

**HB290 ENGROSSED**



1 HB290

2 J6V1FYY-2

3 By Representatives Oliver, Sorrells, Smith, Wadsworth, Hurst,  
4 Lipscomb, Shaw, Paschal, DuBose

5 RFD: Education Policy

6 First Read: 05-Mar-24



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A BILL  
TO BE ENTITLED  
AN ACT

Relating to sudden cardiac arrest; to require the governing body of each public and nonpublic school to develop and implement a cardiac emergency response plan; to provide standards for a cardiac emergency response plan; and to authorize the State Board of Education to adopt rules.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) This act shall be known and may be cited as the John Wesley Foster Act.

(b) For the purposes of this act, the following terms have the following meanings:

(1) ATHLETIC ACTIVITY. The same meaning as Section 16-30D-2, Code of Alabama 1975.

(2) AUTOMATED EXTERNAL DEFIBRILLATOR or AED. A lightweight, portable device that delivers an electric shock through the chest to the heart which can potentially stop an irregular heartbeat and allow a normal rhythm to resume following sudden cardiac arrest.

(3) CARDIAC EMERGENCY RESPONSE PLAN. A written document that establishes the specific steps to reduce death from



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29 cardiac arrest in a particular setting.

30 (4) HIGH-NEEDS SCHOOL. A school that meets at least one  
31 of the following criteria:

32 a. A school where at least 50 percent of the students  
33 are eligible to receive free and reduced priced meals.

34 b. A school that provides meals to all students through  
35 the Community Eligibility Provision.

36 c. A Title I school.

37 (5) SCHOOL. A public or nonpublic preK-12 school.

38 (6) SUDDEN CARDIAC ARREST. A heart malfunction in which  
39 the heart stops beating unexpectedly and, if left untreated,  
40 may quickly result in death.

41 Section 2. (a) Beginning with the 2025-2026 school  
42 year, each local board of education and governing body of a  
43 nonpublic school shall develop and implement both of the  
44 following:

45 (1) A cardiac emergency response plan that addresses  
46 the appropriate use of personnel to respond to incidents of  
47 sudden cardiac arrest or other similar life-threatening  
48 emergencies that occur on school property.

49 (2) If the local board of education or the governing  
50 body of a nonpublic school oversees a school with an athletic  
51 department or organized athletic program, a cardiac emergency  
52 response plan that addresses the appropriate use of personnel  
53 to respond to incidents of sudden cardiac arrest or other  
54 similar life-threatening emergencies that occur while an  
55 individual attends or participates in any athletic activity on  
56 school property.



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57 (b) Each cardiac emergency response plan shall include,  
58 but not be limited to, each of the following:

59 (1) Recommendations relating to the development of a  
60 cardiac emergency response plan by the American Heart  
61 Association or another entity that provides nationally  
62 recognized and evidence-based guidelines based on emergency  
63 cardiovascular care.

64 (2) The establishment of a cardiac emergency response  
65 team.

66 (3) The implementation and maintenance of ongoing staff  
67 training related to cardiopulmonary resuscitation (CPR) and  
68 the use of an AED, as provided in subsection (c).

69 (4) Procedures related to the activation of the cardiac  
70 emergency response team in response to an incident of sudden  
71 cardiac arrest.

72 (5) Appropriate AED placement on school property in  
73 accordance with the guidelines set by the American Heart  
74 Association or another entity that provides nationally  
75 recognized and evidence-based guidelines based on emergency  
76 cardiovascular care, including routine maintenance.

77 (6) Procedures to disseminate the cardiac emergency  
78 response plan on school property.

79 (7) The creation of requirements relating to the  
80 practice of an emergency response, including drills.

81 (8) Procedures and standards for the ongoing annual  
82 review and evaluation of the cardiac emergency response plan.

83 (c) Appropriate school staff shall be trained in first  
84 aid, CPR, and the use of an AED according to the guidelines



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85 set forth by the American Heart Association or another entity  
86 that provides nationally recognized and evidence-based  
87 guidelines based on emergency cardiovascular care. The term  
88 appropriate school staff shall be defined in each cardiac  
89 emergency response plan and shall include, but not be limited  
90 to, licensed coaches, school nurses, and athletic trainers.

91 (d) Each local board of education and governing body of  
92 a nonpublic school shall work directly with local emergency  
93 services providers to develop the cardiac emergency response  
94 plan and integrate it into the community's emergency medical  
95 services responder protocols.

96 Section 3. The State Board of Education may adopt rules  
97 establishing a procedure to monitor adherence to this act by  
98 local boards of education and governing bodies of nonpublic  
99 schools.

100 Section 4. This act shall become effective on October  
101 1, 2024.



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House of Representatives

Read for the first time and referred .....05-Mar-24  
to the House of Representatives  
committee on Education Policy  
  
Read for the second time and placed .....11-Apr-24  
on the calendar:  
1 amendment  
  
Read for the third time and passed .....16-Apr-24  
as amended  
Yeas 102  
Nays 0  
Abstains 1

John Treadwell  
Clerk