

HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

BILL #: CS/HB 865 Youth Athletic Activities

SPONSOR(S): Healthcare Regulation Subcommittee, Yeager and others

TIED BILLS: None. **IDEN./SIM. BILLS:** CS/CS/SB 830

FINAL HOUSE FLOOR ACTION: 112 Y's

0 N's

GOVERNOR'S ACTION: Pending

SUMMARY ANALYSIS

CS/HB 865 passed the House on March 4, 2024, and subsequently passed the Senate on March 5, 2024.

Sudden cardiac arrest is the leading cause of death for student athletes. Florida law requires public schools that are members of the Florida High School Athletic Association (FHSAA) to have a school employee or volunteer trained in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED) present at athletic activities, including competitions, practices, workouts, and conditioning sessions. However, public schools who are not members of the FHSAA are not required to comply with these standards.

The bill requires all athletic coaches employed by public schools to hold and maintain certification in CPR, first aid, and the use of an AED. The certification must be consistent with national evidence-based emergency cardiovascular care guidelines.

The bill has no fiscal impact on state or local government (*see Fiscal Comments*).

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2024.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Background

Cardiac Arrest

Heart disease is the leading cause of death in the United States.¹ Sudden cardiac arrest is the leading cause of death for student athletes.²

Sudden cardiac arrest is the sudden loss of all heart activity due to an irregular heart rhythm. It can come on suddenly or in the wake of other symptoms. More than 356,000 cardiac arrests occur outside a hospital in the United States each year,³ 7,037 are cardiac arrests in children.⁴ Sudden cardiac arrest is often fatal if the individual does not receive timely emergency treatment.⁵ Emergency treatment for sudden cardiac arrest includes cardiopulmonary resuscitation (CPR) and shocks to the heart with an automated external defibrillator (AED).

Cardiopulmonary Resuscitation

Though the vast majority of cardiac arrests occur at home, approximately 15 percent of adult cardiac arrests and 12 percent of juvenile cardiac arrests occur in public.⁶ Bystander CPR can double or triple a person's chances of survival if started immediately.⁷ However, only 46 percent of cardiac arrests receive CPR from bystanders.⁸ Bystanders often choose not to perform CPR because they are not trained or they are concerned about causing additional injury to a patient, especially if the patient is elderly, female, or adolescent.⁹

Automated External Defibrillators

An AED is a computerized defibrillator that automatically analyzes the heart rhythm in people who are experiencing cardiac arrest. If the AED detects cardiac arrest, it delivers an electrical shock to the heart to restore its normal rhythm.¹⁰ Sudden cardiac arrest has an 85 percent survival rate when an AED is applied within three minutes of a collapse.¹¹

CPR and AEDs in Public Schools

¹ Center for Disease Control and Prevention, *Heart Disease*, <https://www.cdc.gov/heartdisease/facts.htm> (last visited March 11, 2024).

² Mayo Clinic, *Sudden Death in Young People: Heart Problems Often Blamed*, <https://www.mayoclinic.org/diseases-conditions/sudden-cardiac-arrest/in-depth/sudden-death/art-20047571> (last visited March 11, 2024).

³ *Id.*

⁴ American Academy of Pediatrics, *Advocating for Life Support Training of Children, Parents, Caregivers, School Personnel, and the Public*, <https://pediatrics.aappublications.org/content/141/6/e20180705#ref-1> (last visited March 11, 2024).

⁵ American Heart Association, *About Cardiac Arrest*, <https://www.heart.org/en/health-topics/cardiac-arrest/about-cardiac-arrest> (last visited March 11, 2024).

⁶ American Heart Association, *Why Women Fear Performing CPR on Women—and What to Do About It*, <https://www.heart.org/en/news/2020/11/23/why-people-fear-performing-cpr-on-women-and-what-to-do-about-it> (last visited March 11, 2024).

⁷ *Id.*

⁸ CPR Select, *CPR Success Rate: How Effective is CPR?*, available at <https://www.mycprcertificationonline.com/blog/cpr-success-rate> (last visited March 11, 2024).

⁹ Heart Cert, *Why Don't Bystanders Perform CPR?* available at <https://heartcertcpr.com/news/why-dont-bystanders-perform-cpr/#:~:text=Bystanders%20Fear%20Causing%20Additional%20Injury&text=The%20second%20most%20common%20reason.of%20CPR%20training%20and%20ability.&text=An%20additional%20reason%20given%20was,receiver%20CPR%20from%20a%20bystander> (last visited March 11, 2024).

¹⁰ U.S. Food & Drug Administration, *How AEDs in Public Places Can Restart Hearts*, available at <https://www.fda.gov/consumers/consumer-updates/how-aeds-public-places-can-restart-hearts> (last visited March 11, 2024).

¹¹ Karl Weenig, M.D., National Federation of State High School Associations, *Emergency Action Plans Should be Reviewed, Rehearsed Annually* (Jan. 8, 2024) available at <https://www.nfhs.org/articles/emergency-action-plans-should-be-reviewed-rehearsed-annually/#:~:text=It%20has%20been%20well%20documented,three%20minutes%20of%20a%20collapse> (last visited March 11, 2024).

As part of student wellness and physical education policies, Florida law encourages school districts to provide basic training in first aid, including CPR, for all students in grade 6 and grade 8.¹² School districts are required to provide basic training in first aid, including CPR, for all students in grade 9 and grade 11.¹³ The CPR instruction must be based on a one-hour, nationally recognized program that uses current evidence-based emergency cardiovascular care guidelines.¹⁴ Florida law also requires the instruction to allow students to practice psychomotor skills associated with performing CPR and how to use an AED when a school district has the necessary equipment to provide AED instruction.¹⁵ School districts are encouraged to pursue private and public partnerships to provide the requisite training or funding.¹⁶

Florida law requires public schools that are members of the Florida High School Athletic Association (FHSAA)¹⁷ to meet certain requirements relating to CPR and the use of an AED, to include requiring a school employee or volunteer trained in CPR and use of an AED to be present at athletic activities, including competitions, practices, workouts, and conditioning sessions.¹⁸ FHSAA member public schools are also required to have an operational AED available in a clearly marked, publicized location for all athletic contests, practices, workouts, and conditioning sessions.¹⁹ The location of the AED must be registered with a local emergency medical services medical director.²⁰ Each employee or volunteer required to complete the training must annually be notified in writing of the location of each defibrillator on school grounds.²¹

Public schools who are not members of the FHSAA are not required to comply with the above standards. Currently, over 800 public schools are members of the FHSAA.²² According to the Florida Department of Education, in FY 2022-23, there were 1,837 public schools in Florida (570 middle schools, 641 high schools, and 626 combination schools).

Athletic Coaching Certification

The athletic coaching certificate covers full-time and part-time employment as a public school's athletic coach.²³ The Department of Education issues two types of athletic coaching certificates – one is valid for 5 years and may be issued for subsequent 5-year periods while the other is valid for 3 years and may be issued only once.²⁴ The 3-year certificate merely requires the applicant to complete the application and pass a level 2 background screening.²⁵ The 5-year certificate requires submission of the application, passage of a level 2 background screening, and completion of a training course that includes the following:

- Nine semester hours in athletic coaching, to include:
 - Three semester hours in care and prevention of athletic injuries and the effects and dangers of drug use including performance enhancing drugs;
 - Three semester hours in coaching theory;
 - A course in theory and practice of coaching a specific sport; and
- A valid cardiopulmonary resuscitation course completion card or certificate issued by the American Heart Association or the American Red Cross or an equivalent cardiopulmonary

¹² Section 1003.453(3), F.S.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ The term "high school" includes grades 6-12.

¹⁸ Section 1006.165(1)(b), F.S.

¹⁹ Section 1006.165(1)(a), F.S.

²⁰ Section 1006.165(1)(c), F.S.

²¹ *Id.*

²² FHSAA, Membership, *What is Membership in the FHSAA?*, available at <https://fhsaa.com/sports/2020/1/30/Membership.aspx> (last visited March 11, 2024).

²³ Section 1012.55(2)(a), F.S.

²⁴ Rule 6A-4.004(5), F.A.C. (validity periods expressed in school fiscal years).

²⁵ Rule 6A-4.004(7)(a), F.A.C.

Effect of the Bill

The bill requires athletic coaches employed by all public schools, not just schools that are members of the FHSAA, to hold and maintain certification in CPR, first aid, and the use of an AED. The certification must be consistent with national evidence-based emergency cardiovascular care guidelines.

The bill provides an effective date of July 1, 2024.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

For public schools not currently a member of the FHSSA, the bill may have an indeterminate fiscal impact resulting from the costs associated with training athletic coaches in CPR and in the use of an AED. Since current law requires public schools that are members of the FHSAA to have a school employee or volunteer trained in CPR and in the use of an AED present at all athletic activities, it is likely their athletic coaches have already completed the training.

²⁶ See r. 6A-4.0282(2)-(3), F.A.C.