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AB-1719 Pupil instruction: cardiopulmonary resuscitation. (2015-2016)

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Assembly Bill No. 1719

CHAPTER 556

An act to add Section 51225.6 to the Education Code, relating to pupil instruction.

[Approved by Governor September 24, 2016. Filed with Secretary of State September 24, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1719, Rodriguez. Pupil instruction: cardiopulmonary resuscitation.

(1) Existing law authorizes a school district or school to provide a comprehensive program in first aid or cardiopulmonary resuscitation training, or both, to pupils and employees in accordance with specified guidelines. Existing law requires each pupil completing grade 12 to satisfy certain requirements as a condition of receiving a diploma of graduation from high school. These requirements include the completion of designated coursework in grades 9 to 12, inclusive. Existing law authorizes a governing board of a school district to adopt other coursework requirements.

This bill would require, commencing with the 2018–19 school year, the governing board of a school district or the governing body of a charter school that requires a course in health education for graduation from high school to include instruction in performing compression-only cardiopulmonary resuscitation, as provided. The bill would encourage those entities to provide to pupils general information on the use and importance of an automated external defibrillator. The bill would require the State Department of Education to provide guidance on how to implement these provisions, including, but not limited to, who may provide instruction.

(2) Existing law provides that no local agency, entity of state or local government, or other public or private organization that sponsors, authorizes, supports, finances, or supervises the training of citizens in cardiopulmonary resuscitation shall be liable for any civil damages alleged to result from such training programs.

Existing law provides that no person who is certified to instruct in cardiopulmonary resuscitation by either the American Heart Association or the American Red Cross shall be liable for any civil damages alleged to result from the acts or omissions of an individual who received instruction on cardiopulmonary resuscitation by that certified instructor.

This bill would provide that a local agency, entity of state or local government, or other public or private organization that sponsors, authorizes, supports, finances, or supervises, and a public employee who provides or facilitates, the instruction of pupils in compression-only cardiopulmonary resuscitation or the use of an automated external defibrillator pursuant to the bill shall not be liable for any civil damages alleged to result from the acts or omissions of an individual who received such instruction, except as provided.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 51225.6 is added to the Education Code, to read:

51225.6. (a) If the governing board of a school district or the governing body of a charter school requires a course in health education for graduation from high school, the governing board of a school district or the governing body of a charter school shall include, commencing with the 2018–19 school year, instruction in performing compression-only cardiopulmonary resuscitation (CPR). This instruction shall include both of the following:

(1) An instructional program based on national evidence-based emergency cardiovascular care guidelines for the performance of compression-only CPR, such as those developed by the American Heart Association or the American Red Cross.

(2) Instruction to pupils relative to the psychomotor skills necessary to perform compression-only CPR. For purposes of this paragraph, “psychomotor skills” means skills that pupils are required to perform as hands-on practice to support cognitive learning.

(b) Before the commencement of the 2017–18 school year, the department shall provide guidance on how to implement this section, including, but not limited to, who may provide instruction pursuant to this section.

(c) The governing board of a school district or the governing body of a charter school is encouraged to provide to pupils general information on the use and importance of an automated external defibrillator (AED). The physical presence of an AED in the classroom is not required.

(d) The governing board of a school district or the governing body of a charter school may adopt policies to implement this section.

(e) (1) The governing board of a school district or the governing body of a charter school providing instruction in performing compression-only CPR or information on the use of an AED pursuant to this section is encouraged to use the most cost-effective means possible to implement that requirement.

(2) This section shall not be construed to require the governing board of a school district or the governing body of a charter school to make any purchases, including, but not limited to, purchasing an AED.

(f) (1) A local agency, entity of state or local government, or other public or private organization that sponsors, authorizes, supports, finances, or supervises the instruction of pupils in compression-only CPR or the use of an AED pursuant to this section shall not be liable for any civil damages alleged to result from the acts or omissions of an individual who received such instruction.

(2) A public employee who provides or facilitates the instruction of pupils in compression-only CPR or the use of an AED pursuant to this section shall not be liable for any civil damages alleged to result from the acts or omissions of an individual who received such instruction.

(3) This subdivision shall not be construed to grant immunity from civil damages to any person who provides or facilitates the instruction of pupils in compression-only CPR or the use of an AED in a manner that constitutes gross negligence or willful or wanton misconduct.