
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, to develop or approve a sudden cardiac arrest awareness education program for use by local and regional boards of education, and to prepare a parental consent form with information on sudden cardiac arrest. SBE must do so in consultation with specified organizations.

The bill requires coaches of intramural and interscholastic athletics to:

1. obtain the written consent of a student's parent or legal guardian before allowing a student to participate in such activities;
2. annually review the sudden cardiac arrest education program before beginning his or her coaching assignment;
3. immediately remove from athletic activities a student who shows signs of sudden cardiac arrest; and
4. 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 where those actions or omissions are grossly negligent, reckless, or constitute wilful misconduct.

Current 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 education program, does not immediately remove a student showing signs of sudden cardiac arrest, or allows such a student to resume participation without 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.

PARENTAL CONSENT FORM

By July 1, 2015, SBE, in consultation with the same organizations with which it developed the program, must develop and approve an informed consent form on sudden cardiac arrest to distribute to parents and legal guardians of students participating in intramural or interscholastic athletics. The form must include at least a summary of the (1) sudden cardiac arrest awareness education program and (2) applicable school board’s policies on sudden cardiac arrests.

COACHES’ RESPONSIBILITIES, LICENSE REVOCATION, AND LIABILITY

For the July 1, 2015 school year and each year afterwards, anyone who holds or is issued an SBE coaching permit and who coaches intramural or interscholastic athletics, must, before beginning his or her coaching assignment for the season, give each participating student’s parent or legal guardian a copy of the consent form. The coach must obtain the signature of the parent or legal guardian, acknowledging that the parent or legal guardian has received the form and authorizes the student to participate.

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 behavior 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. It is not clear how this would work in practice, since the education program does not have to be promulgated, and the coach does not have to review it, until the July 1, 2015 school year.

The bill immunizes coaches for personal and professional liability for any action or omission in:

1. distributing consent forms to students' parents or legal guardians and obtaining their signatures before allowing students to participate;
2. annually reviewing the program;
3. failing to immediately remove a student showing signs of sudden cardiac arrest; or
4. allowing such a student to return without receiving appropriate medical clearance, unless the coach's action or omission constitutes wilful misconduct, gross negligence, or recklessness.

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 return 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 the appropriate use of school personnel to respond to individuals experiencing sudden cardiac arrest or similar life-threatening emergencies (CGS § 10-212d).

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute

Yea 10 Nay 2 (03/04/2014)