions or omissions pursuant to the provisions of sections 2 and 3
 59 of this act, unless the actions or omissions of such person constitute
 60 wilful misconduct, gross negligence or recklessness.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	New section
Sec. 2	<i>October 1, 2014</i>	New section
Sec. 3	<i>October 1, 2014</i>	New section
Sec. 4	<i>October 1, 2014</i>	New section
Sec. 5	<i>October 1, 2014</i>	New section

APP *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill requires the State Board of Education (SBE) to develop or approve a sudden cardiac arrest awareness education program for use by local and regional boards of education, and to make the program available on their website. This does not result in a cost to the SBE or local and regional school districts, as sudden cardiac arrest awareness programmatic information is available free of charge.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**sSB 229*****AN ACT CONCERNING SUDDEN CARDIAC ARREST PREVENTION.*****SUMMARY:**

This bill requires the State Board of Education (SBE), for school years beginning July 1, 2015 and in consultation with specified organizations, to develop or approve a sudden cardiac arrest awareness education program for use by local and regional boards of education.

The bill requires coaches of intramural and interscholastic athletics to:

1. annually review the sudden cardiac arrest education program before beginning their coaching assignments;
2. immediately remove from athletic activities a student who shows signs of sudden cardiac arrest; and
3. bar such a student from resuming participation in athletic activities unless the student has received written clearance from a Connecticut-licensed doctor, physician assistant, or advance practice registered nurse.

It immunizes coaches from personal and professional civil liability for their actions or omissions concerning the above requirements, except for grossly negligent, reckless, or constitute wilful misconduct.

Existing law already requires boards of education to indemnify school employees and volunteers, including coaches, against financial loss and expense resulting from alleged negligence or other acts arising from their duties (CGS § 10-235).

The bill allows SBE to revoke the permit of a coach who fails to annually review the sudden cardiac arrest awareness education program, does not immediately remove a student showing signs of sudden cardiac arrest, or allows such a student to resume participation without the appropriate medical clearance.

EFFECTIVE DATE: October 1, 2014

SUDDEN CARDIAC ARREST AWARENESS EDUCATION PROGRAM

The bill requires SBE, for the school year starting July 1, 2015 and for each year afterwards, to consult with (1) the public health commissioner, (2) the governing authority for intramural and interscholastic athletics, (3) an appropriate organization representing licensed athletic trainers, and (4) an organization representing county medical associations, to develop or approve a sudden cardiac arrest awareness education program for use by local and regional school boards. SBE may use materials developed by such organizations as Simon’s Fund (see BACKGROUND).

The program, which must be published on SBE’s website, must include the:

1. warning signs and symptoms associated with sudden cardiac arrest,
2. risks associated with continuing to engage in intramural or interscholastic athletics after displaying such signs and symptoms,
3. means of obtaining proper medical treatment for someone suspected of experiencing sudden cardiac arrest, and
4. proper method of allowing a student who has experienced sudden cardiac arrest to return to intramural or interscholastic athletics.

Under the bill, “intramural or interscholastic athletics” means any

activity sponsored by a school, local education agency, or agency-sanctioned organization involving an athletic contest, practice, scrimmage, competition, demonstration, display, or club activity.

COACHES' RESPONSIBILITIES, LIABILITY, AND LICENSE REVOCATION

Starting with the July 1, 2015 school year, anyone who holds or is issued an SBE coaching permit and who coaches intramural or interscholastic athletics must annually review the sudden cardiac awareness education program before beginning his or her coaching assignment.

Starting October 1, 2014, the coach of any intramural or interscholastic athletics must immediately remove a student from participating in the athletic activity when the student shows signs, symptoms, or behaviors consistent with sudden cardiac arrest. The coach cannot allow the student to resume participating until the student receives written clearance from a Connecticut-licensed doctor, physician assistant, or advance practice registered nurse.

Unless a coach's action or omission constitutes wilful misconduct, gross negligence, or recklessness, the bill immunizes him or her from personal and professional liability for any action or omission in:

1. annually reviewing the program,
2. failing to immediately remove a student showing signs of sudden cardiac arrest, or
3. allowing such a student to return without receiving appropriate medical clearance.

But it allows SBE to revoke the coaching permit, as provided by law, of any coach who (1) does not annually review the program, (2) fails to immediately remove a student showing signs of sudden cardiac arrest, or (3) allows such student to resume participating without receiving appropriate medical clearance.

BACKGROUND***Simon's Fund***

According to its website, Simon's Fund is a Pennsylvania 501(c) (3) organization established in 2005 and dedicated to raising awareness about conditions that lead to sudden cardiac arrest and death in young athletes and children.

Permit Revocation

By law, SBE may revoke a permit because the permit holder (1) obtained it through fraud or misrepresentation, (2) persistently neglected to perform the duties for which the permit was granted, (3) is professionally unfit to perform the duties for which the permit was granted, or (4) is convicted of a crime involving moral turpitude or such other crime SBE finds would impair the standing of such permits. SBE also may revoke a permit for other due and sufficient cause (CGS § 10-145b (i)).

Automatic External Defibrillators

By law, a school board must have at each school in its jurisdiction, if funding is available, (1) an automatic external defibrillator and (2) school staff trained in its use and in cardiopulmonary resuscitation. The law also requires each school to develop emergency action response plans for school personnel to use in responding to individuals experiencing sudden cardiac arrest or similar life-threatening emergencies (CGS § 10-212d).

Legislative History

The Senate referred the bill (File 11) to the Education Committee, which reported the bill favorably. The Senate then referred the bill to the Appropriations Committee, which reported a substitute bill that deletes provisions requiring SBE, in consultation with other organizations, to develop and approve a sudden cardiac arrest consent form, and requiring coaches to obtain parents' or guardians' consent before allowing students to participate in intramural or interscholastic athletics.

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute

Yea 10 Nay 2 (03/04/2014)

Education Committee

Joint Favorable

Yea 28 Nay 0 (04/02/2014)

Appropriations Committee

Joint Favorable Substitute

Yea 44 Nay 0 (04/15/2014)