

Regular Session, 2014

HOUSE BILL NO. 542

BY REPRESENTATIVES WILLMOTT, BROADWATER, HENRY BURNS, CARTER,
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CURRICULA: Requires instruction relative to CPR and automated external defibrillators
to be integrated into the curriculum of an existing required course of study in public
high schools

1 AN ACT

2 To enact R.S. 17:81(X) and 3996(B)(34), relative to instruction in public high schools
3 regarding cardiopulmonary resuscitation and automated external defibrillators; to
4 require and provide guidelines for such instruction; to provide relative to rules and
5 regulations; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:81(X) and 3996(B)(34) are hereby enacted to read as follows:

8 §81. General powers of local public school boards

9 * * *

10 X.(1) The governing authority of each public school that enrolls students in
11 grades nine through twelve shall provide instruction relative to cardiopulmonary
12 resuscitation and the use of an automated external defibrillator. Such instruction
13 shall be integrated into the curriculum of an existing course, such as health
14 education, physical education, or another course that is required for graduation and
15 deemed appropriate by the school governing authority, and shall include the
16 following:

17 (a) An instructional program developed by the American Heart Association
18 or the American Red Cross or an instructional program that is nationally recognized
19 and based on the most current national evidence-based emergency cardiovascular
20 care guidelines for the performance of cardiopulmonary resuscitation and the use of
21 an automated external defibrillator.

1 (b) Training for students relative to the psychomotor skills necessary to
2 perform cardiopulmonary resuscitation. For the purposes of this Subparagraph,
3 "psychomotor skills" means skills that students are required to perform as hands-on
4 practice to support cognitive learning. Students receiving the instruction required
5 by this Subsection in a virtual school shall not be required to perform hands-on
6 practice.

7 (2)(a) A classroom teacher shall not be required to be a certified trainer of
8 cardiopulmonary resuscitation to facilitate, provide, or oversee the instruction.

9 (b) The governing authority of each public school may consult and partner
10 with the following individuals whom the governing authority may authorize to
11 participate in providing the instruction:

12 (i) Emergency medical technicians, paramedics, physicians, nurses,
13 respiratory therapists, police officers, deputy sheriffs, nurse practitioners, athletic
14 trainers, firefighters, and any persons included in the definition of "health care
15 provider" provided in R.S. 40:1299.41, each of whom shall be certified in
16 cardiopulmonary resuscitation and must be currently licensed, certified, or
17 commissioned according to his respective occupation in order to participate in
18 providing such instruction. If it is in accordance with the laws, rules, or regulations
19 governing his profession, if applicable, an instructor may apply the hours spent
20 performing this instruction toward fulfilling professional requirements relative to
21 performing community service.

22 (ii) Representatives of the American Heart Association or the American Red
23 Cross or other similarly qualified individuals.

24 (c) Instruction required pursuant to this Subsection shall not result in the
25 certification of students in cardiopulmonary resuscitation or the use of an automated
26 external defibrillator. If, separate and apart from the instruction required by this
27 Subsection, a school governing authority provides a training program that is intended
28 to result in such certification, the instructor shall be authorized to provide instruction
29 for certification by the American Heart Association, the American Red Cross, or a

1 similar nationally recognized association. Prior to the certification of any student
2 under the age of eighteen through such a training program, a school governing
3 authority shall obtain parental consent.

4 (d) The physical presence of an automated external defibrillator in the
5 classroom is not required. The instruction need only provide general information on
6 the use and importance of automated external defibrillators.

7 (3) The governing authority of each public school shall adopt rules and
8 regulations necessary for the implementation of this Subsection.

9 (4) The governing authority of each public school shall comply with any
10 surveys or reporting that the State Board of Elementary and Secondary Education or
11 the state Department of Education requires in order to determine whether governing
12 authorities are complying with the provisions of this Subsection.

13 * * *

14 §3996. Charter schools; exemptions; requirements

15 * * *

16 B. Notwithstanding any state law, rule, or regulation to the contrary and
17 except as may be otherwise specifically provided for in an approved charter, a
18 charter school established and operated in accordance with the provisions of this
19 Chapter and its approved charter and the school's officers and employees shall be
20 exempt from all statutory mandates or other statutory requirements that are
21 applicable to public schools and to public school officers and employees except for
22 the following laws otherwise applicable to public schools with the same grades:

23 * * *

24 (34) Instruction relative to cardiopulmonary resuscitation and the use of
25 automatic external defibrillators, R.S. 17:81(X).

26 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Willmott

HB No. 542

Abstract: Requires instruction relative to CPR and automated external defibrillators to be integrated into the curriculum of an existing course of study that is required for high school graduation.

Proposed law requires the governing authorities of public schools enrolling students in grades nine through 12 to provide instruction relative to cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED). Requires the integration of such instruction into the curriculum of an existing course, such as health education, physical education, or another course that is required for graduation and deemed appropriate by the school governing authority and requires the instruction to include the following:

- (1) An instructional program developed by the American Heart Assoc. (AHA) or the American Red Cross (ARC) or that is nationally recognized and based on the most current national evidence-based emergency cardiovascular care guidelines for CPR and AED.
- (2) Hands-on training for students relative to the psychomotor skills necessary to perform CPR. Exempts students receiving such instruction at a virtual school from hands-on training.

Authorizes public school governing authorities to partner with emergency medical technicians, paramedics, physicians, nurses, respiratory therapists, police officers, deputy sheriffs, nurse practitioners, athletic trainers, firefighters, and anyone included in the present law (R.S. 40:1299.41) definition of "health care provider", each of whom shall be certified in CPR and currently licensed, certified, or commissioned according to his respective occupation in order to participate in providing such instruction, as well as representatives of the AHA or ARC or other similarly qualified individuals. Provides that an instructor may apply the hours spent performing this instruction toward fulfilling professional requirements relative to performing community service, if applicable.

Provides that a classroom teacher is not required to be a certified trainer of CPR to facilitate, provide, or oversee this instruction.

Prohibits the instruction required by proposed law to result in the certification of students in CPR or the use of an AED. Should a school governing authority provide, separate and apart from the instruction required by proposed law, a training program intended to result in such certification, requires that the instructor be authorized to provide instruction for certification by the AHA, ARC, or a similar nationally recognized association. Further requires a school governing authority to obtain parental consent prior to the certification of any student under the age of 18 through such a training program.

Provides that the physical presence of an AED in the classroom is not required and that the instruction need only provide general information on the use and importance of automated external defibrillators.

Requires public school governing authorities to adopt rules and regulations necessary for proposed law implementation and to comply with any surveys or reporting that the State Bd. of Elementary and Secondary Education or the state Dept. of Education requires in order to determine whether governing authorities are complying with proposed law. Proposed law

is applicable to all public schools enrolling students in grades nine through 12, including charter schools.

(Adds R.S. 17:81(X) and 3996(B)(34))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Education to the original bill.

1. Specifies that the existing course into which instruction shall be integrated shall be one that is required for graduation.
2. Exempts students receiving the instruction in a virtual school from performing hands-on training.
3. Relative to those with whom school governing authorities may partner to provide instruction, provides as follows:
 - (a) Adds athletic trainers, nurse practitioners, and any person included in the present law definition of "health care provider".
 - (b) Requires instructors to be certified in CPR.
 - (c) Adds that they may apply instruction to professional community service requirements, if applicable.
4. Instead of requiring the State Bd. of Elementary and Secondary Education (BESE) to establish a procedure to monitor the compliance of public school governing authorities with proposed law, requires such governing authorities to comply with any surveys or reporting that BESE or the state Dept. of Education requires in order to determine whether they are complying with proposed law.