

**LEGISLATIVE FISCAL OFFICE
Fiscal Note**



Fiscal Note On: **SB 12** SLS 23RS 165
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action: **w/ SEN COMM AMD**
 Proposed Amd.:
 Sub. Bill For.:

Date: May 5, 2023	4:50 PM	Author: FIELDS
Dept./Agy.: Education and Higher Education		Analyst: Chris Henry
Subject: Required automated external defibrillators		

PUBLIC HEALTH EG1 INCREASE LF EX See Note Page 1 of 2

Requires an automated external defibrillator on the premises of all educational institutions and at sponsored athletic events. (gov siq)

Current law requires any institution of higher education which participates in intercollegiate athletics have an automated external defibrillator (AED) on premise in the athletic department and each high school shall have an AED on premise. Proposed law expands the requirement to elementary schools and middle schools and all postsecondary institutions. Devices are required to be in an easily accessible location. Additionally, requires each school or institution to have an AED device and a trained CPR/AED user at every sponsored athletic event. Requires each school and institution to have a "cardiac emergency plan" which includes the creation of a cardiac response team and its activation, AED placement and maintenance, staff training on CPR and AED use, and practice through drills. Proposed law expands the requirement that the Louisiana Department of Health promulgate rules related to the required maintenance and testing of the devices, and the appropriate training for individuals designated to operate the devices. Creates the Jump Start Your Heart Fund in the state treasury. Proposed law is to be implemented beginning with the 2024-25 academic year.

EXPENDITURES	2023-24	2024-25	2025-26	2026-27	2027-28	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	SEE BELOW	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	SEE BELOW	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	INCREASE	INCREASE	INCREASE	INCREASE	\$0
Annual Total						
REVENUES	2023-24	2024-25	2025-26	2026-27	2027-28	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The proposed legislation is anticipated to increase expenditures for local school districts and postsecondary institutions to purchase AED devices, their associated supplies, and provide training on their proper usage. Additional costs are anticipated for the Louisiana Department of Health to regulate and monitor the devices at sites across the state.

There will be an increase in expenditures at K-12 schools and public postsecondary institutions to obtain an AED device to the extent they do not already have one. These costs could be funded by an appropriation from the Jump Start Your Heart Fund created in the proposed legislation, however the fund does not specify a recurring source of revenue and would require a transfer of funds by the legislature presumably from the SGF. There may be additional costs incurred to train expected AED users on the proper operation of defibrillators and to ensure a trained user is present at each sponsored athletic event. Ensuring each device is tested and maintained in future fiscal years could also lead to nominal costs.

The average cost of an AED purchased through state contract is reported at nearly \$1,600 per unit, but could be as high as \$2,500 depending on additional accessories such as wall mounts or carrying cases, however this will vary depending on the particular procurement agreements of each purchaser. Proposed law would allow elementary and secondary schools to accept donated devices or donated funds to purchase a device. Maintenance costs including battery replacement based on the manufacturer's guidelines are estimated at \$200 every four years and replacement of device pads can cost \$100 depending on the model. Basic training (Not OSHA certified) on CPR/AED usage is offered online through the American Red Cross at \$37 per course, but these costs will vary widely depending on the training service utilized by each school or postsecondary institution and how many staff are trained.

Continued on page two

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

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Interim Deputy Fiscal Officer



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CONTINUED EXPLANATION from page one:

Elementary, Middle, and High Schools:

According to the Department of Education (LDE), there are 1,376 public schools in the state. Estimating each AED cost at \$1,800, to have one device at each school would cost a maximum of \$2.5 M. Current law already conditionally requires high schools to have a device on premise to the extent funding is appropriated. By just factoring the 1,002 public schools without grades 9-12, purchasing a device for each school would cost \$1.8 M. However, this is just for illustrative purposes, it is not known how many schools currently have an existing device on its premise to precisely determine the anticipated costs.

Higher Education:

There could be a nominal increase in general operating expenditures at public postsecondary institutions to the extent an institution requires the purchase of an AED device to comply with the proposed legislation. The majority of institutions report already having at least one AED device on campus and being in compliance with the existing law which requires AED devices at intercollegiate athletic events. Proposed legislation changes existing law by stipulating: "Each postsecondary education institution shall have an AED on its premises in an easily accessible location within its athletic department." To the extent the proposed law requires at least one AED device at every postsecondary institution regardless of its having an athletic department, then any institution would incur costs to acquire a device and comply with the proposed legislation if they do not currently have a device on site. Currently, 20 institutions have sponsored athletic programs and 14 (Primarily two-year colleges and specialized institutions) do not have a program.

Trained Users:

In addition, proposed legislation would require an AED device and a trained AED user who is also trained in CPR to be present at all interscholastic and intercollegiate athletic events sponsored by a elementary, middle, or high school or postsecondary institution. Some entities could have added costs to have trained staff or contracted professional staff such as athletic trainers on site during these events. In the event more than one event is taking place simultaneously on a campus, then multiple AED devices and trained users would be required to comply with the proposed law.

Regulation:

The Louisiana Department of Health (LDH) anticipates additional SGF costs associated with regulating devices, including site inspections, determining appropriate training, and related reporting. Four additional positions are reported to be needed for compliance, inspection, and enforcement across the many educational sites in the state. These would be phased in over two years beginning with a Program Monitor Supervisor (\$77,044 Salary, \$36,005 Related Benefits) and one Program Monitor (\$72,010 Salary, \$36,005 Related Benefits) in the first year and two additional Program Monitors (\$72,010 Salary, \$36,005 Related Benefits) in the second year. The initial personnel costs for FY 24 include only nine months of compensation to account for estimated time needed to hire the positions. Ensuing years after the positions are hired factor a 3.5% increase in compensation. Associated one-time equipment costs (computers, telephones, furniture, supplies) for the positions is \$7,528 in FY 24 and FY 25 as positions are hired. Operating expenses primarily for testing and inspection supplies and travel costs are estimated at \$16,550 in FY 24 and increase to \$33,100 in the ensuing years. A one-time upgrade to the Bureau of EMS Information Management System is estimated at \$175,000 to track tasks and documentation submitted by the schools related to AED device management and training. The total cost to the department is estimated at \$366,764 in FY 24, \$488,064 in FY 25, and \$496,197 in FY 26.

Creating a new statutory within the state treasury will result in a marginal workload increase for the Department of Treasury, which can generally be absorbed within existing resources. However, to the extent other legislative instruments create new statutory dedications, there may be additional material costs associated with the aggregate effort to administer these funds. The Treasury performs fund accounting, financial reporting, banking, and custodial functions for 436 special funds. When unable to absorb additional workload with existing resources, the Treasury anticipates that it will be required to add one T.O. position at a total personnel services cost of approximately \$78,000 plus approximately \$2,450 for a one-time purchase of new office equipment. These expenditures are assumed to be SGR in this fiscal note.

Senate
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
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