

Assembly Bill No. 1639

Passed the Assembly August 23, 2016

Chief Clerk of the Assembly

Passed the Senate August 18, 2016

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2016, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Article 13.5 (commencing with Section 33479) to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, relating to pupil safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 1639, Maienschein. Pupil health: The Eric Paredes Sudden Cardiac Arrest Prevention Act.

Existing law requires a school district, charter school, or private school that elects to offer an athletic program to comply with certain requirements relating to pupil safety, including, among other things, removing an athlete who is suspected of sustaining a concussion or head injury from an athletic activity.

This bill would create the Eric Paredes Sudden Cardiac Arrest Prevention Act and would require the State Department of Education to post on its Internet Web site guidelines, videos, and an information sheet on sudden cardiac arrest symptoms and warning signs, and other relevant materials relating to sudden cardiac arrest. The bill would require a pupil in any public school, including a charter school, or private school that elects to conduct athletic activities, and the pupil's parent or guardian, to sign and return an acknowledgment of receipt of an information sheet on sudden cardiac arrest symptoms and warning signs each school year before the pupil participates in an athletic activity, as specified. The bill would require an athletic director, coach, athletic trainer, or authorized person, as defined, to remove from participation a pupil who passes out or faints while participating in or immediately following an athletic activity, and would require a coach of an athletic activity to complete a sudden cardiac arrest training course every other school year. The bill would impose penalties, on and after July 1, 2019, for a violation of the provision requiring a coach to complete a sudden cardiac arrest training course, as specified. The bill would make the act's provisions operative on July 1, 2017.

The people of the State of California do enact as follows:

SECTION 1. Article 13.5 (commencing with Section 33479) is added to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, to read:

Article 13.5. The Eric Paredes Sudden Cardiac Arrest
Prevention Act

33479. This act shall be known, and may be cited, as the Eric Paredes Sudden Cardiac Arrest Prevention Act.

33479.1. For purposes of this article, the following definitions apply:

(a) “Athletic activity” includes all of the following:

- (1) Interscholastic athletics.
- (2) An athletic contest or competition, other than interscholastic athletics, that is sponsored by a school, including cheerleading and club-sponsored sports activities.
- (3) Noncompetitive cheerleading that is sponsored by a school.
- (4) Practices, interscholastic practices, and scrimmages for all of the activities listed under paragraphs (1) to (3), inclusive.

(b) “Authorized person” means an employee, volunteer, or contractor authorized to provide health or medical services to pupil athletes.

(c) “School” means a public school, including a charter school, or private school that elects to conduct athletic activities.

33479.2. (a) The department shall post on its Internet Web site guidelines, videos, and an information sheet on sudden cardiac arrest symptoms and warning signs, and other relevant materials to inform and educate pupils and parents, and to train coaches about the nature and warning signs of sudden cardiac arrest, including the risks associated with continuing to play or practice after experiencing fainting or seizures during exercise, unexplained shortness of breath, chest pains, dizziness, racing heart rate, or extreme fatigue.

(b) Materials posted by the department on its Internet Web site may include, but are not necessarily limited to, those developed or used for sudden cardiac arrest education and coaches training by the National Federation of High School Associations, the Eric

Paredes Save A Life Foundation, or the California Interscholastic Federation.

(c) School districts and schools are encouraged to post on their Internet Web sites the information and material required to be posted by the department pursuant to subdivision (a) to give pupils, parents, and coaches ready access to the information.

33479.3. Each school year, before a pupil participates in an athletic activity governed by the California Interscholastic Federation, the school shall collect and retain a copy of the sudden cardiac arrest information sheet required by the California Interscholastic Federation for that pupil. Before a pupil participates in an athletic activity not governed by the California Interscholastic Federation, the pupil and the pupil's parent or guardian shall sign and return to the pupil's school an acknowledgment of receipt and review of the information sheet posted on the department's Internet Web site pursuant to subdivision (a) of Section 33479.2.

33479.4. A school may hold an informational meeting before the start of each athletic season for all ages of competitors regarding the symptoms and warning signs of sudden cardiac arrest. In addition to pupils, parents, coaches, and other school officials, informational meetings may include physicians, pediatric cardiologists, athletic trainers, and authorized persons.

33479.5. (a) A pupil who passes out or faints while participating in or immediately following an athletic activity, or who is known to have passed out or fainted while participating in or immediately following an athletic activity, shall be removed from participation at that time by the athletic director, coach, athletic trainer, or authorized person.

(b) A pupil who exhibits any of the other symptoms of sudden cardiac arrest, as described in subdivision (a) of Section 33479.2, during an athletic activity, may be removed from participation by an athletic trainer or authorized person if the athletic trainer or authorized person reasonably believes that the symptoms are cardiac related. In the absence of an athletic trainer or authorized person, any coach who observes any of the symptoms of sudden cardiac arrest shall notify the parent or guardian of the pupil so that the parent or guardian can determine what treatment, if any, the pupil should seek.

(c) A pupil who is removed from play under this section shall not be permitted to return to participate in an athletic activity until

the pupil is evaluated and cleared to return to participate in writing by a physician and surgeon, or a nurse practitioner or physician assistant practicing in accordance with standardized procedures or protocols developed by the supervising physician and surgeon and the nurse practitioner or physician assistant, as applicable.

(d) This section does not apply to a pupil engaging in an athletic activity during the regular schoolday or as part of a physical education course required pursuant to subdivision (d) of Section 51220 unless it constitutes a practice, interscholastic practice, or scrimmage pursuant to paragraph (4) of subdivision (a) of Section 33479.1.

33479.6. (a) A coach of an athletic activity shall complete the sudden cardiac arrest training course specified in Section 33479.2 and shall retake the training course every two years thereafter.

(b) A coach of an athletic activity shall not be eligible to coach an athletic activity until the coach completes the training course required under subdivision (a).

33479.7. On and after July 1, 2019, a coach who violates Section 33479.6 shall be subject to suspension from coaching any athletic activity until completion of the required training.

33479.8. The sponsors of youth athletic activities are encouraged to follow the guidelines specified in this article.

33479.9. This article is operative on July 1, 2017.

Approved _____, 2016

Governor