

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1685 Session of 2023

INTRODUCED BY BRENNAN, PROBST, BOROWSKI, PIELLI, McNEILL, HOWARD, MADSEN, MADDEN, HADDOCK, KHAN, GUENST, HILL-EVANS, SANCHEZ, KINSEY, DONAHUE, MAYES, FREEMAN, CEPEDA-FREYTIZ, CIRESI, GREEN, SCHLOSSBERG, WARREN, OTTEN AND DEASY, SEPTEMBER 19, 2023

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 3, 2024

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," in school health services, further <--
6 providing for automated external defibrillators and providing <--
7 for CERTIFICATION OF TEACHERS, REPEALING PROVISIONS RELATING <--
8 TO CPR INSTRUCTION; AND, IN SCHOOL HEALTH SERVICES, REPEALING
9 PROVISIONS RELATING TO AUTOMATIC EXTERNAL DEFIBRILLATORS AND
10 PROVIDING FOR AED AND CPR INSTRUCTION AND PROCEDURE, FOR
11 AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAM, FOR AVAILABILITY
12 AND SPECIFICATIONS OF AUTOMATED EXTERNAL DEFIBRILLATORS AND
13 FOR sudden cardiac event emergency action plan for athletic
14 activities.

15 The General Assembly of the Commonwealth of Pennsylvania
16 hereby enacts as follows:

17 Section 1. Section 1423 of the act of March 10, 1949 <--
18 (P.L.30, No.14), known as the Public School Code of 1949, is
19 amended by adding a subsection to read:

20 Section 1423. Automated External Defibrillators. \* \* \*

21 (i.3) (1) Each school entity and nonpublic school shall
22 have an automated external defibrillator present at all

1 ~~interscholastic athletic events, including practices, sponsored~~  
2 ~~by the school entity or nonpublic school.~~

3 ~~(2) The automated external defibrillator required under this~~  
4 ~~subsection may either be property of the school entity or~~  
5 ~~nonpublic school or on the premises with emergency medical~~  
6 ~~personnel.~~

7 ~~(3) If the automated external defibrillator is property of~~  
8 ~~the school entity or nonpublic school, school personnel who are~~  
9 ~~expected to use the automated external defibrillator shall~~  
10 ~~complete the training required under subsection (d).~~

11 ~~(4) A school entity or nonpublic school may acquire an~~  
12 ~~automated external defibrillator required under this subsection~~  
13 ~~by donation, through a fundraising effort or by any other means.~~

14 \* \* \*

15 Section 2. The act is amended by adding a section to read:

16 SECTION 1. SECTIONS 1205.4 AND 1423 OF THE ACT OF MARCH 10, <--  
17 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949,  
18 ARE REPEALED:

19 [SECTION 1205.4. CPR INSTRUCTION.--(A) SCHOOL ENTITIES  
20 SHALL BE REQUIRED TO OFFER A CARDIOPULMONARY RESUSCITATION  
21 TRAINING (CPR) CLASS ON SCHOOL PREMISES AT LEAST ONCE EVERY  
22 THREE YEARS. THE COURSE SHALL BE OFFERED AS AN OPTION TO ALL  
23 EMPLOYES OF THE SCHOOL ENTITY.

24 (B) COMPLETION OF TRAINING, INCLUDING TESTING OF SKILLS AND  
25 KNOWLEDGE, SHALL BE DOCUMENTED BY THE SIGNATURE AND TITLE OF A  
26 REPRESENTATIVE OF THE TRAINING ENTITY AND SHALL INCLUDE THE DATE  
27 TRAINING WAS COMPLETED. DOCUMENTATION SHALL BE RETAINED IN THE  
28 FACILITY IN THAT EMPLOYEE'S FILE. TRAINING SHALL BE CONDUCTED BY:

29 (1) THE AMERICAN RED CROSS;

30 (2) THE AMERICAN HEART ASSOCIATION;

1 (3) AN INDIVIDUAL CERTIFIED TO CONDUCT CPR TRAINING BY THE  
2 AMERICAN RED CROSS, AMERICAN HEART ASSOCIATION OR OTHER  
3 CERTIFYING AGENCY APPROVED BY THE DEPARTMENT OF HEALTH; OR

4 (4) OTHER CERTIFYING AGENCY APPROVED BY THE DEPARTMENT OF  
5 HEALTH.

6 (C) SCHOOL DISTRICTS MAY INCLUDE THIS TRAINING IN THE  
7 CONTINUING EDUCATION PLAN SUBMITTED BY THE DISTRICT TO THE  
8 DEPARTMENT OF EDUCATION UNDER SECTION 1205.1.

9 (D) FOR PURPOSES OF THIS SECTION, A SCHOOL ENTITY SHALL BE  
10 DEFINED AS A LOCAL SCHOOL DISTRICT, INTERMEDIATE UNIT OR AREA  
11 CAREER AND TECHNICAL SCHOOL.

12 SECTION 1423. AUTOMATIC EXTERNAL DEFIBRILLATORS.-- (A) THE  
13 DEPARTMENT SHALL ESTABLISH AN AUTOMATIC EXTERNAL DEFIBRILLATOR  
14 PROGRAM TO ASSIST SCHOOL ENTITIES AND NONPUBLIC SCHOOLS IN  
15 MAKING AUTOMATIC EXTERNAL DEFIBRILLATORS AVAILABLE IN SCHOOL  
16 BUILDINGS.

17 (B) ON A BIENNIAL BASIS, THE DEPARTMENT, IN CONSULTATION  
18 WITH THE DEPARTMENT OF GENERAL SERVICES AND THE DEPARTMENT OF  
19 HEALTH, SHALL ISSUE AN INVITATION TO BID FOR THE COST OF  
20 AUTOMATIC EXTERNAL DEFIBRILLATORS AND OTHER EQUIPMENT AND  
21 SUPPLIES NECESSARY FOR THE PROPER OPERATION OF THE DEVICE. THE  
22 DEPARTMENT SHALL ACCEPT THE BID OF THE LOWEST RESPONSIBLE BIDDER  
23 AND PERMIT ANY SCHOOL ENTITY OR NONPUBLIC SCHOOL TO PURCHASE THE  
24 DEVICES AT THE CONTRACT BID PRICE. THE DEPARTMENT MAY PURCHASE  
25 AUTOMATIC EXTERNAL DEFIBRILLATORS FROM ANY FUNDS APPROPRIATED  
26 PURSUANT TO SUBSECTION (K) FOR DISTRIBUTION TO SCHOOL ENTITIES  
27 AND NONPUBLIC SCHOOLS.

28 (C) TO BE ELIGIBLE TO OBTAIN OR PURCHASE AUTOMATIC EXTERNAL  
29 DEFIBRILLATORS UNDER THE PROGRAM A SCHOOL ENTITY OR NONPUBLIC  
30 SCHOOL MUST:

1 (1) ASSURE THAT TWO (2) OR MORE PERSONS ASSIGNED TO THE  
2 LOCATION WHERE THE AUTOMATIC EXTERNAL DEFIBRILLATOR WILL BE  
3 PRIMARILY HOUSED ARE TRAINED AS REQUIRED IN SUBSECTION (D).

4 (2) ENSURE THAT THE DEVICE WILL BE SECURED IN A SAFE AND  
5 READILY ACCESSIBLE LOCATION AND AGREE TO PROPERLY MAINTAIN AND  
6 TEST THE DEVICE ACCORDING TO THE MANUFACTURER'S OPERATIONAL  
7 GUIDELINES.

8 (3) SUBMIT A VALID PRESCRIPTION FOR THE DEVICE FROM A  
9 LICENSED MEDICAL PRACTITIONER IN THIS COMMONWEALTH.

10 (4) AGREE TO PROVIDE THE TRAINING REQUIRED BY SUBSECTION  
11 (D).

12 (D) SCHOOL PERSONNEL WHO ARE EXPECTED TO USE THE AUTOMATIC  
13 EXTERNAL DEFIBRILLATOR SHALL COMPLETE TRAINING IN  
14 CARDIOPULMONARY RESUSCITATION AND IN THE USE OF AN AUTOMATIC  
15 EXTERNAL DEFIBRILLATOR PROVIDED BY THE AMERICAN HEART  
16 ASSOCIATION, THE AMERICAN RED CROSS OR THROUGH AN EQUIVALENT  
17 COURSE OF INSTRUCTION APPROVED BY THE DEPARTMENT OF HEALTH.

18 (E) A SCHOOL ENTITY MAY INCLUDE THE TRAINING REQUIRED BY  
19 SUBSECTION (D) IN ITS CONTINUING PROFESSIONAL EDUCATION PLAN  
20 SUBMITTED TO THE DEPARTMENT UNDER SECTION 1205.1.

21 (F) THE PROVISIONS OF 42 PA.C.S. § 8331.2 (RELATING TO GOOD  
22 SAMARITAN CIVIL IMMUNITY FOR USE OF AUTOMATED EXTERNAL  
23 DEFIBRILLATOR) SHALL APPLY TO SCHOOL EMPLOYEES WHO RENDER CARE  
24 WITH AN AUTOMATIC EXTERNAL DEFIBRILLATOR.

25 (G) FROM FUNDS APPROPRIATED FOR THIS PURPOSE, THE DEPARTMENT  
26 MAY ASSIST SCHOOL ENTITIES AND NONPUBLIC SCHOOLS THAT ARE NOT  
27 EQUIPPED WITH AUTOMATIC EXTERNAL DEFIBRILLATORS BY PROVIDING A  
28 DISCOUNT FROM THE CONTRACT BID PRICE OBTAINED UNDER SUBSECTION  
29 (B) OR BY PROVIDING AUTOMATIC EXTERNAL DEFIBRILLATORS OBTAINED  
30 UNDER SUBSECTION (B).

1 (G.1) THE PURCHASE OF AN AUTOMATIC EXTERNAL DEFIBRILLATOR  
2 SHALL BE CONSIDERED AN ALLOWABLE USE OF PENNSYLVANIA  
3 ACCOUNTABILITY GRANTS UNDER SECTION 2599.2(B).

4 (G.2) THE PURCHASE OF AUTOMATIC EXTERNAL DEFIBRILLATORS  
5 SHALL BE CONSIDERED AN INNOVATIVE EDUCATIONAL PROGRAM UNDER  
6 ARTICLE XVII-F OF THE ACT OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN  
7 AS THE "TAX REFORM CODE OF 1971."

8 (H) (RESERVED).

9 (I) NOT LATER THAN JUNE 30, 2014, AND EACH YEAR THEREAFTER,  
10 EACH SCHOOL ENTITY SHALL MAKE A REPORT TO THE DEPARTMENT  
11 DETAILING THE NUMBER, CONDITION, AGE AND PLACEMENT OF AUTOMATIC  
12 EXTERNAL DEFIBRILLATORS IN EACH SCHOOL BUILDING. AFTER THE  
13 INITIAL REPORT IS MADE, A SCHOOL ENTITY MAY REPORT THIS  
14 INFORMATION AS PART OF THE ANNUAL REPORT REQUIRED BY THE  
15 COMMONWEALTH UNDER SECTION 2505.1 TO RECEIVE STATE REIMBURSEMENT  
16 FOR HEALTH SERVICES.

17 (I.1) A NONPUBLIC SCHOOL THAT PARTICIPATES IN THE AUTOMATIC  
18 EXTERNAL DEFIBRILLATOR PROGRAM UNDER SUBSECTION (B) OR (G) SHALL  
19 BE SUBJECT TO THE REPORTING REQUIRED UNDER SUBSECTION (I).

20 (I.2) THE DEPARTMENT SHALL ANNUALLY PUBLISH A REPORT ON ITS  
21 PUBLICLY ACCESSIBLE INTERNET WEBSITE NO LATER THAN DECEMBER 31,  
22 2014, AND EACH YEAR THEREAFTER. THE REPORT SHALL CONTAIN THE  
23 FOLLOWING INFORMATION:

24 (1) THE TOTAL NUMBER OF AUTOMATIC EXTERNAL DEFIBRILLATORS BY  
25 SCHOOL ENTITY AND NONPUBLIC SCHOOL.

26 (2) THE NUMBER OF SCHOOL BUILDINGS BY SCHOOL ENTITY AND  
27 NONPUBLIC SCHOOL THAT ARE EQUIPPED WITH AUTOMATIC EXTERNAL  
28 DEFIBRILLATORS.

29 (3) THE NUMBER OF SCHOOL BUILDINGS BY SCHOOL ENTITY AND  
30 NONPUBLIC SCHOOL THAT ARE NOT EQUIPPED WITH AUTOMATIC EXTERNAL

1 DEFIBRILLATORS.

2 (J) THE DEPARTMENT MAY ADOPT GUIDELINES AS NECESSARY TO  
3 ADMINISTER THIS SECTION.

4 (K) THE GENERAL ASSEMBLY MAY APPROPRIATE FUNDS TO CARRY OUT  
5 THE PROVISIONS OF THIS SECTION.

6 (L) AS USED IN THIS SECTION--

7 "AUTOMATIC EXTERNAL DEFIBRILLATOR" MEANS A PORTABLE DEVICE  
8 THAT USES ELECTRIC SHOCK TO RESTORE A STABLE HEART RHYTHM TO AN  
9 INDIVIDUAL IN CARDIAC ARREST.

10 "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION OF THE  
11 COMMONWEALTH.

12 "NONPUBLIC SCHOOL" MEANS A NONPROFIT SCHOOL, OTHER THAN A  
13 PUBLIC SCHOOL WITHIN THIS COMMONWEALTH, WHEREIN A RESIDENT OF  
14 THIS COMMONWEALTH MAY LEGALLY FULFILL THE COMPULSORY SCHOOL  
15 ATTENDANCE REQUIREMENTS OF THIS ACT AND WHICH MEETS THE  
16 APPLICABLE REQUIREMENTS OF TITLE VI OF THE CIVIL RIGHTS ACT OF  
17 1964 (PUBLIC LAW 88-352, 78 STAT. 241).

18 "SCHOOL BUILDING" MEANS A BUILDING OWNED BY OR UNDER THE  
19 CONTROL OF A SCHOOL ENTITY OR NONPUBLIC SCHOOL WHERE CLASSES ARE  
20 TAUGHT OR EXTRACURRICULAR ACTIVITIES ARE CONDUCTED ON A REGULAR  
21 BASIS.

22 "SCHOOL ENTITY" MEANS AN AREA CAREER AND TECHNICAL SCHOOL, A  
23 CHARTER SCHOOL, A CYBER CHARTER SCHOOL, AN INTERMEDIATE UNIT OR  
24 A SCHOOL DISTRICT.

25 "SECRETARY" MEANS THE SECRETARY OF EDUCATION OF THE  
26 COMMONWEALTH.]

27 SECTION 2. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

28 SECTION 1423.1. AED AND CPR INSTRUCTION AND PROCEDURE.-- (A)  
29 EACH SCHOOL ENTITY SHALL MAKE AVAILABLE TO THE SCHOOL ENTITY'S  
30 EMPLOYEES AND VOLUNTEERS INSTRUCTION IN THE PRINCIPLES AND

1 TECHNIQUES OF CARDIOPULMONARY RESUSCITATION AND THE USE OF AN  
2 AUTOMATED EXTERNAL DEFIBRILLATOR ON SCHOOL PREMISES AT LEAST  
3 ONCE EVERY TWO YEARS. THE FOLLOWING APPLY:

4 (1) THE INSTRUCTION SHALL BE OFFERED AS AN OPTION TO ALL  
5 SCHOOL ENTITY EMPLOYEES AND VOLUNTEERS.

6 (2) THE INSTRUCTION SHALL BE CONDUCTED BY ANY OF THE  
7 FOLLOWING:

8 (I) THE AMERICAN RED CROSS.

9 (II) THE AMERICAN HEART ASSOCIATION.

10 (III) AN INDIVIDUAL CERTIFIED TO CONDUCT CPR TRAINING BY THE  
11 AMERICAN RED CROSS, AMERICAN HEART ASSOCIATION OR OTHER  
12 CERTIFYING AGENCY APPROVED BY THE DEPARTMENT OF HEALTH.

13 (IV) ANOTHER CERTIFYING AGENCY APPROVED BY THE DEPARTMENT OF  
14 HEALTH.

15 (3) A SCHOOL ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL, AS  
16 APPLICABLE, MAY PROVIDE THE INSTRUCTION UNDER THIS SECTION  
17 THROUGH THE INTERNET OR OTHER ELECTRONIC MEANS.

18 (B) THE FOLLOWING APPLY TO AED AND CPR INSTRUCTION:

19 (1) EACH SCHOOL ENTITY SHALL ENSURE THAT AT LEAST ONE (1)  
20 INDIVIDUAL TRAINED AND CERTIFIED IN THE USE OF AN AED AND CPR IS  
21 PRESENT IN EACH SCHOOL BUILDING DURING EACH SCHOOL DAY.

22 (2) EACH SCHOOL NURSE OR DESIGNEE, COACH OF AN ATHLETIC  
23 ACTIVITY, PHYSICAL EDUCATION TEACHER, ATHLETIC TRAINER AND  
24 ATHLETIC TRAINING STUDENT AIDE WITHIN EACH SCHOOL ENTITY MUST  
25 PARTICIPATE IN THE INSTRUCTION IN THE USE OF AN AED AND CPR.

26 (3) AN INDIVIDUAL DESCRIBED IN THIS SUBSECTION MUST COMPLETE  
27 THE INSTRUCTION AND MAINTAIN CERTIFICATION IN THE USE OF AN AED  
28 IN ACCORDANCE WITH THIS SECTION.

29 (C) THE FOLLOWING APPLY TO CONTINUING EDUCATION  
30 REQUIREMENTS:

1 (1) A SCHOOL ENTITY MAY INCLUDE THE INSTRUCTION UNDER THIS  
2 SECTION IN THE CONTINUING EDUCATION PLAN SUBMITTED BY THE  
3 DISTRICT TO THE DEPARTMENT UNDER SECTION 1205.1.

4 (2) SATISFYING THE INSTRUCTION REQUIREMENTS OF THIS SECTION  
5 SHALL ALSO SATISFY THE TRAINING REQUIREMENTS UNDER SECTION  
6 1425(D).

7 (D) COMPLETION OF INSTRUCTION UNDER SUBSECTIONS (A) AND (B),  
8 INCLUDING THE TESTING OF SKILLS AND KNOWLEDGE, SHALL BE  
9 DOCUMENTED BY THE SIGNATURE AND TITLE OF A REPRESENTATIVE OF THE  
10 TRAINING ENTITY AND SHALL INCLUDE THE DATE THAT THE INSTRUCTION  
11 WAS COMPLETED. THE DOCUMENTATION SHALL BE RETAINED BY THE SCHOOL  
12 ENTITY IN THE FILE OF THE EMPLOYE OR VOLUNTEER THAT COMPLETED  
13 THE TRAINING.

14 (E) THE FOLLOWING APPLY TO A CARDIAC EMERGENCY RESPONSE  
15 PLAN:

16 (1) EACH SCHOOL ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL  
17 SHALL DEVELOP OR AMEND AN EXISTING CARDIAC EMERGENCY RESPONSE  
18 PLAN THAT INCLUDES:

19 (I) NATIONALLY RECOGNIZED EVIDENCE-BASED CORE ELEMENTS OR  
20 STANDARDS.

21 (II) AN ANNUAL REVIEW.

22 (III) SAFETY PROCEDURES TO FOLLOW IN RESPONSE TO A MEDICAL  
23 EMERGENCY INVOLVING CARDIAC ARREST AND THE USE OF AN AED.

24 (IV) THE PLACEMENT OF AEDS ON SCHOOL PREMISES.

25 (2) THE CARDIAC EMERGENCY RESPONSE PLAN OF EACH SCHOOL  
26 ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL SHALL:

27 (I) MAKE AVAILABLE CARDIAC AWARENESS INFORMATION TO SCHOOL  
28 EMPLOYEES AND THOSE RESPONSIBLE FOR EXTRACURRICULAR ACTIVITIES OF  
29 THE SCHOOL ENTITY.

30 (II) REQUIRE CONDUCTING ANNUAL SUDDEN CARDIAC ARREST DRILLS



1 WITH OR WITHOUT THE PARTICIPATION OF STUDENTS TO TEST THE  
2 CARDIAC EMERGENCY RESPONSE PLAN IN RESPONSE TO A SUDDEN CARDIAC  
3 ARREST.

4 (F) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES  
5 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS  
6 THE CONTEXT CLEARLY INDICATES OTHERWISE:

7 "ATHLETIC ACTIVITY" MEANS AS DEFINED IN SECTION 1425(H).

8 "AUTOMATED EXTERNAL DEFIBRILLATOR" OR "AED" MEANS A PORTABLE  
9 DEVICE THAT USES ELECTRIC SHOCK TO RESTORE A STABLE HEART RHYTHM  
10 TO AN INDIVIDUAL IN CARDIAC ARREST.

11 "CPR" MEANS CARDIOPULMONARY RESUSCITATION.

12 "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION OF THE  
13 COMMONWEALTH.

14 "NONPUBLIC SCHOOL" MEANS A NONPROFIT SCHOOL, OTHER THAN A  
15 PUBLIC SCHOOL WITHIN THIS COMMONWEALTH, WHEREIN A RESIDENT OF  
16 THIS COMMONWEALTH MAY LEGALLY FULFILL THE COMPULSORY SCHOOL  
17 ATTENDANCE REQUIREMENTS OF THIS ACT AND WHICH MEETS THE  
18 APPLICABLE REQUIREMENTS OF TITLE VI OF THE CIVIL RIGHTS ACT OF  
19 1964 (PUBLIC LAW 88-352, 78 STAT. 241).

20 "PRIVATE SCHOOL" MEANS A SCHOOL LICENSED UNDER THE ACT OF  
21 DECEMBER 15, 1986 (P.L.1585, NO.174), KNOWN AS THE PRIVATE  
22 LICENSED SCHOOLS ACT.

23 "SCHOOL BUILDING" MEANS A BUILDING OWNED BY OR UNDER THE  
24 CONTROL OF A SCHOOL ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL  
25 WHERE CLASSES ARE TAUGHT OR EXTRACURRICULAR ACTIVITIES ARE  
26 CONDUCTED ON A REGULAR BASIS.

27 "SCHOOL DAY" MEANS THE LENGTH OF TIME THAT A CHILD SUBJECT TO  
28 COMPULSORY SCHOOL ATTENDANCE IS EXPECTED TO BE RECEIVING  
29 INSTRUCTION DURING A CALENDAR DAY AS DETERMINED BY THE GOVERNING  
30 BODY.

1 "SCHOOL ENTITY" MEANS A SCHOOL DISTRICT, CHARTER SCHOOL,  
2 REGIONAL CHARTER SCHOOL, CYBER CHARTER SCHOOL, INTERMEDIATE UNIT  
3 OR AREA CAREER AND TECHNICAL SCHOOL.

4 "VOLUNTEER" MEANS AN INDIVIDUAL WHO HOLDS AN UNPAID POSITION  
5 WITH A SCHOOL ENTITY AS A VOLUNTEER FOR A PROGRAM, ACTIVITY OR  
6 SERVICE AND IS RESPONSIBLE FOR THE WELFARE OF CHILDREN OR HAS  
7 DIRECT VOLUNTEER CONTACT.

8 SECTION 1423.2. AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAM.--

9 (A) THE DEPARTMENT SHALL ESTABLISH THE AUTOMATED EXTERNAL  
10 DEFIBRILLATOR PROGRAM TO ASSIST SCHOOL ENTITIES, NONPUBLIC  
11 SCHOOLS AND PRIVATE SCHOOLS IN MAKING AEDS AVAILABLE IN SCHOOL  
12 BUILDINGS.

13 (B) ON A BIENNIAL BASIS, THE DEPARTMENT, IN CONSULTATION  
14 WITH THE DEPARTMENT OF GENERAL SERVICES AND THE DEPARTMENT OF  
15 HEALTH, SHALL ISSUE AN INVITATION TO BID FOR THE COST OF AEDS  
16 AND OTHER EQUIPMENT AND SUPPLIES NECESSARY FOR THE PROPER  
17 OPERATION OF THE DEVICE. THE DEPARTMENT SHALL ACCEPT THE BID OF  
18 THE LOWEST RESPONSIBLE BIDDER AND PERMIT ANY SCHOOL ENTITY,  
19 NONPUBLIC SCHOOL OR PRIVATE SCHOOL TO PURCHASE THE DEVICES AT  
20 THE CONTRACT BID PRICE. THE DEPARTMENT MAY PURCHASE AEDS FROM  
21 ANY MONEY APPROPRIATED IN ACCORDANCE WITH SUBSECTION (L) FOR  
22 DISTRIBUTION TO SCHOOL ENTITIES, NONPUBLIC SCHOOLS OR PRIVATE  
23 SCHOOLS.

24 (C) TO BE ELIGIBLE TO OBTAIN OR PURCHASE AEDS UNDER THE  
25 PROGRAM, A SCHOOL ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL  
26 MUST:

27 (1) COMPLY WITH THE PROVISIONS IN SECTION 1423.1.

28 (2) ENSURE THAT THE AED WILL BE SECURED IN A SAFE AND  
29 READILY ACCESSIBLE LOCATION AND AGREE TO PROPERLY MAINTAIN AND  
30 TEST THE DEVICE ACCORDING TO THE MANUFACTURER'S OPERATIONAL

1 GUIDELINES.

2 (3) SUBMIT A VALID PRESCRIPTION FOR THE DEVICE FROM A  
3 LICENSED MEDICAL PRACTITIONER IN THIS COMMONWEALTH.

4 (D) THE PROVISIONS OF 42 PA.C.S. § 8331.2 (RELATING TO GOOD  
5 SAMARITAN CIVIL IMMUNITY FOR USE OF AUTOMATED EXTERNAL  
6 DEFIBRILLATOR) SHALL APPLY TO SCHOOL ENTITY, NONPUBLIC SCHOOL OR  
7 PRIVATE SCHOOL EMPLOYES WHO RENDER CARE WITH AN AED.

8 (E) FROM MONEY APPROPRIATED FOR THE PURPOSES UNDER THIS  
9 SECTION, THE DEPARTMENT MAY ASSIST SCHOOL ENTITIES, NONPUBLIC  
10 SCHOOLS AND PRIVATE SCHOOLS THAT ARE NOT EQUIPPED WITH AEDS BY  
11 PROVIDING A DISCOUNT FROM THE CONTRACT BID PRICE OBTAINED UNDER  
12 SUBSECTION (B) OR BY PROVIDING AEDS OBTAINED UNDER SUBSECTION  
13 (B).

14 (F) THE PURCHASE OF AEDS SHALL BE CONSIDERED AN ALLOWABLE  
15 USE OF PENNSYLVANIA ACCOUNTABILITY GRANTS UNDER SECTION  
16 2599.2 (B).

17 (G) THE PURCHASE OF AEDS SHALL BE CONSIDERED AN INNOVATIVE  
18 EDUCATIONAL PROGRAM UNDER ARTICLE XX-B.

19 (H) THE PURCHASE OF AEDS SHALL BE CONSIDERED AN ELIGIBLE  
20 SCHOOL SAFETY AND SECURITY EXPENSE IN SECTION 1306-B(J).

21 (I) THE DEPARTMENT MAY ACCEPT DONATIONS, INCLUDING DONATIONS  
22 OF EQUIPMENT, FOR USE IN PROVIDING CPR AND AED INSTRUCTION TO  
23 STUDENTS, EMPLOYES AND VOLUNTEERS AT SCHOOL ENTITIES, NONPUBLIC  
24 SCHOOLS AND PRIVATE SCHOOLS. THE FOLLOWING APPLY:

25 (1) THE DEPARTMENT SHALL GEOGRAPHICALLY DISTRIBUTE ANY  
26 DONATIONS TO SCHOOL ENTITIES, NONPUBLIC SCHOOLS AND PRIVATE  
27 SCHOOLS FOR THE PURPOSE OF CPR AND AED INSTRUCTION UNDER SECTION  
28 1423.1.

29 (2) A SCHOOL ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL MAY  
30 ACCEPT FROM THE DEPARTMENT DONATIONS RECEIVED UNDER THIS

1 SUBSECTION FOR USE IN PROVIDING INSTRUCTION TO STUDENTS, SCHOOL  
2 EMPLOYES AND VOLUNTEERS IN THE PRINCIPLES AND TECHNIQUES OF CPR  
3 AND OPERATING AN AED. A SCHOOL ENTITY, NONPUBLIC SCHOOL OR  
4 PRIVATE SCHOOL MAY ACCEPT OTHER DONATIONS, INCLUDING DONATIONS  
5 OF EQUIPMENT, FOR USE IN PROVIDING THE INSTRUCTION.

6 (3) TO THE EXTENT THAT RESOURCES ARE AVAILABLE TO A SCHOOL  
7 ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL UNDER THIS SECTION,  
8 THE SCHOOL ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL MAY MAKE  
9 AVAILABLE INSTRUCTION TO STUDENTS IN THE PRINCIPLES AND  
10 TECHNIQUES OF CPR AND OPERATING AN AED.

11 (4) A SCHOOL ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL MAY  
12 USE RESOURCES OTHER THAN THOSE MADE AVAILABLE UNDER THIS SECTION  
13 TO MAKE AVAILABLE INSTRUCTION TO STUDENTS, SCHOOL EMPLOYES AND  
14 VOLUNTEERS IN THE PRINCIPLES AND TECHNIQUES OF CPR AND OPERATING  
15 AN AED.

16 (J) THE DEPARTMENT MAY ADOPT GUIDELINES AS NECESSARY TO  
17 ADMINISTER THIS SECTION.

18 (K) THE GENERAL ASSEMBLY MAY APPROPRIATE MONEY TO CARRY OUT  
19 THE PROVISIONS OF THIS SECTION.

20 (L) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES  
21 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS  
22 THE CONTEXT CLEARLY INDICATES OTHERWISE:

23 "AUTOMATED EXTERNAL DEFIBRILLATOR" OR "AED" MEANS AS DEFINED  
24 IN SECTION 1423.1.

25 "CPR" MEANS CARDIOPULMONARY RESUSCITATION.

26 "DEPARTMENT" MEANS AS DEFINED IN SECTION 1423.1.

27 "NONPUBLIC SCHOOL" MEANS AS DEFINED IN SECTION 1423.1.

28 "PRIVATE SCHOOL" MEANS AS DEFINED IN SECTION 1423.1.

29 "PROGRAM" MEANS THE AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAM  
30 ESTABLISHED UNDER THIS SECTION.

1 "SCHOOL BUILDING" MEANS A BUILDING OWNED BY OR UNDER THE  
2 CONTROL OF A SCHOOL ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL  
3 WHERE CLASSES ARE TAUGHT OR EXTRACURRICULAR ACTIVITIES ARE  
4 CONDUCTED ON A REGULAR BASIS.

5 "SCHOOL ENTITY" MEANS AS DEFINED IN SECTION 1423.1.

6 SECTION 1423.3. AVAILABILITY AND SPECIFICATIONS OF AUTOMATED  
7 EXTERNAL DEFIBRILLATORS.-- (A) EACH SCHOOL ENTITY, NONPUBLIC  
8 SCHOOL AND PRIVATE SCHOOL SHALL HAVE AT LEAST ONE AUTOMATED  
9 EXTERNAL DEFIBRILLATOR IN EACH SCHOOL BUILDING OF THE SCHOOL  
10 ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL AT ALL TIMES DURING  
11 THE SCHOOL DAY.

12 (B) EACH SCHOOL ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL  
13 SHALL MAKE AVAILABLE AN AED AND AT LEAST ONE EMPLOYEE OF THE  
14 SCHOOL ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL WHO IS TRAINED  
15 AND CERTIFIED UNDER SECTION 1423.1 AT EACH ATHLETIC ACTIVITY.  
16 THE PRESENCE OF EMERGENCY SERVICES PERSONNEL SHALL FULFILL THIS  
17 REQUIREMENT.

18 (B.1) THE DEPARTMENT OF EDUCATION, IN CONSULTATION WITH THE  
19 PENNSYLVANIA INTERSCHOLASTIC ATHLETIC ASSOCIATION, SHALL DEVELOP  
20 GUIDELINES FOR THE AVAILABILITY OF AEDS AT ATHLETIC ACTIVITIES  
21 WHICH SHALL SPECIFY THAT AN AED NEED NOT BE PHYSICALLY PRESENT  
22 IN THE IMMEDIATE VICINITY OF EVERY ONGOING ATHLETIC ACTIVITY,  
23 BUT MUST BE READILY AVAILABLE AND ACCESSIBLE AT THE LOCATION OF  
24 THE ATHLETIC ACTIVITY.

25 (C) THIS SECTION DOES NOT:

26 (1) WAIVE ANY LIABILITY OR IMMUNITY OF A SCHOOL ENTITY,  
27 NONPUBLIC SCHOOL OR PRIVATE SCHOOL OR ITS OFFICERS OR EMPLOYEES;  
28 OR

29 (2) CREATE ANY LIABILITY FOR OR A CAUSE OF ACTION AGAINST A  
30 SCHOOL ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL OR ITS

1 OFFICERS OR EMPLOYEES.

2 (D) THE PROVISIONS OF 42 PA.C.S. § 8331.2 (RELATING TO GOOD  
3 SAMARITAN CIVIL IMMUNITY FOR USE OF AUTOMATED EXTERNAL  
4 DEFIBRILLATOR) SHALL APPLY TO SCHOOL ENTITY, NONPUBLIC SCHOOL OR  
5 PRIVATE SCHOOL EMPLOYEES WHO RENDER CARE WITH AN AED.

6 (E) EACH SCHOOL ENTITY, NONPUBLIC SCHOOL AND PRIVATE SCHOOL  
7 SHALL ENSURE THAT EACH AED ON THE PREMISES OF THE SCHOOL ENTITY,  
8 NONPUBLIC SCHOOL OR PRIVATE SCHOOL IS PROPERLY TESTED AND  
9 MAINTAINED IN ACCORDANCE WITH THE MANUFACTURER'S OPERATIONAL  
10 GUIDELINES. EACH AED IN A SCHOOL ENTITY, NONPUBLIC SCHOOL OR  
11 PRIVATE SCHOOL SHALL MEET THE MOST RECENT MINIMUM SPECIFICATIONS  
12 AS REQUIRED BY THE DEPARTMENT OF HEALTH.

13 (F) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES  
14 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS  
15 THE CONTEXT CLEARLY INDICATES OTHERWISE:

16 "ATHLETIC ACTIVITY" MEANS AS DEFINED IN SECTION 1425(H).

17 "AUTOMATED EXTERNAL DEFIBRILLATOR" OR "AED" MEANS AS DEFINED  
18 IN SECTION 1423.1.

19 "EMERGENCY SERVICES PERSONNEL" MEANS ANY OF THE FOLLOWING:

20 (1) AN EMERGENCY MEDICAL RESPONDER.

21 (2) AN EMERGENCY MEDICAL TECHNICIAN.

22 (3) AN ADVANCED EMERGENCY MEDICAL TECHNICIAN.

23 (4) A PARAMEDIC.

24 (5) A PREHOSPITAL REGISTERED NURSE.

25 (6) A PREHOSPITAL PHYSICIAN EXTENDER.

26 (7) A PREHOSPITAL EMERGENCY MEDICAL SERVICES PHYSICIAN.

27 (8) AN INDIVIDUAL PRESCRIBED BY REGULATIONS OF THE  
28 DEPARTMENT OF HEALTH TO PROVIDE SPECIALIZED EMERGENCY MEDICAL  
29 SERVICES.

30 "NONPUBLIC SCHOOL" MEANS AS DEFINED IN SECTION 1423.1.

1 "PRIVATE SCHOOL" MEANS AS DEFINED IN SECTION 1423.1.

2 "SCHOOL BUILDING" MEANS AS DEFINED IN SECTION 1423.1.

3 "SCHOOL DAY" MEANS AS DEFINED IN SECTION 1423.1.

4 "SCHOOL ENTITY" MEANS AS DEFINED IN SECTION 1423.1.

5 Section 1426. Sudden Cardiac Event Emergency Action Plan for  
6 Athletic Activities.--(a) Beginning with the 2023-2024 school  
7 year, each school entity and nonpublic school shall establish  
8 and implement a sudden cardiac event emergency action plan for  
9 responding to a sudden cardiac event at an athletic activity,  
10 including an event in which the use of an automated external  
11 defibrillator may be necessary. The plan shall be consistent  
12 with the provisions of section 1423 and include the following,  
13 at a minimum:

14 (1) A cardiac emergency response team list, comprised of  
15 individuals who have current cardiopulmonary  
16 resuscitation/automated external defibrillator certification.  
17 The list shall include school nurses, coaches and at least five  
18 other full-time school personnel. The list shall be updated once  
19 a year.

20 (2) Detailed procedures on responding to a sudden cardiac  
21 event which shall include the identification of school personnel  
22 who shall be responsible for all of the following:

23 (i) Responding to an individual experiencing a sudden  
24 cardiac event.

25 (ii) Contacting 911 and providing a copy of the plan to  
26 local emergency response and dispatch agencies and assisting  
27 emergency responders in reaching the individual experiencing a  
28 sudden cardiac event.

29 (iii) Starting cardiopulmonary resuscitation.

30 (iv) Retrieving and using the automated external

1 defibrillator.

2 (v) Placement and maintenance of automated external  
3 defibrillators, including the recommended number of automated  
4 external defibrillators inside a school building, outside a  
5 school building and backups that shall be held in reserve for  
6 use as replacements for an automated external defibrillator  
7 which may be out-of-service.

8 (vi) Conducting an annual review and evaluation of the plan,  
9 including comparing the plan to updated recommendations from the  
10 American Heart Association. The annual review and evaluation  
11 shall be conducted by the school entity's or nonpublic school's  
12 administrative staff.

13 (b) As used in this section, the following words and phrases  
14 shall have the meanings given to them in this subsection unless  
15 the context clearly indicates otherwise:

16 "Automated external defibrillator" means a portable device  
17 that uses electric shock to restore a stable heart rhythm to an  
18 individual in cardiac arrest.

19 "Nonpublic school" means a nonprofit school, other than a  
20 public school within this Commonwealth, wherein a resident of  
21 this Commonwealth may legally fulfill the compulsory school  
22 attendance requirements of this act and which meets the  
23 applicable requirements of Title VI of the Civil Rights Act of  
24 1964 (Public Law 88-352, 78 Stat. 241).

25 "School entity" means an area career and technical school, a  
26 charter school, a cyber charter school, an intermediate unit or  
27 a school district.

28 SECTION 3. SCHOOL ENTITIES, NONPUBLIC SCHOOLS AND PRIVATE <--  
29 SCHOOLS SHALL COMPLY WITH THE ADDITION OF SECTIONS 1423.1,  
30 1423.2, 1423.3 AND 1426 OF THE ACT NO LATER THAN THREE YEARS



1 AFTER THE EFFECTIVE DATE OF THIS SECTION.

2 Section 3 4. This act shall take effect ~~in 60 days~~

<--

3 IMMEDIATELY.

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