

AN ACT

relating to instruction in cardiopulmonary resuscitation in secondary education curriculum.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. This Act may be cited as the Edmund Kuempel Act.

SECTION 2. Section 28.0023, Education Code, is amended by amending Subsections (b) and (c) and adding Subsections (d), (e), (f), and (g) to read as follows:

(b) The State Board of Education by rule shall require ~~[include elements relating to]~~ instruction in cardiopulmonary resuscitation for students in grades 7 through 12 ~~[and the use of an automated external defibrillator as part of the essential knowledge and skills of the health curriculum under Section 28.002(a)(2)(B)]~~.

(c) A school district or open-enrollment charter ~~[This subsection applies only to a private school that receives an automated external defibrillator from the agency or receives funding from the agency to purchase or lease an automated external defibrillator. A private]~~ school shall provide instruction to students in grades 7 through 12 in cardiopulmonary resuscitation ~~[and the use of an automated external defibrillator]~~ in a manner consistent with the requirements of this section and State Board of Education rules adopted under this section. The instruction may be provided as a part of any course. A student shall receive the instruction at least once before graduation.

1       (d) A school administrator may waive the curriculum  
2 requirement under this section for an eligible student who has a  
3 disability.

4       (e) Cardiopulmonary resuscitation instruction must include  
5 training that has been developed:

6           (1) by the American Heart Association or the American  
7 Red Cross; or

8           (2) using nationally recognized, evidence-based  
9 guidelines for emergency cardiovascular care and incorporating  
10 psychomotor skills to support the instruction.

11       (f) For purposes of Subsection (e), "psychomotor skills"  
12 means hands-on practice to support cognitive learning. The term  
13 does not include cognitive-only instruction and training.

14       (g) A school district or open-enrollment charter school may  
15 use emergency medical technicians, paramedics, police officers,  
16 firefighters, representatives of the American Heart Association or  
17 the American Red Cross, teachers, other school employees, or other  
18 similarly qualified individuals to provide instruction and  
19 training under this section. Instruction provided under this  
20 section is not required to result in certification in  
21 cardiopulmonary resuscitation. If instruction is intended to  
22 result in certification in cardiopulmonary resuscitation, the  
23 course instructor must be authorized to provide the instruction by  
24 the American Heart Association, the American Red Cross, or a  
25 similar nationally recognized association.

26       SECTION 3. Section 28.0023(a), Education Code, is repealed.

27       SECTION 4. This Act applies beginning with the 2014-2015

1 school year.

2           SECTION 5. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2013.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 897 was passed by the House on April 26, 2013, by the following vote: Yeas 128, Nays 7, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 897 on May 22, 2013, by the following vote: Yeas 121, Nays 26, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 897 was passed by the Senate, with amendments, on May 20, 2013, by the following vote: Yeas 28, Nays 3.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor