

SENATE BILL NO. 12

BY SENATORS FIELDS, ALLAIN, BARROW, BERNARD, BOUDREAUX, BOUIE, CARTER, CATHEY, CORTEZ, DUPLESSIS, FESI, HARRIS, HENRY, JACKSON, MILLIGAN, MIZELL, MORRIS, PRICE, REESE, SMITH AND STINE AND REPRESENTATIVES BACALA, BOYD, BRASS, BRYANT, ROBBY CARTER, CORMIER, EDMONDS, FISHER, FREIBERG, GREEN, HILFERTY, HUGHES, ILLG, JEFFERSON, JENKINS, KNOX, LAFLEUR, LARVADAIN, LYONS, MARCELLE, DUSTIN MILLER, MOORE, NEWELL, CHARLES OWEN, PHELPS, PIERRE, SELDERS AND WILLARD

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 40:1137.3(E) and (F) and to enact R.S. 40:1137.3(G), relative  
3 to automated external defibrillators (AED); to require an AED on the premises of  
4 each postsecondary institution and each elementary, middle, and high school; to  
5 require an AED at certain athletic events; to require an individual trained in the use  
6 of the AED and first-aid CPR at the events; to provide for a cardiac emergency  
7 response plan; to provide for rules and regulations; to create a special fund; to  
8 provide for uses of monies in the fund; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 40:1137.3(E) and (F) are hereby amended and reenacted and R.S.  
11 40:1137.3(G) is hereby enacted to read as follows:

12 §1137.3. Persons in possession of AEDs; training, testing, and notification  
13 requirements; manufacturer responsibility; possession required

14 \* \* \*

15 E. (1)~~(a) Any~~ **Each postsecondary education** institution ~~of higher education~~  
16 ~~that competes in intercollegiate athletics~~ shall have an AED on its premises in **an**  
17 **easily accessible location within** its athletic department.

18 **(b) Any postsecondary education institution that sponsors an**  
19 **intercollegiate athletic event shall have an AED and a trained AED user who is**

1 also trained in first-aid CPR at the event.

2 (c) Each postsecondary education institution shall have a "cardiac  
3 emergency response plan". For purposes of this Subparagraph, a "cardiac  
4 emergency response plan" means a written document that establishes the  
5 specific steps to reduce death from cardiac arrest at an intercollegiate athletic  
6 event.

7 (i) An institution cardiac emergency response plan shall be prepared by  
8 each president or chancellor jointly with local emergency responders.

9 (ii) The plan, which shall focus on preventing the loss of life, shall  
10 integrate at a minimum the following guidelines:

11 (aa) Establishing a cardiac emergency response team.

12 (bb) Activating the team in response to a sudden cardiac arrest.

13 (cc) Implementing AED placement and routine maintenance within the  
14 institution.

15 (dd) Maintaining ongoing staff training in CPR and AED use.

16 (ee) Practicing using drills.

17 (ff) Integrating local EMS with the plan.

18 (gg) Annually reviewing and evaluating the plan.

19 (2)(a) Each elementary, middle, and high school shall have an AED on its  
20 premises, ~~if funding is available, subject to appropriation~~ in an easily accessible  
21 location. Each high school shall have the authority to accept donations of AEDs or  
22 funds to acquire AEDs.

23 (b) Any elementary, middle, or high school that sponsors an  
24 interscholastic athletic event shall have an AED and a trained AED user who is  
25 also trained in first-aid CPR at the event.

26 (c) Each elementary, middle, and high school shall have a "cardiac  
27 emergency response plan". For purposes of this Subparagraph, a "cardiac  
28 emergency response plan" means a written document that establishes the  
29 specific steps to reduce death from cardiac arrest at an interscholastic athletic  
30 event.

1 (i) A school cardiac emergency response plan shall be prepared by each  
 2 principal jointly with local emergency responders.

3 (ii) The plan, which shall focus on preventing the loss of life, shall  
 4 integrate at a minimum the following guidelines:

5 (aa) Establishing a cardiac emergency response team.

6 (bb) Activating the team in response to a sudden cardiac arrest.

7 (cc) Implementing AED placement and routine maintenance within the  
 8 school.

9 (dd) Maintaining ongoing staff training in CPR and AED use.

10 (ee) Practicing using drills.

11 (ff) Integrating local EMS with the plan.

12 (gg) Annually reviewing and evaluating the plan.

13 F. The Louisiana Department of Health shall promulgate all necessary rules  
 14 and regulations to implement the provisions of ~~Subsections D and E~~ of this Section.  
 15 Such rules and regulations shall, at a minimum, provide for ~~compliance;~~

16 (1) Compliance, enforcement, and penalties.

17 (2) Periodic maintenance and testing of each AED to ensure each AED  
 18 is in working order.

19 (3) Appropriate training for persons designated to use and maintain  
 20 an AED.

21 G. (1) There is hereby created in the state treasury, as a special fund, the  
 22 Jump Start Your Heart Fund, hereinafter referred to in this Section as the  
 23 "fund". The fund shall consist of any monies appropriated, allocated, donated,  
 24 or transferred to the fund and shall be deposited by the state treasurer after  
 25 compliance with the provisions of Article VII, Section 9(B) of the Constitution  
 26 of Louisiana.

27 (2) All unexpended and unencumbered monies in the fund at the end of  
 28 the fiscal year shall remain in the fund. Monies in the fund shall be invested in  
 29 the same manner as monies in the state general fund. Interest earned on the  
 30 investment of monies in the fund shall be deposited in and credited to the fund.

1                   **(3) Monies in the fund shall be appropriated by the legislature and shall**  
 2                   **be utilized to purchase automated external defibrillators for use at each**  
 3                   **postsecondary, high, middle, and elementary school in the state under the**  
 4                   **provisions of all necessary rules and regulations as promulgated by the**  
 5                   **Louisiana Department of Health.**

6                   Section 2. The provisions of this Act shall be implemented by each postsecondary  
 7                   education institution and each elementary, middle, and high school beginning with the first  
 8                   school year that starts at least twelve months after the effective date of this Act.

9                   Section 3. The provisions of this Act shall be known and cited as the "Jump Start  
 10                  Your Heart Act".

11                  Section 4.(A) The provisions of Sections 1, 2, and 3 of this Act shall become  
 12                  effective when an Act of the Louisiana Legislature containing a specific appropriation of  
 13                  monies for the implementation of the provisions of this Act becomes effective.

14                  (B) The provisions of this Section shall become effective upon signature by the  
 15                  governor or, if not signed by the governor, upon expiration of the time for bills to become  
 16                  law without signature by the governor, as provided by Article III, Section 18 of the  
 17                  Constitution of Louisiana. If vetoed by the governor and subsequently approved by the  
 18                  legislature, the provisions of this Section shall become effective on the day following  
 19                  such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_