

**ACT No. 517**

Regular Session, 2014

HOUSE BILL NO. 542

BY REPRESENTATIVES WILLMOTT, ARNOLD, BARROW, WESLEY BISHOP, BROADWATER, BURFORD, HENRY BURNS, BURRELL, CARTER, COX, DANAHAY, EDWARDS, GAROFALO, GUILLORY, HARRIS, HARRISON, HAZEL, HENRY, HILL, HOFFMANN, HOLLIS, HOWARD, KATRINA JACKSON, JEFFERSON, JONES, NANCY LANDRY, LEOPOLD, MACK, PRICE, REYNOLDS, RICHARD, SHADOIN, SMITH, ST. GERMAIN, STOKES, THOMPSON, ALFRED WILLIAMS, AND PATRICK WILLIAMS AND SENATORS ALARIO, APPEL, BROOME, BROWN, BUFFINGTON, CLAITOR, CROWE, DORSEY-COLOMB, ERDEY, GALLOT, HEITMEIER, JOHNS, LAFLEUR, LONG, MARTINY, MILLS, MORRELL, MURRAY, PEACOCK, RISER, GARY SMITH, WALSWORTH, WARD, AND WHITE

1 AN ACT

2 To enact R.S. 17:81(X) and 3996(B)(34), relative to instruction in public high schools  
3 regarding cardiopulmonary resuscitation and automated external defibrillators; to  
4 require and provide guidelines for such instruction; to provide relative to rules and  
5 regulations; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:81(X) and 3996(B)(34) are hereby enacted to read as follows:

8 §81. General powers of local public school boards

9 \* \* \*

10 X.(1) The governing authority of each public school that enrolls students in  
11 grades nine through twelve shall provide instruction relative to cardiopulmonary  
12 resuscitation and the use of an automated external defibrillator. Such instruction  
13 shall be integrated into the curriculum of an existing course, such as health  
14 education, physical education, or another course that is required for graduation and  
15 deemed appropriate by the school governing authority, and shall include the  
16 following:

1           (a) An instructional program developed by the American Heart Association  
2           or the American Red Cross or an instructional program that is nationally recognized  
3           and based on the most current national evidence-based emergency cardiovascular  
4           care guidelines for the performance of cardiopulmonary resuscitation and the use of  
5           an automated external defibrillator.

6           (b) Training for students relative to the psychomotor skills necessary to  
7           perform cardiopulmonary resuscitation. For the purposes of this Subparagraph,  
8           "psychomotor skills" means skills that students are required to perform as hands-on  
9           practice to support cognitive learning. Students receiving the instruction required  
10          by this Subsection in a virtual school shall not be required to perform hands-on  
11          practice.

12          (2)(a) A classroom teacher shall not be required to be a certified trainer of  
13          cardiopulmonary resuscitation to facilitate, provide, or oversee the instruction.

14          (b) The governing authority of each public school may consult and partner  
15          with the following individuals whom the governing authority may authorize to  
16          participate in providing the instruction:

17           (i) Emergency medical technicians, paramedics, physicians, nurses,  
18           respiratory therapists, police officers, deputy sheriffs, nurse practitioners, athletic  
19           trainers, firefighters, and any persons included in the definition of "health care  
20           provider" provided in R.S. 40:1299.41, each of whom shall be certified in  
21           cardiopulmonary resuscitation and must be currently licensed, certified, or  
22           commissioned according to his respective occupation in order to participate in  
23           providing such instruction. If it is in accordance with the laws, rules, or regulations  
24           governing his profession, if applicable, an instructor may apply the hours spent  
25           performing this instruction toward fulfilling professional requirements relative to  
26           performing community service.

27           (ii) Representatives of the American Heart Association or the American Red  
28           Cross or other similarly qualified individuals.

1           (c) Instruction required pursuant to this Subsection shall not result in the  
 2           certification of students in cardiopulmonary resuscitation or the use of an automated  
 3           external defibrillator. If, separate and apart from the instruction required by this  
 4           Subsection, a school governing authority provides a training program that is intended  
 5           to result in such certification, the instructor shall be authorized to provide instruction  
 6           for certification by the American Heart Association, the American Red Cross, or a  
 7           similar nationally recognized association. Prior to the certification of any student  
 8           under the age of eighteen through such a training program, a school governing  
 9           authority shall obtain parental consent.

10           (d) The physical presence of an automated external defibrillator in the  
 11           classroom is not required. The instruction need only provide general information on  
 12           the use and importance of automated external defibrillators.

13           (3) The governing authority of each public school shall adopt rules and  
 14           regulations necessary for the implementation of this Subsection.

15           (4) The governing authority of each public school shall comply with any  
 16           surveys or reporting that the State Board of Elementary and Secondary Education or  
 17           the state Department of Education requires in order to determine whether governing  
 18           authorities are complying with the provisions of this Subsection.

19           (5) This Subsection may be referred to as "The Burke Cobb Act."

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21           §3996. Charter schools; exemptions; requirements

22                           \*       \*       \*

23           B. Notwithstanding any state law, rule, or regulation to the contrary and  
 24           except as may be otherwise specifically provided for in an approved charter, a  
 25           charter school established and operated in accordance with the provisions of this  
 26           Chapter and its approved charter and the school's officers and employees shall be  
 27           exempt from all statutory mandates or other statutory requirements that are  
 28           applicable to public schools and to public school officers and employees except for  
 29           the following laws otherwise applicable to public schools with the same grades:

30                           \*       \*       \*

