

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCS for HB 865 Youth Athletic Activities

SPONSOR(S): Healthcare Regulation Subcommittee

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Healthcare Regulation Subcommittee		Guzzo	McElroy

SUMMARY ANALYSIS

Sudden cardiac arrest is the leading cause of death for student athletes. Florida law requires public schools that are members of the Florida High School Athletic Association (FHSAA) to have a school employee or volunteer trained in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED) present at athletic activities, including competitions, practices, workouts, and conditioning sessions. However, public schools who are not members of the FHSAA are not required to comply with these standards.

The bill requires all athletic coaches employed by public schools to hold and maintain certification in CPR, first aid, and the use of an AED. The certification must be consistent with national evidence-based emergency cardiovascular care guidelines.

The bill has an indeterminate, yet likely insignificant, negative fiscal impact on the Department of Education and no fiscal impact on local government (*see fiscal comments*).

The bill provides an effective date of July 1, 2024.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Cardiac Arrest

Heart disease is the leading cause of death in the United States.¹ Sudden cardiac arrest is the leading cause of death for student athletes.²

Sudden cardiac arrest is the sudden loss of all heart activity due to an irregular heart rhythm. It can come on suddenly or in the wake of other symptoms. More than 356,000 cardiac arrests occur outside a hospital in the United States each year,³ 7,037 of those cardiac arrests are children.⁴ Sudden cardiac arrest is often fatal if the individual does not receive timely emergency treatment.⁵ Emergency treatment for sudden cardiac arrest includes cardiopulmonary resuscitation (CPR) and shocks to the heart with an automated external defibrillator (AED).

CPR

Though the vast majority of cardiac arrests occur at home, approximately 15 percent of adult cardiac arrests and 12 percent of juvenile cardiac arrests occur in public.⁶ Bystander cardiopulmonary resuscitation (CPR) can double or triple a person's chances of survival if started immediately.⁷ However, only 46 percent of cardiac arrests receive CPR from bystanders.⁸ Bystanders often choose not to perform CPR because they aren't trained or they are concerned about causing additional injury to a patient, especially if the patient is elderly, female, or adolescent.⁹

AEDs

An AED is a computerized defibrillator that automatically analyzes the heart rhythm in people who are experiencing cardiac arrest. If the AED detects cardiac arrest, it delivers an electrical shock to the heart to restore its normal rhythm.¹⁰ Sudden cardiac arrest has an 85 percent survival rate when an AED is applied within three minutes of a collapse.¹¹

¹ Center for Disease Control and Prevention, *Heart Disease*, <https://www.cdc.gov/heartdisease/facts.htm> (last visited January 20, 2024).

² Mayo Clinic, *Sudden Death in Young People: Heart Problems Often Blamed*, <https://www.mayoclinic.org/diseases-conditions/sudden-cardiac-arrest/in-depth/sudden-death/art-20047571> (last visited January 20, 2024).

³ *Id.*

⁴ American Academy of Pediatrics, *Advocating for Life Support Training of Children, Parents, Caregivers, School Personnel, and the Public*, <https://pediatrics.aappublications.org/content/141/6/e20180705#ref-1> (last visited January 20, 2024).

⁵ American Heart Association, *About Cardiac Arrest*, <https://www.heart.org/en/health-topics/cardiac-arrest/about-cardiac-arrest> (last visited January 20, 2024).

⁶ American Heart Association, *Why Women Fear Performing CPR on Women—and What to Do About It*, <https://www.heart.org/en/news/2020/11/23/why-people-fear-performing-cpr-on-women-and-what-to-do-about-it> (last visited January 20, 2024).

⁷ *Id.*

⁸ CPR Select, *CPR Success Rate: How Effective is CPR?*, available at <https://www.mycprcertificationonline.com/blog/cpr-success-rate> (last visited January 20, 2024).

⁹ Heart Cert, *Why Don't Bystanders Perform CPR?* available at <https://heartcertcpr.com/news/why-dont-bystanders-perform-cpr/#:~:text=Bystanders%20Fear%20Causing%20Additional%20Injury&text=The%20second%20most%20common%20reason,of%20CPR%20training%20and%20ability.&text=An%20additional%20reason%20given%20was,receive%20CPR%20from%20a%20bystander> (last visited January 20, 2024).

¹⁰ U.S. Food & Drug Administration, *How AEDs in Public Places Can Restart Hearts*, available at <https://www.fda.gov/consumers/consumer-updates/how-aeds-public-places-can-restart-hearts> (last visited January 20, 2024).

¹¹ Karl Weenig, M.D., National Federation of State High School Associations, *Emergency Action Plans Should be Reviewed, Rehearsed Annually* (Jan. 8, 2024) available at <https://www.nfhs.org/articles/emergency-action-plans-should-be-reviewed-rehearsed-annually/#:~:text=It%20has%20been%20well%20documented,three%20minutes%20of%20a%20collapse> (last visited January 20, 2024).

As part of student wellness and physical education policies, Florida law encourages school districts to provide basic training in first aid, including CPR, for all students in grade 6 and grade 8.¹² School districts are required to provide basic training in first aid, including CPR, for all students in grade 9 and grade 11.¹³ The CPR instruction must be based on a one-hour, nationally recognized program that uses current evidence-based emergency cardiovascular care guidelines.¹⁴ Florida law also requires the instruction to allow students to practice psychomotor skills associated with performing CPR and how to use an AED when a school district has the necessary equipment to provide AED instruction.¹⁵ School districts are encouraged to pursue private and public partnerships to provide the requisite training or funding.¹⁶

Given concerns regarding the health and safety of student-athletes, Florida law requires public schools that are members of the Florida High School Athletic Association (FHSAA)¹⁷ to meet certain requirements relating to CPR and the use of an AED. Currently, public schools that are members of the FHSAA are required to have a school employee or volunteer trained in CPR and use of an AED present at athletic activities, including competitions, practices, workouts, and conditioning sessions.¹⁸ FHSAA member public schools are also required to have an operational AED available in a clearly marked, publicized location for all athletic contests, practices, workouts, and conditioning sessions.¹⁹ The location of the AED must be registered with a local emergency medical services medical director.²⁰ Each employee or volunteer required to complete the training must annually be notified in writing of the location of each defibrillator on school grounds.²¹

Public schools who are not members of the FHSAA are not required to comply with the above standards. There are currently over 800 members of the FHSAA.²² According to the Florida Department of Education, in 2022-23, there were 570 public middle schools, 641 public high schools, and 626 public combination schools in Florida.

Effect of the Bill

The bill requires athletic coaches employed by all public schools, not just schools that are members of the FHSAA, to hold and maintain certification in CPR, first aid, and the use of an AED. The certification must be consistent with national evidence-based emergency cardiovascular care guidelines.

B. SECTION DIRECTORY:

Section 1: Amends s. 1012.55, relating to positions for which certificates required.

Section 2: Provides an effective date of July 1, 2024.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

¹² S. 1003.453(3), F.S.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ The term "high school" includes grades 6-12.

¹⁸ Section 1006.165(1)(b), F.S.

¹⁹ Section 1006.165(1)(a), F.S.

²⁰ Section 1006.165(1)(c), F.S.

²¹ *Id.*

²² FHSAA, Membership, *What is Membership in the FHSAA?*, available at <https://fhsaa.com/sports/2020/1/30/Membership.aspx> (last visited January 20, 2024).

2. Expenditures:

The number of coaches not already trained in accordance with the training requirements of the bill is unknown. However, current law requires public schools that are members of the FHSAA to have a school employee or volunteer trained in CPR and use of an AED present at all athletic activities, so it is likely that most athletic coaches are already trained in CPR and use of an AED. Therefore, the bill is expected to have an indeterminate, yet likely insignificant, negative fiscal impact on the Department of Education resulting from the costs associated with training athletic coaches in CPR and use of an AED.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The Department of Education has sufficient rule-making authority to implement the provisions of the bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES