

HOUSE BILL 427

F1, J1, F5

4lr0363

By: **Delegates Hixson, Barve, Cullison, Gilchrist, Hucker, Kaiser, Lee, Luedtke, and F. Turner**

Introduced and read first time: January 24, 2014

Assigned to: Ways and Means and Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Maryland Sudden Cardiac Arrest Prevention Act**

3 FOR the purpose of requiring the State Department of Education, in collaboration
4 with certain entities, to develop certain policies and to implement a certain
5 program to provide awareness to certain coaches, school personnel, students,
6 and parents or guardians of students on the risk of sudden cardiac arrest;
7 requiring a county board of education to provide certain information and a
8 certain notice to a certain student and parent or guardian; requiring a student
9 and parent or guardian to sign a certain statement; requiring the Department
10 to create a certain information sheet and acknowledgment statement;
11 authorizing the Department to use certain materials; authorizing a public
12 school to hold certain informational meetings; requiring the removal from play
13 of certain students or youth athletes under certain circumstances; prohibiting
14 the return to play of certain students or youth athletes under certain
15 circumstances until a certain condition is met; requiring certain coaches to
16 attend a certain training course; requiring a county board, or a third party, to
17 provide certain information to certain individuals; requiring certain individuals
18 to acknowledge receipt of certain information in a certain manner; requiring
19 certain youth sports programs to provide certain statements of intent to comply
20 to certain county boards of education or their agents; encouraging certain youth
21 programs to follow certain guidelines; requiring a youth sports program to make
22 certain information on sudden cardiac arrest available to certain coaches, youth
23 athletes, and the parents or guardians of youth athletes; requiring a local
24 government to provide a certain notice to a youth sports program under certain
25 circumstances; establishing certain penalties for certain coaches who do not
26 comply with certain requirements; defining certain terms; providing for the
27 construction of this Act; and generally relating to the development of policies
28 and the implementation of a program on sudden cardiac arrest.

29 BY adding to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Education
2 Section 7–436
3 Annotated Code of Maryland
4 (2008 Replacement Volume and 2013 Supplement)

5 BY repealing and reenacting, with amendments,
6 Article – Health – General
7 Section 14–501
8 Annotated Code of Maryland
9 (2009 Replacement Volume and 2013 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article – Education**

13 **7–436.**

14 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
15 MEANINGS INDICATED.

16 (2) (I) “ATHLETIC ACTIVITY” MEANS:

17 1. INTERSCHOLASTIC ATHLETICS;

18 2. AN ATHLETIC CONTEST OR COMPETITION THAT IS
19 SPONSORED BY OR ASSOCIATED WITH A SCHOOL; AND

20 3. PRACTICES AND SCRIMMAGES.

21 (II) “ATHLETIC ACTIVITY” INCLUDES CHEERLEADING AND
22 SPORTS SPONSORED BY SCHOOL–AFFILIATED ORGANIZATIONS.

23 (3) “SUDDEN CARDIAC ARREST” MEANS A CONDITION IN WHICH
24 THE HEART SUDDENLY AND UNEXPECTEDLY STOPS BEATING.

25 (4) “YOUTH SPORTS PROGRAM” MEANS A PROGRAM ORGANIZED
26 FOR RECREATIONAL ATHLETIC COMPETITION OR INSTRUCTION FOR
27 PARTICIPANTS WHO ARE UNDER THE AGE OF 19 YEARS.

28 (B) NOTHING IN THIS SECTION MAY BE CONSTRUED TO CREATE,
29 ESTABLISH, EXPAND, REDUCE, CONTRACT, OR ELIMINATE ANY CIVIL LIABILITY
30 ON THE PART OF ANY COUNTY BOARD OR SCHOOL EMPLOYEE.

1 **(C) (1) THE DEPARTMENT SHALL DEVELOP POLICIES AND**
2 **IMPLEMENT A PROGRAM TO PROVIDE AWARENESS TO COACHES, SCHOOL**
3 **PERSONNEL, STUDENTS, AND THE PARENTS OR GUARDIANS OF STUDENTS, IN**
4 **COLLABORATION WITH THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE,**
5 **EACH COUNTY BOARD, THE MARYLAND PUBLIC SECONDARY SCHOOLS**
6 **ATHLETIC ASSOCIATION, THE MARYLAND ATHLETIC TRAINERS' ASSOCIATION,**
7 **PARENT HEART WATCH, AND LICENSED HEALTH CARE PROVIDERS WHO TREAT**
8 **HEART ISSUES, ON:**

9 **(I) THE NATURE AND WARNING SIGNS OF SUDDEN CARDIAC**
10 **ARREST;**

11 **(II) THE CRITERIA FOR REMOVAL FROM AND RETURN TO**
12 **PLAY; AND**

13 **(III) THE RISKS ASSOCIATED WITH CONTINUING TO PLAY OR**
14 **PRACTICE AFTER EXPERIENCING A SYMPTOM OF SUDDEN CARDIAC ARREST.**

15 **(2) THE PROGRAM SHALL INCLUDE A PROCESS TO VERIFY THAT A**
16 **COACH HAS:**

17 **(I) RECEIVED INFORMATION ON THE PROGRAM**
18 **DEVELOPED UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND**

19 **(II) COMPLETED THE REQUIRED TRAINING COURSE UNDER**
20 **SUBSECTION (F)(1) OF THIS SECTION.**

21 **(3) (I) BEFORE A STUDENT ENROLLED IN A PUBLIC SCHOOL**
22 **SYSTEM IN THE STATE MAY PARTICIPATE IN AN AUTHORIZED ATHLETIC**
23 **ACTIVITY, THE COUNTY BOARD SHALL PROVIDE A SUDDEN CARDIAC ARREST**
24 **SYMPTOMS AND WARNING SIGNS INFORMATION SHEET TO THE STUDENT AND A**
25 **PARENT OR GUARDIAN OF THE STUDENT.**

26 **(II) THE STUDENT AND THE PARENT OR GUARDIAN OF THE**
27 **STUDENT SHALL SIGN A STATEMENT ACKNOWLEDGING RECEIPT OF THE**
28 **INFORMATION SHEET.**

29 **(III) THE DEPARTMENT SHALL CREATE THE INFORMATION**
30 **SHEET AND ACKNOWLEDGMENT STATEMENT REQUIRED UNDER THIS**
31 **PARAGRAPH.**

32 **(4) THE DEPARTMENT MAY USE MATERIALS AVAILABLE FROM**
33 **THE CENTERS FOR DISEASE CONTROL AND PREVENTION, PARENT HEART**

1 WATCH, SUDDEN ARRHYTHMIA DEATH SYNDROMES FOUNDATION, OR ANY
2 OTHER APPROPRIATE ENTITY TO CARRY OUT THE REQUIREMENTS OF THIS
3 SUBSECTION.

4 (D) A PUBLIC SCHOOL MAY HOLD AN INFORMATIONAL MEETING
5 BEFORE THE START OF EACH ATHLETIC SEASON REGARDING THE SYMPTOMS
6 AND WARNING SIGNS OF SUDDEN CARDIAC ARREST.

7 (E) (1) IF A GAME OFFICIAL, A COACH, A CERTIFIED ATHLETIC
8 TRAINER, A LICENSED PHYSICIAN, OR ANY OTHER OFFICIAL DESIGNATED BY
9 THE COUNTY BOARD DETERMINES THAT A STUDENT IS SHOWING SIGNS OR
10 SYMPTOMS OF SUDDEN CARDIAC ARREST WHILE PARTICIPATING IN AN
11 ATHLETIC ACTIVITY, THE STUDENT SHALL BE REMOVED FROM PARTICIPATION
12 AT THAT TIME.

13 (2) IF A STUDENT IS KNOWN TO HAVE SHOWN SIGNS OR
14 SYMPTOMS OF SUDDEN CARDIAC ARREST AT ANY TIME BEFORE, DURING, OR
15 AFTER AN ATHLETIC ACTIVITY, THE STUDENT SHALL BE PREVENTED FROM
16 PARTICIPATING IN AN ATHLETIC ACTIVITY.

17 (3) A STUDENT REMOVED OR PREVENTED FROM PARTICIPATING
18 IN AN ATHLETIC ACTIVITY MAY NOT PARTICIPATE UNTIL THE STUDENT IS
19 EVALUATED AND CLEARED FOR PARTICIPATION IN WRITING BY A LICENSED
20 PHYSICIAN OR CERTIFIED REGISTERED NURSE PRACTITIONER.

21 (F) (1) AT LEAST ONCE EACH SCHOOL YEAR, A COACH SHALL
22 COMPLETE A SUDDEN CARDIAC ARREST TRAINING COURSE OFFERED BY A
23 PROVIDER APPROVED BY THE DEPARTMENT.

24 (2) A COACH MAY NOT COACH AN ATHLETIC ACTIVITY UNTIL THE
25 COACH COMPLETES THE TRAINING COURSE REQUIRED UNDER PARAGRAPH (1)
26 OF THIS SUBSECTION.

27 (G) (1) BEFORE AN INDIVIDUAL PARTICIPATES IN AN AUTHORIZED
28 ATHLETIC ACTIVITY ON SCHOOL PROPERTY, THE COUNTY BOARD SHALL
29 PROVIDE, OR REQUIRE THAT A THIRD PARTY PROVIDE:

30 (I) INFORMATION ON SUDDEN CARDIAC ARREST TO THE
31 INDIVIDUAL AND, IF APPLICABLE, A PARENT OR GUARDIAN OF THE INDIVIDUAL;
32 AND

1 **(II) NOTICE THAT ACKNOWLEDGMENT OF THE RECEIPT OF**
2 **THE INFORMATION BY THE INDIVIDUAL AND, IF APPLICABLE, THE PARENT OR**
3 **GUARDIAN OF THE INDIVIDUAL, IS REQUIRED.**

4 **(2) THE INFORMATION REQUIRED UNDER PARAGRAPH (1) OF**
5 **THIS SUBSECTION SHALL BE IN THE FORM OF:**

6 **(I) A SEPARATE INFORMATION SHEET; OR**

7 **(II) A NOTICE ON THE REGISTRATION FORM FOR A YOUTH**
8 **SPORTS PROGRAM STATING THAT INFORMATION ON SUDDEN CARDIAC ARREST**
9 **IS AVAILABLE, INCLUDING DIRECTIONS ON HOW TO RECEIVE THE INFORMATION**
10 **ELECTRONICALLY.**

11 **(3) THE INDIVIDUAL AND, IF APPLICABLE, THE PARENT OR**
12 **GUARDIAN OF THE INDIVIDUAL SHALL:**

13 **(I) ACKNOWLEDGE RECEIPT OF THE INFORMATION BY:**

14 **1. SIGNATURE;**

15 **2. CHECKING AN ACKNOWLEDGMENT BOX ON THE**
16 **REGISTRATION FORM; OR**

17 **3. ANOTHER METHOD OF WRITTEN OR ELECTRONIC**
18 **ACKNOWLEDGMENT; AND**

19 **(II) RETURN THE ACKNOWLEDGMENT TO THE COUNTY**
20 **BOARD OR THIRD PARTY.**

21 **(H) (1) A YOUTH SPORTS PROGRAM THAT USES A PUBLIC SCHOOL**
22 **FACILITY SHALL PROVIDE ANNUALLY TO THE COUNTY BOARD OR THE BOARD'S**
23 **AGENT A STATEMENT OF INTENT TO COMPLY FOR ALL ITS ATHLETIC ACTIVITIES**
24 **WITH THE REQUIREMENTS FOR THE MANAGEMENT OF SUDDEN CARDIAC**
25 **ARREST OF A PARTICIPANT UNDER THIS SECTION.**

26 **(2) A YOUTH SPORTS PROGRAM THAT DOES NOT USE A PUBLIC**
27 **SCHOOL FACILITY IS ENCOURAGED TO FOLLOW THE GUIDELINES OF THIS**
28 **SECTION.**

29 **(I) EACH COUNTY BOARD SHALL ESTABLISH THE FOLLOWING MINIMUM**
30 **PENALTIES FOR A COACH FOUND IN VIOLATION OF THE REQUIREMENTS UNDER**
31 **SUBSECTION (E) OF THIS SECTION:**

1 **(1) FOR A FIRST VIOLATION, SUSPENSION FROM COACHING ANY**
 2 **ATHLETIC ACTIVITY FOR THE REMAINDER OF THE SEASON;**

3 **(2) FOR A SECOND VIOLATION, SUSPENSION FROM COACHING**
 4 **ANY ATHLETIC ACTIVITY FOR THE REMAINDER OF THE SEASON AND FOR THE**
 5 **NEXT SEASON; AND**

6 **(3) FOR A THIRD VIOLATION, PERMANENT SUSPENSION FROM**
 7 **COACHING ANY ATHLETIC ACTIVITY.**

8 **Article – Health – General**

9 14–501.

10 (a) (1) In this section the following words have the meanings indicated.

11 (2) “Concussion” means a traumatic injury to the brain causing an
 12 immediate and, usually, short–lived change in mental status or an alteration of
 13 normal consciousness resulting from:

14 (i) A fall;

15 (ii) A violent blow to the head or body; or

16 (iii) The shaking or spinning of the head or body.

17 **(3) “SUDDEN CARDIAC ARREST” MEANS A CONDITION IN WHICH**
 18 **THE HEART SUDDENLY AND UNEXPECTEDLY STOPS BEATING.**

19 **[(3)] (4)** “Youth athlete” means an individual who participates in an
 20 athletic activity in association with a youth sports program conducted:

21 (i) At a public school facility; or

22 (ii) By a recreational athletic organization.

23 **[(4)] (5)** “Youth sports program” means a program organized for
 24 recreational athletic competition or instruction for participants who are under the age
 25 of 19 years.

26 (b) (1) A youth sports program shall make available information on
 27 concussions [and], head injuries, **AND SUDDEN CARDIAC ARREST** developed by the
 28 State Department of Education under **[\$ 7–433] §§ 7–433 AND 7–436** of the
 29 Education Article to coaches, youth athletes, and the parents or guardians of youth
 30 athletes.

1 (2) A coach of a youth sports program shall review the information
2 provided in paragraph (1) of this subsection.

3 (c) (1) A youth athlete [who is suspected of sustaining a concussion or
4 other head injury in a practice or game shall be removed from play at that time]
5 **SHALL BE REMOVED FROM PLAY IF THE ATHLETE:**

6 **(I) IS SUSPECTED OF SUSTAINING A CONCUSSION OR**
7 **OTHER HEAD INJURY; OR**

8 **(II) SHOWS SIGNS OR SYMPTOMS OF SUDDEN CARDIAC**
9 **ARREST.**

10 (2) A youth athlete who has been removed from play may not return to
11 play until the youth athlete has obtained written clearance from a licensed health care
12 provider trained in the evaluation and management of concussions **OR SUDDEN**
13 **CARDIAC ARREST, AS APPROPRIATE.**

14 (d) Before a youth sports program may use a facility owned or operated by a
15 local government, the local government shall provide notice to the youth sports
16 program of the requirements of this section.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 July 1, 2014.