

HOUSE BILL 1417

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3lr2989
CF SB 929

By: **Delegates Lee, Frush, Guzzone, Ivey, Jones, A. Miller, Nathan-Pulliam, Simmons, and Walker**

Introduced and read first time: February 15, 2013

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools – Cardiopulmonary Resuscitation and Automated External**
3 **Defibrillator Instruction – Graduation Requirement**

4 FOR the purpose of requiring a public school student to complete instruction in
5 cardiopulmonary resuscitation and the use of an automated external
6 defibrillator to graduate from high school beginning with students entering a
7 certain grade in a certain year; requiring each county board of education to
8 provide instruction in cardiopulmonary resuscitation and the use of an
9 automated external defibrillator in certain schools beginning in a certain year
10 and using a certain instructional program and incorporating certain skills;
11 requiring, if the instruction is offered for certification, a certain individual to
12 conduct the instruction; authorizing, if the instruction is not offered for
13 certification, a certain individual to facilitate, provide, or oversee the
14 instruction; requiring the State Department of Education to develop a process to
15 monitor the implementation of certain provisions of law; authorizing the State
16 Superintendent of Schools, with the approval of the State Board of Education, to
17 request that the State Comptroller withhold certain funds if a local school
18 system fails to comply with certain requirements; requiring the Comptroller to
19 withhold certain funds until receiving a certain notice; defining certain terms;
20 and generally relating to instruction in cardiopulmonary resuscitation and the
21 use of an automated external defibrillator and high school graduation
22 requirements in the State.

23 BY adding to

24 Article – Education

25 Section 7–205.1

26 Annotated Code of Maryland

27 (2008 Replacement Volume and 2012 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Education**

4 **7–205.1.**

5 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
6 MEANINGS INDICATED.

7 (2) “AUTOMATED EXTERNAL DEFIBRILLATOR” HAS THE MEANING
8 STATED IN § 13–517 OF THIS ARTICLE.

9 (3) “PSYCHOMOTOR SKILLS” MEANS THE USE OF HANDS–ON
10 PRACTICING TO SUPPORT COGNITIVE LEARNING.

11 (B) BEGINNING WITH STUDENTS ENTERING GRADE 9 IN THE 2013–2014
12 SCHOOL YEAR, TO GRADUATE FROM A PUBLIC HIGH SCHOOL, A STUDENT SHALL
13 COMPLETE INSTRUCTION IN CARDIOPULMONARY RESUSCITATION AND THE USE
14 OF AN AUTOMATED EXTERNAL DEFIBRILLATOR.

15 (C) BEGINNING IN THE 2014–2015 SCHOOL YEAR, EACH COUNTY BOARD
16 SHALL PROVIDE INSTRUCTION IN CARDIOPULMONARY RESUSCITATION AND THE
17 USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR IN EVERY PUBLIC SCHOOL
18 THAT ENROLLS STUDENTS IN ANY OF THE GRADES 7 THROUGH 12 IN THE
19 COUNTY.

20 (D) THE INSTRUCTION REQUIRED UNDER SUBSECTIONS (B) AND (C) OF
21 THIS SECTION SHALL:

22 (1) USE AN INSTRUCTIONAL PROGRAM THAT IS:

23 (i) DEVELOPED BY THE AMERICAN HEART ASSOCIATION
24 OR THE AMERICAN RED CROSS; OR

25 (ii) APPROVED BY THE DEPARTMENT AND THE COUNTY
26 BOARD AND IS NATIONALLY RECOGNIZED AND BASED ON THE MOST CURRENT
27 NATIONAL EVIDENCE–BASED EMERGENCY CARDIOVASCULAR CARE GUIDELINES
28 FOR CARDIOPULMONARY RESUSCITATION AND THE USE OF AN AUTOMATED
29 EXTERNAL DEFIBRILLATOR; AND

30 (2) INCORPORATE THE PSYCHOMOTOR SKILLS NECESSARY TO
31 PERFORM CARDIOPULMONARY RESUSCITATION AND THE USE OF AN
32 AUTOMATED EXTERNAL DEFIBRILLATOR.

1 **(E) (1) IF THE INSTRUCTION REQUIRED UNDER SUBSECTIONS (B)**
2 **AND (C) OF THIS SECTION IS OFFERED FOR CERTIFICATION, THE COURSE MUST**
3 **BE CONDUCTED BY AN INDIVIDUAL WHO IS CERTIFIED BY THE AMERICAN**
4 **HEART ASSOCIATION, THE AMERICAN RED CROSS, OR A SIMILAR NATIONALLY**
5 **RECOGNIZED ENTITY AS AN INSTRUCTOR OF CARDIOPULMONARY**
6 **RESUSCITATION AND THE USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR.**

7 **(2) IF THE INSTRUCTION REQUIRED UNDER SUBSECTIONS (B)**
8 **AND (C) OF THIS SECTION IS NOT OFFERED FOR CERTIFICATION, A LICENSED**
9 **TEACHER WHO IS NOT A CERTIFIED INSTRUCTOR OF CARDIOPULMONARY**
10 **RESUSCITATION AND THE USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR**
11 **MAY FACILITATE, PROVIDE, OR OVERSEE THE INSTRUCTION.**

12 **(F) THE DEPARTMENT SHALL DEVELOP A PROCESS TO MONITOR THE**
13 **IMPLEMENTATION OF THE REQUIREMENTS ESTABLISHED UNDER THIS SECTION.**

14 **(G) (1) IF A COUNTY BOARD FAILS TO COMPLY WITH THE**
15 **REQUIREMENTS OF THIS SECTION, THE STATE SUPERINTENDENT, WITH THE**
16 **APPROVAL OF THE STATE BOARD, MAY REQUEST THE COMPTROLLER TO**
17 **WITHHOLD UP TO 5% OF THE NEXT INSTALLMENT AND EACH SUBSEQUENT**
18 **INSTALLMENT DUE THE COUNTY BOARD FROM THE GENERAL STATE SCHOOL**
19 **FUND.**

20 **(2) (I) IF THE STATE SUPERINTENDENT MAKES A REQUEST**
21 **UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COMPTROLLER SHALL**
22 **WITHHOLD THE REQUESTED PERCENT OF THE NEXT INSTALLMENT AND EACH**
23 **SUBSEQUENT INSTALLMENT DUE THE COUNTY BOARD FROM THE GENERAL**
24 **STATE SCHOOL FUND.**

25 **(II) IF THE STATE SUPERINTENDENT FINDS THAT THE**
26 **COUNTY BOARD IS IN FULL COMPLIANCE WITH THE REQUIREMENTS OF THIS**
27 **SECTION, THE STATE SUPERINTENDENT SHALL NOTIFY THE COMPTROLLER**
28 **AND THE COMPTROLLER SHALL RESUME DISTRIBUTION OF THE FULL AMOUNT**
29 **OF THE NEXT INSTALLMENT AND EACH SUBSEQUENT INSTALLMENT DUE THE**
30 **COUNTY BOARD.**

31 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
32 **July 1, 2013.**