



# Ohio Legislative Service Commission

## Bill Analysis

Carol Napp

### **S.B. 252**

131st General Assembly  
(As Introduced)

**Sens.** Hite and Patton, Manning, Yuko, Eklund

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### **BILL SUMMARY**

- Establishes specific provisions related to the monitoring of and response to symptoms of sudden cardiac arrest in athletic activities at most public and nonpublic schools.
- Permits each school to hold an informational meeting, prior to the start of each athletic season, regarding the symptoms and warning signs of sudden cardiac arrest for all ages of students.
- Prohibits a student from participating in an athletic event until the student has submitted a signed form stating that the student and the student's parent or other guardian have received and reviewed a copy of the guidelines regarding sudden cardiac arrest developed by the Departments of Health and Education.
- Prohibits an individual from coaching an athletic activity at a school unless the individual has completed, within the previous three years, a sudden cardiac arrest training course approved by the Department of Health.
- Prohibits a student from being allowed to participate in an athletic activity if the student is known to have exhibited signs or symptoms of sudden cardiac arrest at any time prior to or following an athletic activity and has not been evaluated and cleared for return in accordance with the bill's provisions.
- Requires a student participating in an athletic activity to be removed from participation by the student's coach if the student faints or exhibits other signs of sudden cardiac arrest.
- Prohibits a student from returning to participation until the student is evaluated and cleared for return in writing by a physician, a certified nurse practitioner, a clinical

nurse specialist, a certified nurse-midwife, or a physician who specializes in cardiology.

- Requires the Departments of Health and Education to jointly develop and post on their respective websites guidelines and other relevant materials to inform and educate students participating in or desiring to participate in an athletic activity and their parents and coaches about sudden cardiac arrest.
- Requires the Department of Health to approve a sudden cardiac arrest training course offered by an outside entity for purposes of the training required for a coach of an athletic activity at a school.

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## CONTENT AND OPERATION

### Sudden cardiac arrest in athletic activities at schools

The bill establishes several prohibitions and requirements related to sudden cardiac arrest in athletic activities at most public and nonpublic schools. For purposes of the bill, "athletic activity" means all of the following:

(1) Interscholastic activities;

(2) An athletic contest or competition that is sponsored by or associated with a school, including cheerleading, club-sponsored sports activities, and sports activities sponsored by school-affiliated organizations;

(3) Noncompetitive cheerleading that is sponsored by school-affiliated organizations; and

(4) Practices, interschool practices, and scrimmages for those activities.<sup>1</sup>

The bill's provisions apply to (1) public schools, including schools operated by school districts,<sup>2</sup> community schools,<sup>3</sup> and science, technology, engineering, and mathematics (STEM) schools,<sup>4</sup> and (2) any chartered or nonchartered nonpublic schools

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<sup>1</sup> R.C. 3313.5310(A)(2).

<sup>2</sup> R.C. 3313.5310(A)(1)(a).

<sup>3</sup> R.C. 3314.03(A)(11)(d).

<sup>4</sup> R.C. 3326.11.

that are subject to the rules of an interscholastic conference or an organization that regulates interscholastic conferences or events.<sup>5</sup>

### **Informational meeting**

The bill expressly permits (but apparently does not require) each school to hold an informational meeting, prior to the start of each athletic season regarding the symptoms and warning signs of sudden cardiac arrest for all ages of students. It states that this meeting is for students, parents, guardians, other persons having care or charge of a student, physicians, pediatric cardiologists, athletic trainers, and "any other persons."<sup>6</sup>

### **Form verifying receipt of guidelines regarding sudden cardiac arrest**

The bill prohibits a student from participating in an athletic "event" until the student has submitted to a designated school official a form signed by the student and the parent, guardian, or other person having care or charge of the student stating that they have received and reviewed a copy of the guidelines regarding sudden cardiac arrest. (See "**Guidelines regarding sudden cardiac arrest**," below.) Presumably the bill's use of the word "event" in this provision is intended to mean "activity" as used elsewhere in the bill and as defined by the bill. A completed form must be submitted each school year for each athletic "activity" in which the student participates.<sup>7</sup> The bill does not state who must create this form.

### **Training for coaches**

The bill prohibits an individual from coaching an athletic activity unless the individual has completed, within the previous three years, a sudden cardiac arrest training course approved by the Department of Health (see "**Sudden cardiac arrest training course**," below).<sup>8</sup>

### **Restrictions on participation in an athletic activity**

Under the bill, a student must not be allowed to participate in an athletic activity if the student is known to have exhibited signs or symptoms of sudden cardiac arrest at any time prior to or following an athletic activity until the student has been evaluated and cleared for the activity. Similarly, if a student is already participating in an athletic

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<sup>5</sup> R.C. 3313.5310(A)(1)(b).

<sup>6</sup> R.C. 3313.5310(B).

<sup>7</sup> R.C. 3313.5310(C).

<sup>8</sup> R.C. 3313.5310(D).



activity and faints or exhibits other signs of sudden cardiac arrest, the student must be removed from participation by the student's coach. Again, the student may not return to the activity until evaluated and cleared for the activity. The bill requires each school to establish penalties for a coach who violates this requirement.<sup>9</sup>

### **Return to participation in an athletic activity**

If a student is not allowed to participate in or is removed from participation in an athletic activity, the bill prohibits the student from returning to participation until the student is evaluated and cleared for return in writing by any of the following:

- (1) A physician licensed by the State Medical Board;
- (2) A certified nurse practitioner, clinical nurse specialist, or certified nurse-midwife who holds a certificate of authority from the Ohio Board of Nursing; and
- (3) An Ohio licensed physician who specializes in cardiology. It is not clear why the bill refers to cardiologists separately.

These providers may consult with any other licensed or certified health care providers in order to determine whether a student is ready to return to participation.<sup>10</sup>

### **Miscellaneous provisions**

The bill states that none of its provisions should be construed to abridge or limit any rights provided under a public employees' collective bargaining agreement entered into prior to the bill's effective date. It also states that none of its provisions should be construed to create, establish, expand, reduce, contract, or eliminate any civil liability on the part of any school or any employee of a school.<sup>11</sup> (Under the state Political Subdivision Sovereign Immunity Law, public schools and their employees acting within the scope of employment generally have a qualified immunity from liability in a civil action for damages in the performance of governmental functions.)

### **Guidelines regarding sudden cardiac arrest**

The bill requires the Departments of Health and Education to jointly develop and post on their respective websites guidelines and other relevant materials to inform and educate students participating in or desiring to participate in an athletic activity, their

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<sup>9</sup> R.C. 3313.5310(E)(1) and (2) and (F).

<sup>10</sup> R.C. 3313.5310(E)(3).

<sup>11</sup> R.C. 3313.5310(G).



parents, and their coaches about the nature and warning signs of sudden cardiac arrest. These materials must address the risks associated with continuing to participate in an athletic event after experiencing one or more symptoms of sudden cardiac arrest, such as fainting, difficulty breathing, chest pains, dizziness, and an abnormal racing heart rate. The bill permits the Departments to utilize existing materials developed by the Parent Heart Watch Organization, the Sudden Arrhythmia Death Syndromes Foundation, and any other organizations deemed appropriate by the Departments in developing the guidelines and materials.<sup>12</sup>

### **Sudden cardiac arrest training course**

The bill requires the Department of Health to approve a sudden cardiac arrest training course offered by an outside entity for purposes of the training required for the coach of an athletic activity.<sup>13</sup>

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## **HISTORY**

<b>ACTION</b>	<b>DATE</b>
Introduced	12-09-15

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<sup>12</sup> R.C. 3707.58(A) and (B).

<sup>13</sup> R.C. 3707.58(C).

