

ASSEMBLY BILL

No. 1639

Introduced by Assembly Member Maienschein

January 7, 2016

An act to add Article 14 (commencing with Section 33480) to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, relating to pupil safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 1639, as introduced, Maienschein. Pupil health: Sudden Cardiac Arrest Prevention Act.

Existing law requires a school district, charter school, or private school that elects to offer an athletic program to comply with certain requirements relating to pupil safety, including, among other things, removing an athlete who is suspected of sustaining a concussion or head injury from an athletic activity.

This bill would create the Sudden Cardiac Arrest Prevention Act and would require the State Department of Education to develop guidelines an information sheet on sudden cardiac arrest symptoms and warning signs, and other relevant materials relating to sudden cardiac arrest, and to post the information on the department's Internet Web site. The bill would require a pupil in any public school, including a charter school, or private school that elects to conduct athletic activities to sign and return an acknowledgment of receipt of an information sheet on sudden cardiac arrest symptoms and warning signs each school year before participating in an athletic activity. The bill would require an athletic director, coach, or athletic trainer to remove a pupil who passes out or faints while participating or immediately following an athletic activity, and would require a coach of an athletic activity to complete a sudden

cardiac arrest training course each school year. The bill would impose penalties, on and after July 1, 2019, for a violation of the provision requiring removal of a pupil from an athletic activity and the provision requiring a coach to complete a sudden cardiac arrest training course, as specified. The bill would make the act’s provisions operative on July 1, 2017.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 14 (commencing with Section 33480) is
2 added to Chapter 3 of Part 20 of Division 2 of Title 2 of the
3 Education Code, to read:

4
5 Article 14. Sudden Cardiac Arrest Prevention Act
6

7 33480. This act shall be known, and may be cited, as the
8 Sudden Cardiac Arrest Prevention Act.

9 33481. For purposes of this article, the following definitions
10 apply:

11 (a) “Athletic activity” includes all of the following:

12 (1) Interscholastic athletics.

13 (2) An athletic contest or competition, other than interscholastic
14 athletics, that is sponsored by or associated with a school, including
15 cheerleading, club-sponsored sports activities, and sports activities
16 sponsored by school-affiliated organizations.

17 (3) Noncompetitive cheerleading that is sponsored by or
18 associated with a school.

19 (4) Practices, interscholastic practices, and scrimmages for all
20 of the activities listed under paragraphs (1) to (3) , inclusive.

21 (b) “School” means a public school, including a charter school,
22 or private school that elects to conduct athletic activities.

23 33482. (a) The department shall develop and post on its
24 Internet Web site guidelines and an information sheet on sudden
25 cardiac arrest symptoms and warning signs, and other relevant
26 materials to inform and educate pupils, parents, and coaches about
27 the nature and warning signs of sudden cardiac arrest, including
28 the risks associated with continuing to play or practice after
29 experiencing fainting or seizures during exercise, unexplained

1 shortness of breath, chest pains, dizziness, racing heart rate, and
2 extreme fatigue.

3 (b) In developing the guidelines and materials, the department
4 may use, at no cost to the state, an educational video created by
5 Simon’s Fund, or another provider approved by the department,
6 for the purpose of educating coaches about sudden cardiac arrest.

7 33483. Each school year, before participation in an athletic
8 activity, a pupil and the pupil's parent or guardian shall sign and
9 return to the pupil's school an acknowledgment of receipt and
10 review of the information sheet developed by the department
11 pursuant to subdivision (a) of Section 33482.

12 33484. A school may hold an informational meeting before
13 the start of each athletic season for all ages of competitors regarding
14 the symptoms and warning signs of sudden cardiac arrest. In
15 addition to pupils, parents, coaches, and other school officials,
16 informational meetings may include physicians, pediatric
17 cardiologists, and athletic trainers.

18 33485. (a) A pupil who passes out or faints while participating
19 in or immediately following an athletic activity, or who is known
20 to have passed out or fainted while participating in or immediately
21 following an athletic activity, shall be removed from participation
22 at that time by the athletic director, coach, or athletic trainer.

23 (b) A pupil who exhibits any of the other symptoms of sudden
24 cardiac arrest, as set forth in subdivision (a) of Section 33482,
25 during an athletic activity, may be removed from participation by
26 an athletic trainer, if the athletic trainer reasonably believes that
27 the symptoms are cardiac related. In the absence of an athletic
28 trainer, any coach who observes any of the symptoms of sudden
29 cardiac arrest shall notify the parent or guardian of the pupil so
30 that the parent or guardian can determine what treatment, if any,
31 the pupil should seek.

32 (c) A pupil who is removed from play under this section shall
33 not be permitted to return to participate in an athletic activity until
34 the pupil is evaluated and cleared to return to participate in writing
35 by an appropriate medical professional.

36 33486. (a) Every school year, a coach of an athletic activity
37 shall complete the sudden cardiac arrest training course provided
38 by Simon’s Fund or another provider approved by the department.

1 (b) A coach of an athletic activity shall not be eligible to coach
2 the athletic activity until the coach completes the training course
3 required under subdivision (a).

4 33487. (a) On and after July 1, 2019, a coach who violates
5 subdivision (a) of Section 33485 or Section 33486 shall be subject
6 to the following penalties:

7 (1) For a first violation, suspension from coaching any athletic
8 activity for the remainder of the season.

9 (2) For a second violation, suspension from coaching any athletic
10 activity for the remainder of the season and for the next season.

11 (3) For a third violation, permanent suspension from coaching
12 any athletic activity.

13 (b) A coach shall not be exposed to civil liability for his or her
14 action or inaction under this article unless the coach is found to
15 have acted in a grossly negligent or reckless manner.

16 33488. The sponsors of youth athletic activities are encouraged
17 to follow the guidelines specified in this article.

18 33489. This article is operative on July 1, 2017.