

# HOUSE BILL 427

F1, J1, F5

4lr0363

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By: **Delegates Hixson, Barve, Cullison, Gilchrist, Hucker, Kaiser, Lee, Luedtke, ~~and F. Turner~~ F. Turner, Cardin, Howard, McDonough, Nathan-Pulliam, and V. Turner**

Introduced and read first time: January 24, 2014

Assigned to: Ways and Means and Health and Government Operations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 8, 2014

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Education – Maryland Sudden Cardiac Arrest ~~Prevention~~ Awareness 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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 government to provide a certain notice to a youth sports program under certain  
2 circumstances; ~~establishing certain penalties for certain coaches who do not~~  
3 ~~comply with certain requirements~~; defining certain terms; providing for the  
4 construction of this Act; and generally relating to the development of policies  
5 and the implementation of a program on sudden cardiac arrest awareness.

6 BY adding to

7 Article – Education

8 Section 7–436

9 Annotated Code of Maryland

10 (2008 Replacement Volume and 2013 Supplement)

11 BY repealing and reenacting, with amendments,

12 Article – Health – General

13 Section 14–501

14 Annotated Code of Maryland

15 (2009 Replacement Volume and 2013 Supplement)

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

18 **Article – Education**

19 **7–436.**

20 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**  
21 **MEANINGS INDICATED.**

22 **(2) (I) “ATHLETIC ACTIVITY” MEANS:**

23 **1. INTERSCHOLASTIC ATHLETICS;**

24 **2. AN ATHLETIC CONTEST OR COMPETITION THAT IS**  
25 **SPONSORED BY OR ASSOCIATED WITH A SCHOOL; AND**

26 **3. PRACTICES AND SCRIMMAGES.**

27 **(II) “ATHLETIC ACTIVITY” INCLUDES CHEERLEADING AND**  
28 **SPORTS SPONSORED BY SCHOOL–AFFILIATED ORGANIZATIONS.**

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

31 **(4) “YOUTH SPORTS PROGRAM” MEANS A PROGRAM ORGANIZED**  
32 **FOR RECREATIONAL ATHLETIC COMPETITION OR INSTRUCTION FOR**  
33 **PARTICIPANTS WHO ARE UNDER THE AGE OF 19 YEARS.**

1 (B) NOTHING IN THIS SECTION MAY BE CONSTRUED TO CREATE,  
2 ESTABLISH, EXPAND, REDUCE, CONTRACT, OR ELIMINATE ANY CIVIL LIABILITY  
3 ON THE PART OF ~~ANY A~~ COUNTY BOARD ~~OR~~ EMPLOYEE, SCHOOL EMPLOYEE, OR  
4 YOUTH SPORTS PROGRAM VOLUNTEER.

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

13 (I) THE NATURE AND WARNING SIGNS OF SUDDEN CARDIAC  
14 ARREST; INCLUDING FAINTING, DIFFICULTY BREATHING, CHEST PAINS,  
15 DIZZINESS, AND ABNORMAL HEART RATE; AND

16 ~~(II) THE CRITERIA FOR REMOVAL FROM AND RETURN TO~~  
17 ~~PLAY; AND~~

18 ~~(III)~~ (II) THE RISKS ASSOCIATED WITH CONTINUING TO  
19 PLAY OR PRACTICE AFTER EXPERIENCING A SYMPTOM OF SUDDEN CARDIAC  
20 ARREST.

21 (2) THE PROGRAM SHALL INCLUDE A PROCESS TO VERIFY THAT A  
22 COACH HAS:

23 ~~(I) RECEIVED~~ RECEIVED INFORMATION ON THE PROGRAM  
24 DEVELOPED UNDER PARAGRAPH (1) OF THIS SUBSECTION; ~~AND~~

25 ~~(II) COMPLETED THE REQUIRED TRAINING COURSE UNDER~~  
26 ~~SUBSECTION (F)(1) OF THIS SECTION.~~

27 (3) (I) BEFORE A STUDENT ENROLLED IN A PUBLIC SCHOOL  
28 SYSTEM IN THE STATE MAY PARTICIPATE IN AN AUTHORIZED ATHLETIC  
29 ACTIVITY, THE COUNTY BOARD SHALL PROVIDE A SUDDEN CARDIAC ARREST  
30 SYMPTOMS AND WARNING SIGNS INFORMATION SHEET TO THE STUDENT AND A  
31 PARENT OR GUARDIAN OF THE STUDENT.

32 (II) THE STUDENT AND THE PARENT OR GUARDIAN OF THE  
33 STUDENT SHALL SIGN A STATEMENT ACKNOWLEDGING RECEIPT OF THE  
34 INFORMATION SHEET.

1                   (III) THE DEPARTMENT SHALL CREATE THE INFORMATION  
2 SHEET AND ACKNOWLEDGMENT STATEMENT REQUIRED UNDER THIS  
3 PARAGRAPH.

4                   (4) THE DEPARTMENT MAY USE MATERIALS AVAILABLE FROM  
5 THE CENTERS FOR DISEASE CONTROL AND PREVENTION, PARENT HEART  
6 WATCH, SUDDEN ARRHYTHMIA DEATH SYNDROMES FOUNDATION, OR ANY  
7 OTHER APPROPRIATE ENTITY TO CARRY OUT THE REQUIREMENTS OF THIS  
8 SUBSECTION.

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

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

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

22                   ~~(3) A STUDENT REMOVED OR PREVENTED FROM PARTICIPATING~~  
23 ~~IN AN ATHLETIC ACTIVITY MAY NOT PARTICIPATE UNTIL THE STUDENT IS~~  
24 ~~EVALUATED AND CLEARED FOR PARTICIPATION IN WRITING BY A LICENSED~~  
25 ~~PHYSICIAN OR CERTIFIED REGISTERED NURSE PRACTITIONER.~~

26                   ~~(F) (1) AT LEAST ONCE EACH SCHOOL YEAR, A COACH SHALL~~  
27 ~~COMPLETE A SUDDEN CARDIAC ARREST TRAINING COURSE OFFERED BY A~~  
28 ~~PROVIDER APPROVED BY THE DEPARTMENT.~~

29                   ~~(2) A COACH MAY NOT COACH AN ATHLETIC ACTIVITY UNTIL THE~~  
30 ~~COACH COMPLETES THE TRAINING COURSE REQUIRED UNDER PARAGRAPH (1)~~  
31 ~~OF THIS SUBSECTION.~~

32                   ~~(G)~~ (E) (1) BEFORE AN INDIVIDUAL PARTICIPATES IN AN  
33 AUTHORIZED ATHLETIC ACTIVITY ON SCHOOL PROPERTY, THE COUNTY BOARD  
34 SHALL PROVIDE, OR REQUIRE THAT A THIRD PARTY PROVIDE:

1                   **(I) INFORMATION ON SUDDEN CARDIAC ARREST TO THE**  
2 **INDIVIDUAL AND, IF APPLICABLE, A PARENT OR GUARDIAN OF THE INDIVIDUAL;**  
3 **AND**

4                   **(II) NOTICE THAT ACKNOWLEDGMENT OF THE RECEIPT OF**  
5 **THE INFORMATION BY THE INDIVIDUAL AND, IF APPLICABLE, THE PARENT OR**  
6 **GUARDIAN OF THE INDIVIDUAL, IS REQUIRED.**

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

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

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

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

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

- 17                               **1. SIGNATURE;**  
18                               **2. CHECKING AN ACKNOWLEDGMENT BOX ON THE**  
19 **REGISTRATION FORM; OR**  
20                               **3. ANOTHER METHOD OF WRITTEN OR ELECTRONIC**  
21 **ACKNOWLEDGMENT; AND**

22                   **(II) RETURN THE ACKNOWLEDGMENT TO THE COUNTY**  
23 **BOARD OR THIRD PARTY.**

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

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

~~(1) EACH COUNTY BOARD SHALL ESTABLISH THE FOLLOWING MINIMUM PENALTIES FOR A COACH FOUND IN VIOLATION OF THE REQUIREMENTS UNDER SUBSECTION (E) OF THIS SECTION:~~

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

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

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

### Article – Health – General

14-501.

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

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

(i) A fall;

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

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

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

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

(i) At a public school facility; or

(ii) By a recreational athletic organization.

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

1 (b) (1) A youth sports program shall make available information on  
 2 concussions [and], head injuries, AND SUDDEN CARDIAC ARREST developed by the  
 3 State Department of Education under [§ 7-433] §§ 7-433 AND 7-436 of the  
 4 Education Article to coaches, youth athletes, and the parents or guardians of youth  
 5 athletes.

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

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

11 ~~(I) IS SUSPECTED OF SUSTAINING A CONCUSSION OR~~  
 12 ~~OTHER HEAD INJURY; OR~~

13 ~~(II) SHOWS SIGNS OR SYMPTOMS OF SUDDEN CARDIAC~~  
 14 ~~ARREST.~~

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

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

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.