

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 865 Youth Athletic Activities
SPONSOR(S): Healthcare Regulation Subcommittee, Yeager
TIED BILLS: None. **IDEN./SIM. BILLS:** CS/SB 830

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Healthcare Regulation Subcommittee	16 Y, 0 N, As CS	Guzzo	McElroy
2) PreK-12 Appropriations Subcommittee	15 Y, 0 N	Bailey	Potvin
3) Education & Employment Committee	16 Y, 0 N	Wolff	Hassell

SUMMARY ANALYSIS

Sudden cardiac arrest is the leading cause of death for student athletes. Florida law requires public schools that are members of the Florida High School Athletic Association (FHSAA) to have a school employee or volunteer trained in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED) present at athletic activities, including competitions, practices, workouts, and conditioning sessions. However, public schools who are not members of the FHSAA are not required to comply with these standards.

The bill requires all athletic coaches employed by public schools to hold and maintain certification in CPR, first aid, and the use of an AED. The certification must be consistent with national evidence-based emergency cardiovascular care guidelines.

The bill has an indeterminate fiscal impact. See Fiscal Comments, *infra*.

The bill provides an effective date of July 1, 2024.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Cardiac Arrest

Heart disease is the leading cause of death in the United States.¹ Sudden cardiac arrest is the leading cause of death for student athletes.²

Sudden cardiac arrest is the sudden loss of all heart activity due to an irregular heart rhythm. It can come on suddenly or in the wake of other symptoms. More than 356,000 cardiac arrests occur outside a hospital in the United States each year,³ 7,037 are cardiac arrests in children.⁴

Sudden cardiac arrest is often fatal if the individual does not receive timely emergency treatment.⁵ Emergency treatment for sudden cardiac arrest includes cardiopulmonary resuscitation (CPR) and shocks to the heart with an automated external defibrillator (AED).

Cardiopulmonary Resuscitation

Though the vast majority of cardiac arrests occur at home, approximately 15 percent of adult cardiac arrests and 12 percent of juvenile cardiac arrests occur in public.⁶ Bystander cardiopulmonary resuscitation (CPR) can double or triple a person's chances of survival if started immediately.⁷ However, only 46 percent of cardiac arrests receive CPR from bystanders.⁸ Bystanders often choose not to perform CPR because they are not trained or they are concerned about causing additional injury to a patient, especially if the patient is elderly, female, or adolescent.⁹

Automated External Defibrillator

An AED is a computerized defibrillator that automatically analyzes the heart rhythm in people who are experiencing cardiac arrest. If the AED detects cardiac arrest, it delivers an electrical shock to the heart to restore its normal rhythm.¹⁰ Sudden cardiac arrest has an 85 percent survival rate when an AED is applied within three minutes of a collapse.¹¹

Public Schools

¹ Center for Disease Control and Prevention, *Heart Disease*, <https://www.cdc.gov/heartdisease/facts.htm> (last visited February 5, 2024).

² Mayo Clinic, *Sudden Death in Young People: Heart Problems Often Blamed*, <https://www.mayoclinic.org/diseases-conditions/sudden-cardiac-arrest/in-depth/sudden-death/art-20047571> (last visited February 5, 2024).

³ *Id.*

⁴ American Academy of Pediatrics, *Advocating for Life Support Training of Children, Parents, Caregivers, School Personnel, and the Public*, <https://pediatrics.aappublications.org/content/141/6/e20180705#ref-1> (last visited February 5, 2024).

⁵ American Heart Association, *About Cardiac Arrest*, <https://www.heart.org/en/health-topics/cardiac-arrest/about-cardiac-arrest> (last visited February 5, 2024).

⁶ American Heart Association, *Why Women Fear Performing CPR on Women—and What to Do About It*, <https://www.heart.org/en/news/2020/11/23/why-people-fear-performing-cpr-on-women-and-what-to-do-about-it> (last visited February 5, 2024).

⁷ *Id.*

⁸ CPR Select, *CPR Success Rate: How Effective is CPR?*, available at <https://www.mycprcertificationonline.com/blog/cpr-success-rate> (last visited February 5, 2024).

⁹ Heart Cert, *Why Don't Bystanders Perform CPR?* available at <https://heartcertcpr.com/news/why-dont-bystanders-perform-cpr/#:~:text=Bystanders%20Fear%20Causing%20Additional%20Injury&text=The%20second%20most%20common%20reason,of%20CPR%20training%20and%20ability.&text=An%20additional%20reason%20given%20was,receive%20CPR%20from%20a%20bystander> (last visited February 5, 2024).

¹⁰ U.S. Food & Drug Administration, *How AEDs in Public Places Can Restart Hearts*, available at <https://www.fda.gov/consumers/consumer-updates/how-aeds-public-places-can-restart-hearts> (last visited February 5, 2024).

¹¹ Karl Weenig, M.D., National Federation of State High School Associations, *Emergency Action Plans Should be Reviewed, Rehearsed Annually* (Jan. 8, 2024) available at <https://www.nfhs.org/articles/emergency-action-plans-should-be-reviewed-rehearsed-annually/#:~:text=It%20has%20been%20well%20documented,three%20minutes%20of%20a%20collapse> (last visited February 5, 2024).

As part of student wellness and physical education policies, Florida law encourages school districts to provide basic training in first aid, including CPR, for all students in grade 6 and grade 8.¹² School districts are required to provide basic training in first aid, including CPR, for all students in grade 9 and grade 11.¹³ The CPR instruction must be based on a one-hour, nationally recognized program that uses current evidence-based emergency cardiovascular care guidelines.¹⁴ Florida law also requires the instruction to allow students to practice psychomotor skills associated with performing CPR and how to use an AED when a school district has the necessary equipment to provide AED instruction.¹⁵ School districts are encouraged to pursue private and public partnerships to provide the requisite training or funding.¹⁶

Given concerns regarding the health and safety of student-athletes, Florida law requires public schools that are members of the Florida High School Athletic Association (FHSAA)¹⁷ to meet certain requirements relating to CPR and the use of an AED, to include requiring a school employee or volunteer trained in CPR and use of an AED to be present at athletic activities, including competitions, practices, workouts, and conditioning sessions.¹⁸ FHSAA member public schools are also required to have an operational AED available in a clearly marked, publicized location for all athletic contests, practices, workouts, and conditioning sessions.¹⁹ The location of the AED must be registered with a local emergency medical services medical director.²⁰ Each employee or volunteer required to complete the training must annually be notified in writing of the location of each defibrillator on school grounds.²¹

Public schools who are not members of the FHSAA are not required to comply with the above standards. There are currently over 800 public school members of the FHSAA.²² According to the Florida Department of Education, in 2022-23, there were 570 public middle schools, 641 public high schools, and 626 public combination schools in Florida.

Athletic Coaching Certification

The athletic coaching certificate covers full-time and part-time employment as a public school's athletic coach.²³ The Department of Education issues two types of athletic coaching certificates – one is valid for 5 years and may be issued for subsequent 5-year periods while the other is valid for 3 years and may be issued only once.²⁴ The 3-year certificate merely requires the applicant to complete the application and pass a level 2 background screening.²⁵ The 5-year certificate requires submission of the application, passage of a level 2 background screening, and completion of a training course that includes the following:

- Nine (9) semester hours in athletic coaching to include:
 - Three (3) semester hours in care and prevention of athletic injuries and the effects and dangers of drug use including performance enhancing drugs;
 - Three (3) semester hours in coaching theory;
 - A course in theory and practice of coaching a specific sport; and
- A valid cardiopulmonary resuscitation course completion card or certificate issued by the American Heart Association or the American Red Cross or an equivalent cardiopulmonary resuscitation course completion card or certificate issued by an entity approved by the Florida Department of Health.²⁶

¹² S. 1003.453(3), F.S.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ The term "high school" includes grades 6-12.

¹⁸ Section 1006.165(1)(b), F.S.

¹⁹ Section 1006.165(1)(a), F.S.

²⁰ Section 1006.165(1)(c), F.S.

²¹ *Id.*

²² FHSAA, Membership, *What is Membership in the FHSAA?*, available at <https://fhsaa.com/sports/2020/1/30/Membership.aspx> (last visited February 5, 2024).

²³ Section 1012.55(2)(a), F.S.

²⁴ Rule 6A-4.004(5), F.A.C. (validity periods expressed in school fiscal years).

²⁵ Rule 6A-4.004(7)(a), F.A.C.

²⁶ See r. 6A-4.0282(2)-(3), F.A.C.

Effect of the Bill

The bill requires athletic coaches employed by all public schools, not just schools that are members of the FHSAA, to hold and maintain certification in CPR, first aid, and the use of an AED. The certification must be consistent with national evidence-based emergency cardiovascular care guidelines.

B. SECTION DIRECTORY:

Section 1: Amends s. 1012.55, relating to positions for which certificates required.

Section 2: Provides an effective date of July 1, 2024.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

For public schools not currently a member of the FHSSA, the bill may have an indeterminate fiscal impact resulting from the costs associated with training athletic coaches in CPR and in the use of an AED. Since current law requires public schools that are members of the FHSAA to have a school employee or volunteer trained in CPR and in the use of an AED present at all athletic activities, it is likely their athletic coaches have already completed the training.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The Department of Education has sufficient rule-making authority to implement the provisions of the bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

On January 25, 2024, the Healthcare Regulation Subcommittee adopted a Proposed Committee Substitute (PCS) and reported the bill favorable as a committee substitute. The PCS differed from the original bill in the following way:

- Removed provisions related to training requirements for athletics personnel working in high-risk youth athletic activities.

The analysis is drafted to the committee substitute adopted by the Healthcare Regulation Subcommittee.