

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 375 Session of 2023

INTRODUCED BY BROWN, BAKER, BARTOLOTTA, COSTA, PENNYCUICK, BREWSTER, DILLON, ROBINSON, STEFANO, SCHWANK, SANTARSIERO, REGAN, LANGERHOLC, FARRY, KEARNEY AND A. WILLIAMS, FEBRUARY 21, 2023

SENATOR ARGALL, EDUCATION, AS AMENDED, JUNE 19, 2023

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 certification of teachers, further~~
6 ~~providing for CPR instruction and providing for procedures~~
7 ~~regarding response to cardiac arrest and for donations for~~
8 ~~use related to CPR and AED instruction; and, in school health~~
9 ~~services, repealing provisions relating to automatic external~~
10 ~~defibrillators and providing for availability and~~
11 ~~specifications of automated external defibrillators.~~

12 AMENDING THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), ENTITLED "AN <--
13 ACT RELATING TO THE PUBLIC SCHOOL SYSTEM, INCLUDING CERTAIN
14 PROVISIONS APPLICABLE AS WELL TO PRIVATE AND PAROCHIAL
15 SCHOOLS; AMENDING, REVISING, CONSOLIDATING AND CHANGING THE
16 LAWS RELATING THERETO," IN CERTIFICATION OF TEACHERS,
17 REPEALING PROVISIONS RELATING TO CPR INSTRUCTION; AND, IN
18 SCHOOL HEALTH SERVICES, REPEALING PROVISIONS RELATING TO
19 AUTOMATIC EXTERNAL DEFIBRILLATORS AND PROVIDING FOR AED AND
20 CPR INSTRUCTION AND PROCEDURE, ESTABLISHING THE AUTOMATED
21 EXTERNAL DEFIBRILLATOR (AED) PROGRAM AND PROVIDING FOR
22 AVAILABILITY AND SPECIFICATIONS OF AUTOMATED EXTERNAL
23 DEFIBRILLATORS.

24 THIS ACT SHALL BE KNOWN AND MAY BE CITED AS GREG MOYER'S LAW.

25 The General Assembly of the Commonwealth of Pennsylvania
26 hereby enacts as follows:

27 ~~Section 1. Section 1205.4 of the act of March 10, 1949~~ <--

1 ~~(P.L.30, No.14), known as the Public School Code of 1949, is~~
2 ~~amended to read:~~

3 ~~Section 1205.4. CPR and Use of AED Instruction. (a) School~~
4 ~~entities shall [be required to offer a cardiopulmonary~~
5 ~~resuscitation training (CPR) class] make available to the school~~
6 ~~entity's employes and volunteers instruction in the principles~~
7 ~~and techniques of cardiopulmonary resuscitation (CPR) and the~~
8 ~~use of an automated external defibrillator (AED) on school~~
9 ~~premises at least once every [three] two years. The course shall~~
10 ~~be offered as an option to all employes and volunteers of the~~
11 ~~school entity.~~

12 ~~(b) Completion of training, including testing of skills and~~
13 ~~knowledge, shall be documented by the signature and title of a~~
14 ~~representative of the training entity and shall include the date~~
15 ~~training was completed. Documentation shall be retained in the~~
16 ~~facility in that employe's or volunteer's file. Training shall~~
17 ~~be conducted by:~~

18 ~~(1) the American Red Cross;~~

19 ~~(2) the American Heart Association;~~

20 ~~(3) an individual certified to conduct CPR training by the~~
21 ~~American Red Cross, American Heart Association or other~~
22 ~~certifying agency approved by the Department of Health; or~~

23 ~~(4) other certifying agency approved by the Department of~~
24 ~~Health.~~

25 ~~(c) School [districts] entities may include this training in~~
26 ~~the continuing education plan submitted by the district to the~~
27 ~~Department of Education under section 1205.1.~~

28 ~~(c.1) (1) School entities shall ensure that each AED~~
29 ~~location has at least five (5) persons trained and certified in~~
30 ~~the use of an AED. Each school nurse, assistant school nurse,~~

~~1 athletic coach or sponsor, marching band director, physical
2 education teacher, athletic trainer, athletic training student
3 aide, cheerleading coach and any other school entity employe
4 specified by the Secretary of Education must participate in the
5 instruction in the use of an AED. A person described in this
6 subsection must receive and maintain training completion in the
7 use of an AED from:~~

~~8 (i) the American Red Cross;~~

~~9 (ii) the American Heart Association;~~

~~10 (iii) an individual certified to conduct AED training by the
11 American Red Cross, American Heart Association or other
12 certifying agency approved by the Department of Health; or~~

~~13 (iv) other certifying agency approved by the Department of
14 Health.~~

~~15 (2) A school entity shall ensure that at a minimum one (1)
16 person trained in the use of an AED is in the immediate vicinity
17 of the location of the AED during school hours.~~

~~18 (c.2) A nonpublic or private school that receives an AED
19 from the Department of Education or receives funding from a
20 certifying agency to purchase or lease an AED shall adopt a
21 policy under which the school makes available to school employes
22 and volunteers instruction in the principles and techniques of
23 CPR and the use of an AED as provided under section 1205.9. The
24 policy must comply with the requirements prescribed by this
25 section and rules adopted by the Department of Education.~~

~~26 (c.3) A cyber charter school may provide the instruction
27 under this section through the Internet or other electronic
28 means. If a cyber charter school provides the instruction under
29 this section through the Internet or other electronic means, the
30 cyber charter school shall be exempt from the academic standards~~

1 ~~and guidelines developed regarding in person instructional~~
2 ~~requirements under this section.~~

3 ~~(d) For purposes of this section, a school entity shall be~~
4 ~~defined as a local school district, intermediate unit or area~~
5 ~~career and technical school.~~

6 Section 2. The act is amended by adding sections to read:

7 ~~Section 1205.9. Procedures Regarding Response to Cardiac~~

8 ~~Arrest. (a) Each school entity as defined under section~~

9 ~~1205.4, nonpublic school and private school shall develop a~~

10 ~~written cardiac emergency response plan (CERP) that shall~~

11 ~~include:~~

12 ~~(1) An annual review.~~

13 ~~(2) The creation of a safety or cardiac emergency team with~~

14 ~~appropriate training in cardiopulmonary resuscitation (CPR) and~~

15 ~~automated external defibrillator (AED) use.~~

16 ~~(3) Safety procedures to follow in response to a medical~~

17 ~~emergency involving cardiac arrest, including the appropriate~~

18 ~~response time in administering CPR, using an AED and calling a~~

19 ~~local emergency medical services provider or 911.~~

20 ~~(b) Each school entity's CERP under subsection (a) shall~~

21 ~~apply to all of the following:~~

22 ~~(1) Safety and cardiac awareness information shall be shared~~

23 ~~with the staff annually, and the CERP shall be shared with those~~

24 ~~responsible for extracurricular activities, community groups,~~

25 ~~summer or other programs using the school entity's campus or~~

26 ~~facilities.~~

27 ~~(2) Yearly, sudden cardiac arrest drills shall be undertaken~~

28 ~~to test the CERP to manage a sudden cardiac arrest. The drill~~

29 ~~shall be in a similar manner as a fire drill or active shooter~~

30 ~~drill and include school staff without requiring students to~~

1 ~~participate.~~

2 ~~(c) A nonpublic or private school that receives an AED from~~
3 ~~the Department of Education or receives funding from the~~
4 ~~Department of Education to purchase or lease an AED shall comply~~
5 ~~with this section.~~

6 ~~Section 1205.10. Donations for Use Related to CPR and AED~~

7 ~~Instruction. (a) The Department of Education may accept~~

8 ~~donations, including donations of equipment, for use in~~

9 ~~providing cardiopulmonary resuscitation (CPR) and automated~~

10 ~~external defibrillator (AED) instruction to students, school~~

11 ~~entity employes and volunteers. The Department of Education:~~

12 ~~(1) shall distribute the donations to school entities for~~
13 ~~the purpose of CPR and AED instruction under section 1205.4; and~~

14 ~~(2) may use a portion of the donations to the extent~~
15 ~~necessary to pay administrative expenses related to the~~
16 ~~donations.~~

17 ~~(b) A school entity may accept from the Department of~~

18 ~~Education donations the Department of Education receives under~~

19 ~~subsection (a) for use in providing instruction to students in~~

20 ~~the principles and techniques of CPR and operating an AED. A~~

21 ~~school entity may accept other donations, including donations of~~
22 ~~equipment, for use in providing the instruction.~~

23 ~~(c) To the extent that resources are available to a school~~

24 ~~entity under this section, the school entity shall make~~

25 ~~available instruction to students in the principles and~~

26 ~~techniques of CPR and operating an AED.~~

27 ~~(d) A school entity may use resources other than those made~~

28 ~~available under this section to make available instruction to~~

29 ~~students in the principles and techniques of CPR and operating~~

30 ~~an AED.~~

1 ~~(e) The Department of Education may adopt rules as necessary~~
2 ~~to implement this section.~~

3 ~~(f) For purposes of this section, the term "school entity"~~
4 ~~shall mean a local school district, intermediate unit, area~~
5 ~~career and technical school, charter school or cyber charter~~
6 ~~school.~~

7 Section 3. Section 1423 of the act is repealed:

8 ~~{Section 1423. Automatic External Defibrillators. (a) The~~
9 ~~department shall establish an automatic external defibrillator~~
10 ~~program to assist school entities and nonpublic schools in~~
11 ~~making automatic external defibrillators 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~~
16 ~~automatic external defibrillators and other equipment and~~
17 ~~supplies necessary for the proper operation of the device. The~~
18 ~~department shall accept the bid of the lowest responsible bidder~~
19 ~~and permit any school entity or nonpublic school to purchase the~~
20 ~~devices at the contract bid price. The department may purchase~~
21 ~~automatic external defibrillators from any funds appropriated~~
22 ~~pursuant to subsection (k) for distribution to school entities~~
23 ~~and nonpublic schools.~~

24 ~~(c) To be eligible to obtain or purchase automatic external~~
25 ~~defibrillators under the program a school entity or nonpublic~~
26 ~~school must:~~

27 ~~(1) Assure that two (2) or more persons assigned to the~~
28 ~~location where the automatic external defibrillator will be~~
29 ~~primarily housed are trained as required in subsection (d).~~

30 ~~(2) Ensure that the device will be secured in a safe and~~

1 readily accessible location and agree to properly maintain and
2 test the device according to the manufacturer's operational
3 guidelines.

4 (3) Submit a valid prescription for the device from a
5 licensed medical practitioner in this Commonwealth.

6 (4) Agree to provide the training required by subsection
7 (d).

8 (d) School personnel who are expected to use the automatic
9 external defibrillator shall complete training in
10 cardiopulmonary resuscitation and in the use of an automatic
11 external defibrillator provided by the American Heart
12 Association, the American Red Cross or through an equivalent
13 course of instruction approved by the Department of Health.

14 (e) A school entity may include the training required by
15 subsection (d) in its continuing professional education plan
16 submitted to the department under section 1205.1.

17 (f) The provisions of 42 Pa.C.S. § 8331.2 (relating to good
18 Samaritan civil immunity for use of automated external
19 defibrillator) shall apply to school employees who render care
20 with an automatic external defibrillator.

21 (g) From funds appropriated for this purpose, the department
22 may assist school entities and nonpublic schools that are not
23 equipped with automatic external defibrillators by providing a
24 discount from the contract bid price obtained under subsection
25 (b) or by providing automatic external defibrillators obtained
26 under subsection (b).

27 (g.1) The purchase of an automatic external defibrillator
28 shall be considered an allowable use of Pennsylvania
29 Accountability Grants under section 2599.2(b).

30 (g.2) The purchase of automatic external defibrillators

1 ~~shall be considered an innovative educational program under~~
2 ~~Article XVII F of the act of March 4, 1971 (P.L.6, No.2), known~~
3 ~~as the "Tax Reform Code of 1971."~~

4 ~~(h) (Reserved).~~

5 ~~(i) Not later than June 30, 2014, and each year thereafter,~~
6 ~~each school entity shall make a report to the department~~
7 ~~detailing the number, condition, age and placement of automatic~~
8 ~~external defibrillators in each school building. After the~~
9 ~~initial report is made, a school entity may report this~~
10 ~~information as part of the annual report required by the~~
11 ~~Commonwealth under section 2505.1 to receive State reimbursement~~
12 ~~for health services.~~

13 ~~(i.1) A nonpublic school that participates in the automatic~~
14 ~~external defibrillator program under subsection (b) or (g) shall~~
15 ~~be subject to the reporting required under subsection (i).~~

16 ~~(i.2) The department shall annually publish a report on its~~
17 ~~publicly accessible Internet website no later than December 31,~~
18 ~~2014, and each year thereafter. The report shall contain the~~
19 ~~following information:~~

20 ~~(1) The total number of automatic external defibrillators by~~
21 ~~school entity and nonpublic school.~~

22 ~~(2) The number of school buildings by school entity and~~
23 ~~nonpublic school that are equipped with automatic external~~
24 ~~defibrillators.~~

25 ~~(3) The number of school buildings by school entity and~~
26 ~~nonpublic school that are not equipped with automatic external~~
27 ~~defibrillators.~~

28 ~~(j) The department may adopt guidelines as necessary to~~
29 ~~administer this section.~~

30 ~~(k) The General Assembly may appropriate funds to carry out~~

1 ~~the provisions of this section.~~

2 ~~(1) As used in this section~~

3 ~~"Automatic external defibrillator" means a portable device~~
4 ~~that uses electric shock to restore a stable heart rhythm to an~~
5 ~~individual in cardiac arrest.~~

6 ~~"Department" means the Department of Education of the~~
7 ~~Commonwealth.~~

8 ~~"Nonpublic school" means a nonprofit school, other than a~~
9 ~~public school within this Commonwealth, wherein a resident of~~
10 ~~this Commonwealth may legally fulfill the compulsory school~~
11 ~~attendance requirements of this act and which meets the~~
12 ~~applicable requirements of Title VI of the Civil Rights Act of~~
13 ~~1964 (Public Law 88-352, 78 Stat. 241).~~

14 ~~"School building" means a building owned by or under the~~
15 ~~control of a school entity or nonpublic school where classes are~~
16 ~~taught or extracurricular activities are conducted on a regular~~
17 ~~basis.~~

18 ~~"School entity" means an area career and technical school, a~~
19 ~~charter school, a cyber charter school, an intermediate unit or~~
20 ~~a school district.~~

21 ~~"Secretary" means the Secretary of Education of the~~
22 ~~Commonwealth.]~~

23 ~~Section 4. The act is amended by adding a section to read:~~

24 ~~Section 1423.1. Availability and Specifications of Automated~~
25 ~~External Defibrillators. (a) Every school entity, nonpublic~~
26 ~~school and private school shall have at least one automated~~
27 ~~external defibrillator (AED) in each occupied building on the~~
28 ~~school's premises or campus at all times and available to each~~
29 ~~interscholastic athletic contest or competition. The presence of~~
30 ~~emergency services personnel shall fulfill the requirement.~~

1 ~~(a.1) The board of school directors of a school entity shall~~
2 ~~adopt a policy regarding the placement and use of AEDs and the~~
3 ~~number of personnel who must receive training as required under~~
4 ~~section 1205.4.~~

5 ~~(b) If a school entity uses its facility for its own school~~
6 ~~sponsored or school approved interscholastic athletics, the~~
7 ~~school entity shall, in cooperation with the Pennsylvania~~
8 ~~Interscholastic Athletic Association, make available an AED and~~
9 ~~at least one school entity employe who is trained and certified~~
10 ~~under section 1205.4 at each interscholastic athletic contest or~~
11 ~~competition. The presence of emergency services personnel shall~~
12 ~~fulfill the requirement.~~

13 ~~(c) This section does not:~~

14 ~~(1) waive any liability or immunity of a school entity,~~
15 ~~nonpublic school or private school or its officers or employes;~~
16 ~~or~~

17 ~~(2) create any liability for or a cause of action against a~~
18 ~~school entity, nonpublic school or private school or its~~
19 ~~officers or employes.~~

20 ~~(d) The provisions of 42 Pa.C.S. § 8331.2 (relating to good~~
21 ~~Samaritan civil immunity for use of automated external~~
22 ~~defibrillator) shall apply to school employes who render care~~
23 ~~with an AED.~~

24 ~~(e) Every school entity, nonpublic school and private school~~
25 ~~shall ensure that every AED on the school's premises or campus~~
26 ~~is properly tested and maintained in accordance with the~~
27 ~~manufacturer's operational guidelines. Every AED in a school~~
28 ~~entity, nonpublic school or private school shall meet the most~~
29 ~~recent minimum specifications as required by the Department of~~
30 ~~Health.~~

1 ~~(f) Definitions. As used in this section, the following~~
2 ~~words and phrases shall have the meanings given to them in this~~
3 ~~subsection unless the context clearly indicates otherwise:~~

4 ~~"School entity" means an area career and technical school, a~~
5 ~~charter school, a cyber charter school, an intermediate unit or~~
6 ~~a school district.~~

7 ~~Section 5. School entities, nonpublic schools and private~~
8 ~~schools shall comply with the amendment or addition of sections~~
9 ~~1205.4, 1205.9, 1205.10 and 1423.1 of the act no later than~~
10 ~~three years after the effective date of this section.~~

11 ~~Section 6. This act shall take effect in 60 days.~~

12 SECTION 1. SECTIONS 1205.4 AND 1423 OF THE ACT OF MARCH 10, <--
13 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949,
14 ARE REPEALED:

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

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

- 25 (1) THE AMERICAN RED CROSS;
26 (2) THE AMERICAN HEART ASSOCIATION;
27 (3) AN INDIVIDUAL CERTIFIED TO CONDUCT CPR TRAINING BY THE
28 AMERICAN RED CROSS, AMERICAN HEART ASSOCIATION OR OTHER
29 CERTIFYING AGENCY APPROVED BY THE DEPARTMENT OF HEALTH; OR
30 (4) OTHER CERTIFYING AGENCY APPROVED BY THE DEPARTMENT OF

1 HEALTH.

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

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

8 SECTION 1423. AUTOMATIC EXTERNAL DEFIBRILLATORS.-- (A) THE
9 DEPARTMENT SHALL ESTABLISH AN AUTOMATIC EXTERNAL DEFIBRILLATOR
10 PROGRAM TO ASSIST SCHOOL ENTITIES AND NONPUBLIC SCHOOLS IN
11 MAKING AUTOMATIC EXTERNAL DEFIBRILLATORS 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
16 AUTOMATIC EXTERNAL DEFIBRILLATORS AND OTHER EQUIPMENT AND
17 SUPPLIES NECESSARY FOR THE PROPER OPERATION OF THE DEVICE. THE
18 DEPARTMENT SHALL ACCEPT THE BID OF THE LOWEST RESPONSIBLE BIDDER
19 AND PERMIT ANY SCHOOL ENTITY OR NONPUBLIC SCHOOL TO PURCHASE THE
20 DEVICES AT THE CONTRACT BID PRICE. THE DEPARTMENT MAY PURCHASE
21 AUTOMATIC EXTERNAL DEFIBRILLATORS FROM ANY FUNDS APPROPRIATED
22 PURSUANT TO SUBSECTION (K) FOR DISTRIBUTION TO SCHOOL ENTITIES
23 AND NONPUBLIC SCHOOLS.

24 (C) TO BE ELIGIBLE TO OBTAIN OR PURCHASE AUTOMATIC EXTERNAL
25 DEFIBRILLATORS UNDER THE PROGRAM A SCHOOL ENTITY OR NONPUBLIC
26 SCHOOL MUST:

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

30 (2) ENSURE THAT THE DEVICE WILL BE SECURED IN A SAFE AND

1 READILY ACCESSIBLE LOCATION AND AGREE TO PROPERLY MAINTAIN AND
2 TEST THE DEVICE ACCORDING TO THE MANUFACTURER'S OPERATIONAL
3 GUIDELINES.

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

6 (4) AGREE TO PROVIDE THE TRAINING REQUIRED BY SUBSECTION
7 (D).

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

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

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

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

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

30 (G.2) THE PURCHASE OF AUTOMATIC EXTERNAL DEFIBRILLATORS

1 SHALL BE CONSIDERED AN INNOVATIVE EDUCATIONAL PROGRAM UNDER
2 ARTICLE XVII-F OF THE ACT OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN
3 AS THE "TAX REFORM CODE OF 1971."

4 (H) (RESERVED).

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

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

16 (I.2) THE DEPARTMENT SHALL ANNUALLY PUBLISH A REPORT ON ITS
17 PUBLICLY ACCESSIBLE INTERNET WEBSITE NO LATER THAN DECEMBER 31,
18 2014, AND EACH YEAR THEREAFTER. THE REPORT SHALL CONTAIN THE
19 FOLLOWING INFORMATION:

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

22 (2) THE NUMBER OF SCHOOL BUILDINGS BY SCHOOL ENTITY AND
23 NONPUBLIC SCHOOL THAT ARE EQUIPPED WITH AUTOMATIC EXTERNAL
24 DEFIBRILLATORS.

25 (3) THE NUMBER OF SCHOOL BUILDINGS BY SCHOOL ENTITY AND
26 NONPUBLIC SCHOOL THAT ARE NOT EQUIPPED WITH AUTOMATIC EXTERNAL
27 DEFIBRILLATORS.

28 (J) THE DEPARTMENT MAY ADOPT GUIDELINES AS NECESSARY TO
29 ADMINISTER THIS SECTION.

30 (K) THE GENERAL ASSEMBLY MAY APPROPRIATE FUNDS TO CARRY OUT

1 THE PROVISIONS OF THIS SECTION.

2 (L) AS USED IN THIS SECTION--

3 "AUTOMATIC EXTERNAL DEFIBRILLATOR" MEANS A PORTABLE DEVICE
4 THAT USES ELECTRIC SHOCK TO RESTORE A STABLE HEART RHYTHM TO AN
5 INDIVIDUAL IN CARDIAC ARREST.

6 "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION OF THE
7 COMMONWEALTH.

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

14 "SCHOOL BUILDING" MEANS A BUILDING OWNED BY OR UNDER THE
15 CONTROL OF A SCHOOL ENTITY OR NONPUBLIC SCHOOL WHERE CLASSES ARE
16 TAUGHT OR EXTRACURRICULAR ACTIVITIES ARE CONDUCTED ON A REGULAR
17 BASIS.

18 "SCHOOL ENTITY" MEANS AN AREA CAREER AND TECHNICAL SCHOOL, A
19 CHARTER SCHOOL, A CYBER CHARTER SCHOOL, AN INTERMEDIATE UNIT OR
20 A SCHOOL DISTRICT.

21 "SECRETARY" MEANS THE SECRETARY OF EDUCATION OF THE
22 COMMONWEALTH.]

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

24 SECTION 1423.1. AED AND CPR INSTRUCTION AND PROCEDURE.--(A)
25 EACH SCHOOL ENTITY SHALL MAKE AVAILABLE TO THE SCHOOL ENTITY'S
26 EMPLOYEES AND VOLUNTEERS INSTRUCTION IN THE PRINCIPLES AND
27 TECHNIQUES OF CARDIOPULMONARY RESUSCITATION (CPR) AND THE USE OF
28 AN AUTOMATED EXTERNAL DEFIBRILLATOR (AED) ON SCHOOL PREMISES AT
29 LEAST ONCE EVERY TWO YEARS. THE FOLLOWING APPLY:

30 (1) THE INSTRUCTION SHALL BE OFFERED AS AN OPTION TO ALL

1 SCHOOL ENTITY EMPLOYEES AND VOLUNTEERS.

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

4 (I) THE AMERICAN RED CROSS.

5 (II) THE AMERICAN HEART ASSOCIATION.

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

9 (IV) ANOTHER CERTIFYING AGENCY APPROVED BY THE DEPARTMENT OF
10 HEALTH.

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

14 (B) THE FOLLOWING APPLY TO AED LOCATIONS AND TRAINING:

15 (1) EACH SCHOOL ENTITY SHALL ENSURE THAT EACH AED LOCATION
16 HAS AT LEAST FIVE (5) INDIVIDUALS TRAINED AND CERTIFIED IN THE
17 USE OF AN AED.

18 (2) EACH SCHOOL NURSE OR DESIGNEE, COACH OF AN ATHLETIC
19 ACTIVITY, MUSIC DIRECTOR, PHYSICAL EDUCATION TEACHER, ATHLETIC
20 TRAINER AND ATHLETIC TRAINING STUDENT AIDE WITHIN EACH SCHOOL
21 ENTITY MUST PARTICIPATE IN THE INSTRUCTION IN THE USE OF AN AED.

22 (3) AN INDIVIDUAL DESCRIBED IN THIS SUBSECTION MUST COMPLETE
23 TRAINING AND MAINTAIN CERTIFICATION IN THE USE OF AN AED IN
24 ACCORDANCE WITH THIS SECTION.

25 (4) EACH SCHOOL ENTITY SHALL ENSURE THAT AT A MINIMUM FIVE

26 (5) INDIVIDUALS TRAINED IN THE USE OF AN AED HAVE ACCESS TO THE
27 AED ON THE PREMISES OF THE SCHOOL ENTITY.

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

30 (1) A SCHOOL ENTITY MAY INCLUDE THE TRAINING UNDER THIS

1 SECTION IN THE CONTINUING EDUCATION PLAN SUBMITTED BY THE
2 DISTRICT TO THE DEPARTMENT UNDER SECTION 1205.1.

3 (2) SATISFYING THE EDUCATION REQUIREMENTS OF THIS SECTION
4 SHALL ALSO SATISFY THE EDUCATION REQUIREMENTS UNDER SECTION
5 1425(D).

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

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

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

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

20 (II) AN ANNUAL REVIEW.

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

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

24 (V) THE NUMBER OF INDIVIDUALS WHO MUST RECEIVE TRAINING.

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

27 (I) PROVIDE CARDIAC AWARENESS INFORMATION TO BE DISTRIBUTED
28 ANNUALLY TO SCHOOL EMPLOYEES AND THOSE RESPONSIBLE FOR
29 EXTRACURRICULAR ACTIVITIES, COMMUNITY GROUP ACTIVITIES, SUMMER
30 OR OTHER PROGRAMS USING THE FACILITIES OF THE SCHOOL ENTITY.

1 (II) REQUIRE CONDUCTING ANNUAL SUDDEN CARDIAC ARREST DRILLS
2 WITH OR WITHOUT THE PARTICIPATION OF STUDENTS TO TEST THE
3 CARDIAC EMERGENCY RESPONSE PLAN IN RESPONSE TO A SUDDEN CARDIAC
4 ARREST.

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

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

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

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 ENTITY" MEANS A SCHOOL DISTRICT, CHARTER SCHOOL,
24 REGIONAL CHARTER SCHOOL, CYBER CHARTER SCHOOL, INTERMEDIATE UNIT
25 OR AREA CAREER AND TECHNICAL SCHOOL.

26 "VOLUNTEER" MEANS AN INDIVIDUAL WHO HOLDS AN UNPAID POSITION
27 WITH A SCHOOL ENTITY AS A VOLUNTEER FOR A PROGRAM, ACTIVITY OR
28 SERVICE AND IS RESPONSIBLE FOR THE WELFARE OF CHILDREN OR HAS
29 DIRECT VOLUNTEER CONTACT.

30 SECTION 1423.2. AUTOMATED EXTERNAL DEFIBRILLATOR (AED)

1 PROGRAM.-- (A) THE DEPARTMENT SHALL ESTABLISH THE AUTOMATED
2 EXTERNAL DEFIBRILLATOR (AED) PROGRAM TO ASSIST SCHOOL ENTITIES,
3 NONPUBLIC SCHOOLS AND PRIVATE SCHOOLS IN MAKING AEDS AVAILABLE
4 IN SCHOOL BUILDINGS.

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

16 (C) TO BE ELIGIBLE TO OBTAIN OR PURCHASE AEDS UNDER THE
17 PROGRAM, A SCHOOL ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL
18 MUST:

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

20 (2) ENSURE THAT THE AED WILL BE SECURED IN A SAFE AND
21 READILY ACCESSIBLE LOCATION AND AGREE TO PROPERLY MAINTAIN AND
22 TEST THE DEVICE ACCORDING TO THE MANUFACTURER'S OPERATIONAL
23 GUIDELINES.

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

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

30 (E) FROM MONEY APPROPRIATED FOR THIS PURPOSE, THE DEPARTMENT

1 MAY ASSIST SCHOOL ENTITIES, NONPUBLIC SCHOOLS AND PRIVATE
2 SCHOOLS THAT ARE NOT EQUIPPED WITH AEDS BY PROVIDING A DISCOUNT
3 FROM THE CONTRACT BID PRICE OBTAINED UNDER SUBSECTION (B) OR BY
4 PROVIDING AEDS OBTAINED UNDER SUBSECTION (B).

5 (F) THE PURCHASE OF AN AED SHALL BE CONSIDERED AN ALLOWABLE
6 USE OF PENNSYLVANIA ACCOUNTABILITY GRANTS UNDER SECTION
7 2599.2(B).

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

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

12 (I) THE DEPARTMENT MAY ACCEPT DONATIONS, INCLUDING DONATIONS
13 OF EQUIPMENT, FOR USE IN PROVIDING CARDIOPULMONARY RESUSCITATION
14 (CPR) AND AED INSTRUCTION TO STUDENTS, EMPLOYEES AND VOLUNTEERS
15 AT SCHOOL ENTITIES, NONPUBLIC SCHOOLS AND PRIVATE SCHOOLS. THE
16 FOLLOWING APPLY:

17 (1) THE DEPARTMENT SHALL GEOGRAPHICALLY DISTRIBUTE ANY
18 DONATIONS TO SCHOOL ENTITIES, NONPUBLIC SCHOOLS AND PRIVATE
19 SCHOOLS FOR THE PURPOSE OF CPR AND AED INSTRUCTION UNDER SECTION
20 1423.1.

21 (2) A SCHOOL ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL MAY
22 ACCEPT FROM THE DEPARTMENT DONATIONS RECEIVED UNDER THIS
23 SUBSECTION FOR USE IN PROVIDING INSTRUCTION TO STUDENTS, SCHOOL
24 EMPLOYEES AND VOLUNTEERS IN THE PRINCIPLES AND TECHNIQUES OF CPR
25 AND OPERATING AN AED. A SCHOOL ENTITY, NONPUBLIC SCHOOL OR
26 PRIVATE SCHOOL MAY ACCEPT OTHER DONATIONS, INCLUDING DONATIONS
27 OF EQUIPMENT, FOR USE IN PROVIDING THE INSTRUCTION.

28 (3) TO THE EXTENT THAT RESOURCES ARE AVAILABLE TO A SCHOOL
29 ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL UNDER THIS SECTION,
30 THE SCHOOL ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL MAY MAKE

1 AVAILABLE INSTRUCTION TO STUDENTS IN THE PRINCIPLES AND
2 TECHNIQUES OF CPR AND OPERATING AN AED.

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

8 (J) THE FOLLOWING APPLY TO REPORTS:

9 (1) NOT LATER THAN JUNE 30, 2023, AND EACH YEAR THEREAFTER,
10 EACH SCHOOL ENTITY SHALL MAKE A REPORT TO THE DEPARTMENT
11 DETAILING THE NUMBER, CONDITION, AGE, EXPIRATION DATE AND
12 PLACEMENT OF AEDS IN EACH SCHOOL BUILDING OF THE SCHOOL ENTITY.
13 AFTER THE INITIAL REPORT IS MADE, THE SCHOOL ENTITY MAY REPORT
14 THIS 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 (2) A NONPUBLIC SCHOOL OR PRIVATE SCHOOL THAT PARTICIPATES
18 IN THE PROGRAM UNDER SUBSECTION (B) OR (E) SHALL BE SUBJECT TO
19 THE REPORTING REQUIRED UNDER PARAGRAPH (1).

20 (3) THE DEPARTMENT SHALL ANNUALLY PUBLISH A REPORT ON ITS
21 PUBLICLY ACCESSIBLE INTERNET WEBSITE NO LATER THAN DECEMBER 31,
22 2023, AND EACH YEAR THEREAFTER. THE REPORT SHALL CONTAIN THE
23 FOLLOWING INFORMATION:

24 (I) THE TOTAL NUMBER OF AEDS BY SCHOOL ENTITY, NONPUBLIC
25 SCHOOL OR PRIVATE SCHOOL.

26 (II) THE NUMBER OF SCHOOL BUILDINGS BY SCHOOL ENTITY,
27 NONPUBLIC SCHOOL OR PRIVATE SCHOOL THAT ARE EQUIPPED WITH AEDS.

28 (III) THE NUMBER OF SCHOOL BUILDINGS BY SCHOOL ENTITY,
29 NONPUBLIC SCHOOL OR PRIVATE SCHOOL THAT ARE NOT EQUIPPED WITH
30 AEDS.

1 (K) THE DEPARTMENT MAY ADOPT GUIDELINES AS NECESSARY TO
2 ADMINISTER THIS SECTION.

3 (L) THE GENERAL ASSEMBLY MAY APPROPRIATE MONEY TO CARRY OUT
4 THE PROVISIONS OF THIS SECTION.

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

8 "AUTOMATED EXTERNAL DEFIBRILLATOR" OR "AED" MEANS AS DEFINED
9 IN SECTION 1423.1.

10 "DEPARTMENT" MEANS AS DEFINED IN SECTION 1423.1.

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

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

13 "PROGRAM" MEANS THE AUTOMATED EXTERNAL DEFIBRILLATOR (AED)
14 PROGRAM ESTABLISHED UNDER THIS SECTION.

15 "SCHOOL BUILDING" MEANS A BUILDING OWNED BY OR UNDER THE
16 CONTROL OF A SCHOOL ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL
17 WHERE CLASSES ARE TAUGHT OR EXTRACURRICULAR ACTIVITIES ARE
18 CONDUCTED ON A REGULAR BASIS.

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

20 SECTION 1423.3. AVAILABILITY AND SPECIFICATIONS OF AUTOMATED
21 EXTERNAL DEFIBRILLATORS.-- (A) EACH SCHOOL ENTITY, NONPUBLIC
22 SCHOOL AND PRIVATE SCHOOL SHALL HAVE AT LEAST ONE AUTOMATED
23 EXTERNAL DEFIBRILLATOR (AED) IN EACH OCCUPIED BUILDING ON THE
24 PREMISES OF THE SCHOOL ENTITY, NONPUBLIC SCHOOL OR PRIVATE
25 SCHOOL AT ALL TIMES AND AVAILABLE FOR EACH ATHLETIC ACTIVITY.
26 THE PRESENCE OF EMERGENCY SERVICES PERSONNEL SHALL FULFILL THIS
27 REQUIREMENT.

28 (B) IF A SCHOOL ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL
29 USES ITS PREMISES FOR ITS OWN SCHOOL-SPONSORED OR SCHOOL-
30 APPROVED INTERSCHOLASTIC ATHLETICS, THE SCHOOL ENTITY, NONPUBLIC

1 SCHOOL OR PRIVATE SCHOOL SHALL, IN COOPERATION WITH THE
2 PENNSYLVANIA INTERSCHOLASTIC ATHLETIC ASSOCIATION, MAKE
3 AVAILABLE AN AED AND AT LEAST ONE EMPLOYEE OF THE SCHOOL ENTITY,
4 NONPUBLIC SCHOOL OR PRIVATE SCHOOL WHO IS TRAINED AND CERTIFIED
5 UNDER SECTION 1423.1 AT EACH INTERSCHOLASTIC ATHLETIC CONTEST OR
6 COMPETITION. THE PRESENCE OF EMERGENCY SERVICES PERSONNEL SHALL
7 FULFILL THIS REQUIREMENT.

8 (C) THIS SECTION DOES NOT:

9 (1) WAIVE ANY LIABILITY OR IMMUNITY OF A SCHOOL ENTITY,
10 NONPUBLIC SCHOOL OR PRIVATE SCHOOL OR ITS OFFICERS OR EMPLOYEES;
11 OR

12 (2) CREATE ANY LIABILITY FOR OR A CAUSE OF ACTION AGAINST A
13 SCHOOL ENTITY, NONPUBLIC SCHOOL OR PRIVATE SCHOOL OR ITS
14 OFFICERS OR EMPLOYEES.

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

19 (E) EACH SCHOOL ENTITY, NONPUBLIC SCHOOL AND PRIVATE SCHOOL
20 SHALL ENSURE THAT EACH AED ON THE PREMISES OF THE SCHOOL ENTITY,
21 NONPUBLIC SCHOOL OR PRIVATE SCHOOL IS PROPERLY TESTED AND
22 MAINTAINED IN ACCORDANCE WITH THE MANUFACTURER'S OPERATIONAL
23 GUIDELINES. EACH AED IN A SCHOOL ENTITY, NONPUBLIC SCHOOL OR
24 PRIVATE SCHOOL SHALL MEET THE MOST RECENT MINIMUM SPECIFICATIONS
25 AS REQUIRED BY THE DEPARTMENT OF HEALTH.

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

29 "AUTOMATED EXTERNAL DEFIBRILLATOR" OR "AED" MEANS AS DEFINED
30 IN SECTION 1423.1.

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

2 (1) AN EMERGENCY MEDICAL RESPONDER.

3 (2) AN EMERGENCY MEDICAL TECHNICIAN.

4 (3) AN ADVANCED EMERGENCY MEDICAL TECHNICIAN.

5 (4) A PARAMEDIC.

6 (5) A PREHOSPITAL REGISTERED NURSE.

7 (6) A PREHOSPITAL PHYSICIAN EXTENDER.

8 (7) A PREHOSPITAL EMERGENCY MEDICAL SERVICES PHYSICIAN.

9 (8) AN INDIVIDUAL PRESCRIBED BY REGULATIONS OF THE

10 DEPARTMENT OF HEALTH TO PROVIDE SPECIALIZED EMERGENCY MEDICAL
11 SERVICES.

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

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

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

15 SECTION 3. SCHOOL ENTITIES, NONPUBLIC SCHOOLS AND PRIVATE
16 SCHOOLS SHALL COMPLY WITH THE ADDITION OF SECTIONS 1423.1,
17 1423.2 AND 1423.3 OF THE ACT NO LATER THAN THREE YEARS AFTER THE
18 EFFECTIVE DATE OF THIS SECTION.

19 SECTION 4. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.