

AMENDED IN ASSEMBLY APRIL 7, 2016

AMENDED IN ASSEMBLY MARCH 29, 2016

AMENDED IN ASSEMBLY MARCH 9, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1639

Introduced by Assembly Member Maienschein
(Coauthors: Assembly Members Bonilla, Brough, and Dodd)
(Coauthor: Senator Bates)

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 amended, 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 post on its Internet Web site guidelines, videos, and an information sheet on sudden cardiac arrest symptoms and warning signs, and other relevant materials relating to sudden cardiac arrest. The bill would require a pupil in any public school, including a charter school, or private school that elects to conduct athletic activities, and the pupil's parent or guardian, to sign

and return an acknowledgment of receipt of an information sheet on sudden cardiac arrest symptoms and warning signs each school year before the pupil participates in an athletic activity, as specified. The bill would require an athletic director, coach, or athletic trainer to remove from participation a pupil who passes out or faints while participating in or immediately following an athletic activity, and would require a coach of an athletic activity to complete a sudden cardiac arrest training course every other school year. The bill would impose penalties, on and after July 1, 2019, for a violation of 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 a school, including cheerleading and
15 club-sponsored sports activities.

16 (3) Noncompetitive cheerleading that is sponsored by a school.

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

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

21 33482. (a) The department shall post on its Internet Web site
22 guidelines, videos, and an information sheet on sudden cardiac
23 arrest symptoms and warning signs, and other relevant materials

1 to inform and educate pupils and parents, and to train coaches
2 about the nature and warning signs of sudden cardiac arrest,
3 including the risks associated with continuing to play or practice
4 after experiencing fainting or seizures during exercise, unexplained
5 shortness of breath, chest pains, dizziness, racing heart rate, or
6 extreme fatigue.

7 (b) Materials posted by the department on its Internet Web site
8 may include, but are not necessarily limited to, those developed
9 or used for sudden cardiac arrest education and coaches training
10 by the National Federation of High School Associations, the Eric
11 Paredes Save A Life Foundation, or the California Interscholastic
12 Federation.

13 (c) School districts and schools are encouraged to post on their
14 Internet Web sites the information and material required to be
15 posted by the department pursuant to subdivision (a) to give pupils,
16 parents, and coaches ready access to the information.

17 33483. Each school year, before a pupil participates in an
18 athletic activity governed by the California Interscholastic
19 Federation, the school shall collect and retain a copy of the sudden
20 cardiac arrest information sheet required by the California
21 Interscholastic Federation for that pupil. Before a pupil participates
22 in an athletic activity not governed by the California Interscholastic
23 Federation, the pupil and the pupil's parent or guardian shall sign
24 and return to the pupil's school an acknowledgment of receipt and
25 review of the information sheet posted on the department's Internet
26 Web site pursuant to subdivision (a) of Section 33482.

27 33484. A school may hold an informational meeting before
28 the start of each athletic season for all ages of competitors regarding
29 the symptoms and warning signs of sudden cardiac arrest. In
30 addition to pupils, parents, coaches, and other school officials,
31 informational meetings may include physicians, pediatric
32 cardiologists, and athletic trainers.

33 33485. (a) A pupil who passes out or faints while participating
34 in or immediately following an athletic activity, or who is known
35 to have passed out or fainted while participating in or immediately
36 following an athletic activity, shall be removed from participation
37 at that time by the athletic director, coach, or athletic trainer.

38 (b) A pupil who exhibits any of the other symptoms of sudden
39 cardiac arrest, as described in subdivision (a) of Section 33482,
40 during an athletic activity, may be removed from participation by

1 an athletic trainer, if the athletic trainer reasonably believes that
 2 the symptoms are cardiac related. In the absence of an athletic
 3 trainer, any coach who observes any of the symptoms of sudden
 4 cardiac arrest shall notify the parent or guardian of the pupil so
 5 that the parent or guardian can determine what treatment, if any,
 6 the pupil should seek.

7 (c) A pupil who is removed from play under this section shall
 8 not be permitted to return to participate in an athletic activity until
 9 the pupil is evaluated and cleared to return to participate in writing
 10 by a ~~licensed health care provider~~ *physician and surgeon, or a*
 11 *nurse practitioner or physician assistant practicing in accordance*
 12 *with standardized procedures or protocols developed by the*
 13 *supervising physician and surgeon and the nurse practitioner or*
 14 *physician assistant, as applicable.*

15 (d) This section does not apply to a pupil engaging in an athletic
 16 activity during the regular schoolday or as part of a physical
 17 education course required pursuant to subdivision (d) of Section
 18 51220 unless it constitutes a practice, interscholastic practice, or
 19 scrimmage pursuant to paragraph (4) of subdivision (a) of Section
 20 33481.

21 33486. (a) A coach of an athletic activity shall complete the
 22 sudden cardiac arrest training course specified in Section 33482
 23 and shall retake the training course every two years thereafter.

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

27 33487. ~~(a)~~ On and after July 1, 2019, a coach who violates
 28 Section 33486 shall be subject to suspension from coaching any
 29 athletic activity until completion of the required training.

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

33 33488. The sponsors of youth athletic activities are encouraged
 34 to follow the guidelines specified in this article.

35 33489. This article is operative on July 1, 2017.

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