

SENATE BILL 638

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2lr1745
CF HB 836

By: **Senator Hettleman**

Introduced and read first time: February 3, 2022

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 5, 2022

CHAPTER _____

1 AN ACT concerning

2 **Public Schools – Student Athletics – Requirements and ~~Reports~~ Emergency**
3 **Action Plans**
4 **(Elijah Gorham Act)**

5 FOR the purpose of ~~requiring each county superintendent of schools to submit a certain~~
6 ~~report on public high school sports teams in the county to the State Department of~~
7 ~~Education on or before a certain date each year~~; altering the requirements for an
8 automated external defibrillator program in public middle and high schools; altering
9 the requirements for actions to be taken by county boards of education regarding
10 heat acclimatization for student athletes; requiring middle schools and high schools
11 to develop venue-specific emergency action plans for the operation and use of
12 automatic external defibrillators, heat acclimatization, and coordination of care for
13 other emergent injuries and severe weather for outdoor facilities; and generally
14 relating to student athletics in public schools in the State.

15 ~~BY adding to~~
16 ~~Article – Education~~
17 ~~Section 7–129~~
18 ~~Annotated Code of Maryland~~
19 ~~(2018 Replacement Volume and 2021 Supplement)~~

20 BY repealing and reenacting, with amendments,
21 Article – Education
22 Section 7–425 and 7–434
23 Annotated Code of Maryland

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.



(2018 Replacement Volume and 2021 Supplement)

BY adding to

Article – Education

Section 7–450

Annotated Code of Maryland

(2018 Replacement Volume and 2021 Supplement)

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

Article – Education

~~7–129.~~

~~(A) ON OR BEFORE DECEMBER 1, 2023, AND EACH DECEMBER 1
THEREAFTER, EACH COUNTY SUPERINTENDENT SHALL SUBMIT TO THE
DEPARTMENT A REPORT ON PUBLIC HIGH SCHOOL SPORTS TEAMS IN THE COUNTY.~~

~~(B) THE REPORT REQUIRED UNDER THIS SECTION SHALL INCLUDE:~~

~~(1) THE NUMBER OF SPORTS TEAMS AFFILIATED WITH EACH PUBLIC
HIGH SCHOOL IN THE COUNTY;~~

~~(2) THE TYPE OF SPORT EACH TEAM PLAYS;~~

~~(3) THE CERTIFICATIONS, IF ANY, HELD BY A COACH OF EACH SPORTS
TEAM;~~

~~(4) THE TYPE OF AFFILIATION BETWEEN THE SPORTS TEAM AND A
HIGH SCHOOL, INCLUDING:~~

~~(i) THE NUMBER OF STUDENT ATHLETES ON EACH SPORTS
TEAM;~~

~~(ii) THE NAME OF THE HIGH SCHOOL EACH STUDENT ATHLETE
ATTENDS;~~

~~(iii) WHETHER THE SPORTS TEAM USES THE FACILITIES AND
PROPERTY OF THE AFFILIATED HIGH SCHOOL; AND~~

~~(iv) WHETHER THE SPORTS TEAM USES THE AFFILIATED HIGH
SCHOOL'S LOGO AND NAME;~~

1 ~~(5) WHETHER THE SPORTS TEAM HAS A BOARD OF DIRECTORS AND,~~
 2 ~~IF SO, WHAT CERTIFICATIONS THE DIRECTORS HOLD; AND~~

3 ~~(6) ANY OTHER RELEVANT INFORMATION AS DETERMINED BY THE~~
 4 ~~DEPARTMENT.~~

5 7-425.

6 ~~(A) IN THIS SECTION, "PRACTICE" HAS THE MEANING STATED IN §~~
 7 ~~7-434 OF THIS SUBTITLE.~~

8 ~~[(a)] (B) (1)~~ Each county board shall develop and implement an automated
 9 external defibrillator program that meets the requirements of § 13-517 of this article for
 10 each high school and middle school in the county.

11 ~~(2) The program required under paragraph (1) of this subsection shall~~
 12 ~~include provisions that:~~

13 ~~(i) Ensure that an automated external defibrillator is provided on~~
 14 ~~site AND IS LOCATED IN CLOSE PROXIMITY TO EACH SCHOOL SPONSORED ATHLETIC~~
 15 ~~PRACTICE AND EVENT; [and]~~

16 ~~(ii) An individual trained in the operation and use of an automated~~
 17 ~~external defibrillator is present at all school-sponsored athletic PRACTICES AND events;~~

18 ~~(III) REQUIRE THE DEVELOPMENT OF AN EMERGENCY PLAN AT~~
 19 ~~EACH SCHOOL; AND~~

20 ~~(IV) REQUIRE THE EMERGENCY PLAN DEVELOPED UNDER ITEM~~
 21 ~~(III) OF THIS PARAGRAPH TO BE DISTRIBUTED TO EACH STUDENT ATHLETE'S~~
 22 ~~PARENT OR GUARDIAN AT THE BEGINNING OF EACH SCHOOL YEAR.~~

23 ~~(3) EACH COUNTY BOARD SHALL REPORT THE FOLLOWING~~
 24 ~~INFORMATION TO THE DEPARTMENT EACH YEAR:~~

25 ~~(I) THE NUMBER AND LOCATION OF EACH AUTOMATIC~~
 26 ~~EXTERNAL DEFIBRILLATOR AT EACH SCHOOL IN THE COUNTY; AND~~

27 ~~(II) A LIST OF EACH INDIVIDUAL AT EACH SCHOOL IN THE~~
 28 ~~COUNTY WHO HAS COMPLETED INITIAL AND REFRESHER TRAINING ON THE~~
 29 ~~OPERATION AND USE OF AUTOMATED EXTERNAL DEFIBRILLATORS AND THE DATE~~
 30 ~~EACH TRAINING WAS COMPLETED.~~

1 ~~[(b)]~~ ~~(C)~~ The Department, in consultation with the Maryland Department of
2 Health, the Maryland State School Health Council, and the Maryland Institute for
3 Emergency Medical Services Systems, shall adopt regulations that:

4 (1) Establish guidelines for periodic inspections and annual maintenance
5 of the automated external defibrillators; and

6 (2) Assist county boards in carrying out the provisions of this section.

7 **(C) EACH MIDDLE SCHOOL AND HIGH SCHOOL SHALL DEVELOP A**
8 **VENUE-SPECIFIC EMERGENCY ACTION PLAN FOR THE OPERATION AND USE OF**
9 **AUTOMATIC EXTERNAL DEFIBRILLATORS THAT MEETS THE REQUIREMENTS OF §**
10 **7-450 OF THIS SUBTITLE.**

11 7-434.

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

13 (2) “Heat acclimatization” means enhancing an individual’s exercise heat
14 tolerance and ability to exercise safely and effectively in warm to hot conditions.

15 (3) “Practice” means a period of time a student athlete engages in physical
16 activity during a coach-supervised, school-approved sports- or conditioning-related
17 activity, including warm-up, stretching, weight training, and cool-down periods.

18 (4) “Preseason practice” means the initial 14 days of practice for a student
19 athlete.

20 (5) “Recovery period” means the time between the end of one practice or
21 walk-through and the beginning of the next practice or walk-through.

22 (6) “Student athlete” means a student who participates in an athletic
23 program for high school students in a State secondary school that is a member of the
24 Maryland Public Secondary Schools Athletic Association.

25 (7) (i) “Walk-through” means a teaching opportunity when an athlete
26 is not wearing protective equipment, including helmets, shoulder pads, catcher’s gear, or
27 shin guards, or using other sports-related equipment.

28 (ii) “Walk-through” does not include any part of a practice period.

29 (b) (1) The Department, in collaboration with the Maryland Department of
30 Health, each county board, the Maryland Public Secondary Schools Athletic Association,
31 the Maryland Athletic Trainers’ Association, and representatives of licensed health care
32 providers who treat student athletes, shall develop a model policy for preseason-practice
33 heat acclimatization guidelines for student athletes.

1 (2) Each local board shall adopt preseason–practice heat acclimatization
2 guidelines for student athletes CONSISTENT WITH THE MODEL POLICY FOR
3 PRESEASON–PRACTICE HEAT ACCLIMATIZATION GUIDELINES FOR STUDENT
4 ATHLETES ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

5 (c) The preseason–practice heat acclimatization guidelines shall include
6 requirements for the duration of a practice time, a walk–through, and a recovery period
7 during preseason practice.

8 ~~(D) EACH COUNTY BOARD SHALL:~~

9 ~~(1) ENSURE THAT A STOCK TANK OR INFLATABLE POOL IS AVAILABLE~~
10 ~~TO STUDENT ATHLETES AT ALL SCHOOL SPONSORED ATHLETIC PRACTICES AND~~
11 ~~EVENTS;~~

12 ~~(2) ENSURE THAT AN INDIVIDUAL TRAINED IN HEAT~~
13 ~~ACCLIMATIZATION SAFETY IS PRESENT AT ALL SCHOOL SPONSORED ATHLETIC~~
14 ~~PRACTICES AND EVENTS;~~

15 ~~(3) REPORT TO THE DEPARTMENT THE NAMES OF EACH INDIVIDUAL~~
16 ~~AT EACH SCHOOL IN THE COUNTY WHO COMPLETED INITIAL AND ANY REFRESHER~~
17 ~~TRAINING IN THE HEAT ACCLIMATIZATION SAFETY STANDARDS AND PROCEDURES~~
18 ~~IN ACCORDANCE WITH ITEM (2) OF THIS SUBSECTION AND THE DATE EACH TRAINING~~
19 ~~WAS COMPLETED;~~

20 ~~(4) DEVELOP AN EMERGENCY PLAN CONSISTENT WITH THE MODEL~~
21 ~~POLICY FOR PRESEASON PRACTICE HEAT ACCLIMATIZATION GUIDELINES FOR~~
22 ~~STUDENT ATHLETES ESTABLISHED UNDER SUBSECTION (B)(1) OF THIS SECTION;~~
23 ~~AND~~

24 ~~(5) DISTRIBUTE THE EMERGENCY PLAN DEVELOPED UNDER ITEM (4)~~
25 ~~OF THIS SUBSECTION TO THE PARENT OR GUARDIAN OF EACH STUDENT ATHLETE AT~~
26 ~~THE BEGINNING OF EACH SCHOOL YEAR.~~

27 (D) EACH HIGH SCHOOL SHALL DEVELOP A VENUE–SPECIFIC EMERGENCY
28 ACTION PLAN FOR HEAT ACCLIMATIZATION THAT MEETS THE REQUIREMENTS OF §
29 7–450 OF THIS SUBTITLE.

30 7–450.

31 (A) (1) EACH MIDDLE SCHOOL AND HIGH SCHOOL SHALL DEVELOP A
32 VENUE–SPECIFIC EMERGENCY ACTION PLAN FOR ALL ATHLETIC FACILITIES.

33 (2) A VENUE–SPECIFIC EMERGENCY ACTION PLAN INCLUDES:

1 **(I) THE OPERATION AND USE OF AUTOMATIC EXTERNAL**
2 **DEFIBRILLATORS IN ACCORDANCE WITH § 7-425 OF THIS SUBTITLE;**

3 **(II) HEAT ACCLIMATIZATION IN ACCORDANCE WITH § 7-434 OF**
4 **THIS SUBTITLE; AND**

5 **(III) COORDINATION OF CARE FOR OTHER EMERGENT INJURIES,**
6 **INCLUDING CERVICAL SPINAL INJURY, CONCUSSION AND CLOSED HEAD INJURY,**
7 **MAJOR ORTHOPEDIC INJURIES, AND SEVERE WEATHER FOR OUTDOOR FACILITIES.**

8 **(B) A VENUE-SPECIFIC EMERGENCY ACTION PLAN DEVELOPED UNDER**
9 **THIS SECTION SHALL BE:**

10 **(1) POSTED AT EACH ATHLETIC FACILITY AT THE SCHOOL;**

11 **(2) AVAILABLE ON THE SCHOOL'S WEBSITE FOR VIEWING BY A**
12 **STUDENT ATHLETE'S PARENT OR GUARDIAN AT THE BEGINNING OF EACH SCHOOL**
13 **YEAR;**

14 **(3) DISTRIBUTED TO EACH MEMBER OF THE COACHING STAFF; AND**

15 **(4) REHEARSED IN PERSON AND INTERACTIVELY BY ALL OF THE**
16 **COACHING STAFF OF EACH SPORT BEFORE EACH OF THEIR RESPECTIVE SEASONS.**

17 **(C) THE PROVISIONS OF A VENUE-SPECIFIC EMERGENCY ACTION PLAN FOR**
18 **THE OPERATION AND USE OF AUTOMATIC EXTERNAL DEFIBRILLATORS SHALL**
19 **ENSURE THAT:**

20 **(1) AN AUTOMATED EXTERNAL DEFIBRILLATOR IS PROVIDED**
21 **ON-SITE AND IS LOCATED AT OR WITHIN A 3-MINUTE WALK FROM AN ATHLETIC**
22 **PRACTICE OR EVENT ON SCHOOL PROPERTY;**

23 **(2) AN AUTOMATED EXTERNAL DEFIBRILLATOR IS FREELY**
24 **ACCESSIBLE DURING ALL SCHOOL FUNCTIONS;**

25 **(3) ALL MEMBERS OF THE COACHING STAFF ARE TRAINED IN THE**
26 **OPERATION AND USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR; AND**

27 **(4) A TRAINED MEMBER OF THE COACHING STAFF IS PRESENT AT ALL**
28 **ATHLETIC PRACTICES AND EVENTS ON SCHOOL PROPERTY.**

29 **(D) THE PROVISIONS OF A VENUE-SPECIFIC EMERGENCY ACTION PLAN FOR**
30 **HEAT ACCLIMATIZATION SHALL:**

1 **(1) INCLUDE GUIDELINES FOR STUDENT ATHLETES CONSISTENT**
2 **WITH THE MODEL POLICY FOR PRESEASON–PRACTICE HEAT ACCLIMATIZATION**
3 **GUIDELINES FOR STUDENT ATHLETES ESTABLISHED UNDER § 7-434 OF THIS**
4 **SUBTITLE;**

5 **(2) ENSURE THAT EACH SCHOOL IS PROPERLY PREPARED AND**
6 **EQUIPPED TO INITIATE COLD WATER IMMERSION FOR THE TREATMENT OF**
7 **EXERTIONAL HEAT STROKE;**

8 **(3) ENSURE THAT A COOLING MODALITY IS READILY AVAILABLE TO**
9 **STUDENT ATHLETES AT ALL ATHLETIC PRACTICES AND EVENTS ON SCHOOL**
10 **PROPERTY;**

11 **(4) ENSURE THAT ALL MEMBERS OF THE COACHING STAFF ARE**
12 **TRAINED IN COLD WATER IMMERSION; AND**

13 **(5) ENSURE THAT A TRAINED MEMBER OF THE COACHING STAFF IS**
14 **PRESENT AT ALL ATHLETIC PRACTICES AND EVENTS ON SCHOOL PROPERTY.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
16 1, 2022.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.