

HOUSE BILL 2251

By Cepicky

AN ACT to amend Tennessee Code Annotated, Title 49
and Title 68, relative to cardiovascular health.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act is known and may be cited as the "Smart Heart Act."

SECTION 2. Tennessee Code Annotated, Section 68-6-101, is amended by deleting the word "chapter" and substituting "part".

SECTION 3. Tennessee Code Annotated, Section 68-6-103(b)(1)(B), is amended by adding the following immediately preceding the last sentence in the subdivision:

The program must include training in cardiopulmonary resuscitation (CPR), first aid, and the use of an automated external defibrillator (AED), as defined in § 68-140-402, for all participants.

SECTION 4. Tennessee Code Annotated, Title 68, Chapter 6, Part 1, is amended by adding the following as a new section:

(a) The governing authority of each public and nonpublic school that serves any of the grades nine through twelve (9-12) shall maintain an automated external defibrillator (AED), as defined in § 68-140-402, that is accessible during the school day and during all school youth athletic activities in which students in any of the grades nine through twelve (9-12) are participating.

(b) An AED maintained pursuant to subsection (a) must:

(1) Be identified with signage;

(2) Be located on-site of the school youth athletic activity or placed and made available in an unlocked location on school property that is within one thousand feet (1,000') of the site of the school youth athletic activity; and

(3) Meet the requirements of title 68, chapter 140, part 408.

(c) The governing authority of a public or nonpublic school may use an AED maintained by the governing authority pursuant to § 49-2-122 or § 49-50-804 to meet the requirements of this section.

SECTION 5. Tennessee Code Annotated, Title 68, Chapter 6, is amended by adding the following as a new part:

68-6-201.

(a) As used in this part, "school youth athletic activity" has the same meaning as defined in § 68-6-102.

(b) Beginning September 1, 2024, the governing authority of each public and nonpublic school that serves any of the grades nine through twelve (9-12) shall establish, review, and annually rehearse an athletics emergency action plan (AEAP) for responding to serious or life-threatening injuries sustained by students participating in school youth athletic activities.

(c) An AEAP must:

(1) Integrate nationally recognized, evidence-based core elements or standards;

(2) Be memorialized as a written document, specific to the sites under the control of the school where school youth athletic activities are conducted;

(3) Be developed in consultation with local emergency medical services personnel; and

(4) Be distributed to all athletics staff members, school personnel identified in the AEAP under subdivision (d)(2), and healthcare professionals identified in the AEAP under subdivision (d)(3).

(d) An AEAP must, at a minimum:

(1) Identify the address or venue of each school youth athletic activity for the respective school year;

(2) Identify the personnel in each school who are responsible for carrying out the AEAP, including their assigned responsibilities and the designated chain of command;

(3) Identify any healthcare professionals who may provide medical care during school youth athletic activities;

(4) Identify any equipment and supplies that may be needed to respond to a medical emergency at a school youth athletic activity, including the location of each item;

(5) Describe the proper procedures to be followed after a serious or life-threatening injury occurs, including, but not limited to, responding to the injured individual, summoning emergency medical care, assisting emergency responders, and documenting the actions taken during the emergency; and

(6) Provide contact information for emergency medical services and directions to assist emergency personnel in accessing the location of a school youth athletic activity.

(e) The requirements of this part are in addition to the requirements of the Safe Stars Act, compiled in title 49, chapter 6, part 36.

SECTION 6. Tennessee Code Annotated, Section 49-2-122, is amended by designating subsections (d)–(h) as subsections (f)–(j) and by deleting subsections (a)–(c) and substituting instead the following:

(a) As used in this section, "automated external defibrillator" or "AED" has the same meaning as defined in § 68-140-402.

(b) All public schools in this state must have at least one (1) automated external defibrillator placed within the school. AEDs, in addition to the AED required in this subsection (b) and any AEDs required pursuant to Section 4, may be placed within a school or on school grounds in accordance with the guidelines established in the cardiac emergency response plan adopted for the public school pursuant to subsection (c).

(c)

(1) Each local board of education and public charter school governing body shall develop and adopt a cardiac emergency response plan (CERP) that establishes the steps that should be taken in response to a sudden cardiac arrest event occurring within the school building or on school grounds.

(2) Local boards of education and public charter school governing bodies are encouraged to develop CERPs in accordance with guidelines established by the American Heart Association or another nationally recognized organization focused on providing emergency cardiovascular care.

(3) A CERP adopted pursuant to subdivision (c)(1) must:

(A) Be implemented at each public school governed by the local board of education or public charter school governing body;

(B) Identify the number of AEDs that must be placed within each school building or on school grounds that are used for academic, athletic, or other community purposes, in addition to the AED required in subsection (b) and any AEDs required pursuant to Section 4;

(C) Establish a cardiac emergency response team at each public school that is responsible for carrying out the CERP, including the response protocols each team is responsible for implementing and overseeing in a sudden cardiac arrest event. If the board or governing

body is required to establish an athletics emergency action plan (AEAP) pursuant to § 68-6-201, then the responsibilities and chain of command designated in the CERP for the respective cardiac emergency response team must align with those outlined in the AEAP;

(D) Be disseminated to students, parents, teachers, administrators, and other school employees at least once each school year, and posted prominently in each school building and on school grounds used for academic, athletic, or other community purposes, as well as on the website for the respective LEA or public school;

(E) Identify the training required for members of the cardiac emergency response team, and for any teachers, administrators, or other school employees, to assist such individuals in understanding the severity of sudden cardiac arrest events, to educate such individuals on how to respond in such circumstances, and to notify such individuals of the existence, content, and guidance available in the CERP; and

(F) Be reviewed at least annually by the local board of education or public charter school governing body, semiannually by each cardiac emergency response team, and no later than ten (10) days after a sudden cardiac arrest event occurs within a school, or on the grounds of a school, governed by the local board of education or public charter school by the cardiac emergency response team and the director of schools or the director of the public charter school, as applicable.

(d) Each school that places an AED within the school or on school grounds shall comply with all provisions of title 68, chapter 140, part 4, relative to training; notification; the establishment of a written plan that complies with § 68-140-404; maintenance and

testing of the AEDs to ensure that the devices are in optimal operating condition in compliance with § 68-140-404; and any other requirements. Each local board of education and public charter school governing body shall, to the greatest extent possible, ensure such requirements are incorporated into the adopted CERP.

(e) When a school receives its first AED, it shall place the AED in a location that may be accessed readily from any area of the school, which may include those areas of the school that are used for physical education or activity. AEDs, in addition to the AED required in this subsection (e) and any AEDs required pursuant to Section 4, must be placed in locations that are accessible in emergency situations. AEDs shall not be placed in an office that is not accessible to a person who may need to use the AED or in a location that is locked during times that students, parents, teachers, other school employees, or members of the community are present at school or school events.

SECTION 7. Tennessee Code Annotated, Section 49-2-122, is amended by deleting the language "Schools are encouraged to offer AED training to school bus drivers." and substituting instead the language "Schools are encouraged to offer training in cardiopulmonary resuscitation (CPR), first aid, and the use of an automated external defibrillator (AED), as defined in § 68-140-402, to school bus drivers."

SECTION 8. The state board of education, in consultation with the department of health, is authorized to promulgate rules to effectuate this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 9. For purposes of promulgating rules and developing policies, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2024, the public welfare requiring it, and applies to the 2024-2025 school year and each school year thereafter.