

1-1 By: Huberty, et al. (Senate Sponsor - Alvarado) H.B. No. 76  
1-2 (In the Senate - Received from the House March 27, 2019;  
1-3 April 1, 2019, read first time and referred to Committee on  
1-4 Education; May 17, 2019, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 6, Nays 4;  
1-6 May 17, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Taylor	X			
1-9 Lucio	X			
1-10 Bettencourt		X		
1-11 Campbell		X		
1-12 Fallon		X		
1-13 Hall		X		
1-14 Hughes			X	
1-15 Paxton	X			
1-16 Powell	X			
1-17 Watson	X			
1-18 West	X			

1-20 COMMITTEE SUBSTITUTE FOR H.B. No. 76 By: Campbell

1-21 A BILL TO BE ENTITLED  
1-22 AN ACT

1-23 relating to cardiac assessments of high school participants in  
1-24 extracurricular athletic activities sponsored or sanctioned by the  
1-25 University Interscholastic League.

1-26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-27 SECTION 1. Subchapter D, Chapter 33, Education Code, is  
1-28 amended by adding Section 33.096 to read as follows:

1-29 Sec. 33.096. CARDIAC ASSESSMENTS OF HIGH SCHOOL  
1-30 PARTICIPANTS IN EXTRACURRICULAR ATHLETIC ACTIVITIES. (a) A school  
1-31 district must provide a district student, who is required under  
1-32 University Interscholastic League rule or policy to receive a  
1-33 physical examination before being allowed to participate in an  
1-34 athletic activity sponsored or sanctioned by the University  
1-35 Interscholastic League, the following:

1-36 (1) information about sudden cardiac arrest and  
1-37 electrocardiogram testing; and

1-38 (2) notification of the option of the student to  
1-39 request the administration of an electrocardiogram, in addition to  
1-40 the physical examination.

1-41 (b) A student may request an electrocardiogram from any  
1-42 health care professional, including a health care professional  
1-43 provided through the student's patient-centered medical home, as  
1-44 defined by Section 533.0029, Government Code, a health care  
1-45 professional provided through a school district program, or another  
1-46 health care professional chosen by the parent or person standing in  
1-47 parental relation to the student, provided that the health care  
1-48 professional is:

1-49 (1) appropriately licensed in this state; and

1-50 (2) authorized to administer and interpret  
1-51 electrocardiograms under the health care professional's scope of  
1-52 practice, as established by the applicable licensing provisions or  
1-53 other laws of this state.

1-54 (c) The University Interscholastic League shall adopt rules  
1-55 as necessary to administer this section.

1-56 (d) The rules adopted under Subsection (c) must include:

1-57 (1) criteria under which a school district may request  
1-58 an exemption from the requirements of Subsection (a);

1-59 (2) variances that allow for a delay of the  
1-60 implementation of the requirement to notify students of the option

to request an electrocardiogram under this section;  
(3) procedures to ensure students receiving the  
required annual physical examination are notified of the option to  
request an electrocardiogram; and

(4) provisions to ensure that the requirements under  
this section are minimum standards that provide a school district  
with the option to implement a program that exceeds the standards  
required by this section.

(e) This section does not create a cause of action or  
liability or a standard of care, obligation, or duty that provides a  
basis for a cause of action or liability against a health care  
professional described by Subsection (b), the University  
Interscholastic League, a school district, or a district officer or  
employee for:

(1) the injury or death of a student participating in  
or practicing for an athletic activity sponsored or sanctioned by  
the University Interscholastic League based on or in connection  
with the administration or interpretation of or reliance on an  
electrocardiogram; or

(2) the content or distribution of the information  
required under Subsection (a) or the failure to distribute the  
required information under this section.

SECTION 2. This Act applies beginning with the 2019-2020  
school year.

SECTION 3. This Act takes effect immediately if it receives  
a vote of two-thirds of all the members elected to each house, as  
provided by Section 39, Article III, Texas Constitution. If this  
Act does not receive the vote necessary for immediate effect, this  
Act takes effect September 1, 2019.

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