

HOUSE No. 2281

The Commonwealth of Massachusetts

PRESENTED BY:

Andres X. Vargas

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to student heart health.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Andres X. Vargas</i>	<i>3rd Essex</i>	<i>1/10/2023</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>2/1/2023</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>2/2/2023</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/5/2023</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>2/6/2023</i>
<i>Jon Santiago</i>	<i>9th Suffolk</i>	<i>2/6/2023</i>
<i>Priscila S. Sousa</i>	<i>6th Middlesex</i>	<i>2/14/2023</i>
<i>John J. Mahoney</i>	<i>13th Worcester</i>	<i>6/14/2023</i>
<i>Kristin E. Kassner</i>	<i>2nd Essex</i>	<i>9/6/2023</i>

HOUSE No. 2281

By Representative Vargas of Haverhill, a petition (accompanied by bill, House, No. 2281) of Andres X. Vargas and others relative to the development and posting of guidelines and other relevant materials to inform and educate students about the symptoms and warning signs of heart disease. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to student heart health.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 111 of the General Laws, as appearing in the 2016 Official Edition,
2 is hereby amended by inserting after section 222 the following section:-

3 Section 222A. An Act Relative to Student Heart Health

4 (a) For the purposes of this section, the following words shall have the following
5 meanings, unless the context clearly indicates otherwise:

6 “Athletic activity”, all of the following:

7 (1) Interscholastic athletics.

8 (2) An athletic contest or competition, other than interscholastic athletics, sponsored by
9 or associated with a school entity, including cheerleading, club-sponsored sports activities and
10 sports activities sponsored by the school or school-affiliated organizations.

11 (3) Noncompetitive cheerleading that is sponsored by or associated with a school entity.

12 (4) Practices, interschool practices and scrimmages for all of the activities listed under
13 paragraphs (1), (2) and (3).

14 “School entity”, all public schools and any school subject to the Massachusetts
15 Interscholastic Athletic Association rules.

16 (b) Education

17 (1) The department shall work with the Department of Education to develop and post on
18 its publicly accessible Internet websites guidelines and other relevant materials to inform and
19 educate students about the symptoms and warning signs of heart disease, anatomical and
20 electrical abnormalities of the heart, cardiac distress, and sudden cardiac arrest, including the
21 risks associated with continuing to participate in an athletic activity after experiencing the
22 following symptoms: fainting or seizures during exercise, unexplained shortness of breath, chest
23 pains, dizziness, racing heart rate, extreme fatigue, and any other symptom deemed appropriate
24 by the department of Public Health.

25 (i) providing students, the following information annually: a summary of department
26 rules and regulations relative to safety regulations for student's participation in extracurricular
27 athletic activities, including the medical protocol for participation in an extracurricular athletic
28 activity following cardiac symptoms and sudden cardiac arrest; written information related to the
29 recognition of symptoms of heart disease and cardiac abnormalities, as well as sudden cardiac
30 arrest; and

31 (3) A student participating in or desiring to participate in an athletic activity and the
32 student's parent or guardian shall, each school year and prior to participation by the student in an
33 athletic activity, sign and return to the student's school an acknowledgment of receipt and review
34 of the symptoms and warning sign information sheet developed under this subsection prior to
35 participation.

36 The forms required under this subsection may be in conjunction with any forms required
37 under M.G.L. Ch 111 Section 222, provided that all requirements under both sections are met.

38 (4) A school entity may hold an informational meeting prior to the start of each athletic
39 season for all ages of competitors regarding the symptoms and warning signs of heart disease,
40 cardiac abnormalities, and sudden cardiac arrest. In addition to students, parents, guardians,
41 coaches and other school officials, informational meetings may include physicians, pediatric
42 cardiologists and athletic trainers.

43 (c) Removal from play –

44 (1) In accordance with M.G.L., Chapter 111, Section 222(c), A student who loses
45 consciousness while participating in, or immediately following, an athletic activity, must be
46 removed from participation at that time by the athletic director, coach or athletic trainer.

47 (2) A student who, as determined by a game official, coach from the student's team,
48 certified athletic trainer, licensed physician or other official designated by the student's school,
49 exhibits signs or symptoms set forth in this section during an athletic activity, may be removed
50 from participation by said game official, coach from the student's team, certified athletic trainer,
51 licensed physician or other official designated by the student's school, if he reasonably believes
52 that said symptoms are cardiac-related. In the absence of one of the persons listed in this

53 subsection, coaches who observe any of the other symptoms set forth in this section, should
54 notify the parent(s) of the student so that the parent(s) can determine what treatment, if any, the
55 student should seek.

56 (3) A student who is removed from play under this provision shall not be permitted return
57 to participation in an athletic activity until the student is evaluated and cleared for return to
58 participation in writing by an appropriate medical professional.

59 (d) The sponsors of youth athletic activities are encouraged to follow the guidance stated
60 in this section.

61 (e) The superintendent of the school district or the director of a school shall maintain
62 complete and accurate records of the district's or school's compliance with the requirements of
63 this section. A school that fails to comply with this section, as determined by the department,
64 shall be subject to penalties as determined by the department.

65 (f) Nothing in this section shall be construed to waive liability or immunity of a school
66 district or its officers or employees. This section shall not create any liability for a course of legal
67 action against a school district, its officers or employees.

68 (g) A person who volunteers to assist with an extracurricular athletic activity shall not be
69 liable for civil damages arising out of any act or omission relating to the requirements of this
70 section, unless such person is willfully or wantonly negligent in his act or omission.

71 (h) The division shall adopt regulations to carry out this section.

72 SECTION 2

73 The second paragraph of section 1L of chapter 69 of the General Laws, as appearing in
74 the 2016 Official Edition, is hereby amended by adding, in after the word “resuscitation” the
75 following— and the use of automatic external defibrillators. Instruction in hands only
76 cardiopulmonary resuscitation and the use of automatic external defibrillators must be the most
77 current national evidence-based Emergency Cardiovascular Care guidelines and incorporate
78 psychomotor skills development into the instruction as part of a graduation requirement.
79 “Psychomotor skills” is defined as the use of hands-on practicing and skills testing to support
80 cognitive learning. A licensed teacher shall not be required to be a certified trainer of
81 cardiopulmonary resuscitation, to facilitate, provide or oversee such instruction for non-
82 certification. Courses which result in a certification being earned are required to be taught by an
83 authorized CPR/AED instructor.

84 SECTION 3. Notwithstanding any general or special law to the contrary, the department
85 of elementary and secondary education, based on available appropriations, will set up a CPR in
86 Schools Fund to provide financial incentives for school districts who require psychomotor skill-
87 based CPR and AED training prior to graduation.

88 (1) Psychomotor Skill-Based hands only CPR Training shall be based on national
89 Guidelines for CPR and ECC which incorporates the use of hands-on practicing.

90 (2) These incentives can be in the form of mini-grants or subsidies to support equipment,
91 professional development for psychomotor skills-based CPR training for students to provide
92 hands only CPR training and use of an automated external defibrillator. There shall be a priority
93 for school districts that are considered high needs as defined as where at least 50% of children
94 are eligible to receive free and reduced priced meals or the school participates in the Community

95 Eligibility Provision or Universal Free Meals or high-need schools may also be defined by Title
96 1 status.