

**LEGISLATIVE REFERENCE BUREAU**

## AMENDMENTS TO HOUSE BILL NO. 974

Sponsor:

Printer's No. 2176

1 Amend Bill, page 1, lines 5 and 6, by striking out "providing  
2 for public hearing and vote" in line 5 and all of line 6 and  
3 inserting

4 in school health services, further providing for  
5 automated external defibrillators.

6 Amend Bill, page 1, lines 9 through 19; page 2, lines 1  
7 through 27, by striking out all of said lines on said pages and  
8 inserting

9 Section 1. Section 1423 of the act of March 10, 1949  
10 (P.L.30, No.14), known as the Public School Code of 1949, added  
11 May 17, 2001 (P.L.4, No.4), is amended to read:

12 Section 1423. Automatic External Defibrillators.--(a) [For  
13 the fiscal year 2001-2002, the] The department shall establish  
14 [a one-time] an automatic external defibrillator program to  
15 assist school entities and nonpublic schools in [acquiring]  
16 making automatic external defibrillators available in school  
17 buildings.

18 (b) [The] On a biennial basis, the department, in  
19 consultation with the Department of General Services and the  
20 Department of Health, shall issue an invitation to bid for the  
21 cost of automatic external defibrillators and other equipment  
22 and supplies necessary for the proper operation of the device.  
23 The department shall accept the bid of the lowest responsible  
24 bidder and permit any school entity or nonpublic school to  
25 purchase the devices at the contract bid price. The department  
26 may purchase automatic external defibrillators from any funds  
27 appropriated pursuant to subsection (k) for distribution to  
28 school entities and nonpublic schools.

29 (c) To be eligible to obtain or purchase automatic external  
30 defibrillators under the program a school entity or nonpublic  
31 school must:

32 (1) Assure that two (2) or more persons assigned to the  
33 location where the automatic external defibrillator will be  
34 primarily housed are trained as required in subsection (d).

1 (2) Ensure that the device will be secured in a safe and  
2 readily accessible location and agree to properly maintain and  
3 test the device according to the manufacturer's operational  
4 guidelines.

5 (3) Submit a valid prescription for the device from a  
6 licensed medical practitioner in this Commonwealth.

7 (4) Agree to provide the training required by subsection  
8 (d).

9 (d) School personnel who are expected to use the automatic  
10 external defibrillator shall complete training in  
11 cardiopulmonary resuscitation and in the use of an automatic  
12 external defibrillator provided by the American Heart  
13 Association, the American Red Cross or through an equivalent  
14 course of instruction approved by the Department of Health.

15 (e) A school entity may include the training required by  
16 subsection (d) in its continuing professional education plan  
17 submitted to the department under section 1205.1.

18 (f) The provisions of 42 Pa.C.S. § 8331.2 (relating to good  
19 Samaritan civil immunity for use of automated external  
20 defibrillator) shall apply to school employes who render care  
21 with an automatic external defibrillator.

22 (g) From funds appropriated for this purpose, the  
23 department[, upon request, shall provide: up to two (2)  
24 automatic external defibrillators to each school district; one  
25 (1) automatic external defibrillator to each intermediate unit;  
26 and one (1) automatic external defibrillator to each area  
27 vocational-technical school.] may assist school entities and  
28 nonpublic schools that are not equipped with automatic external  
29 defibrillators by providing a discount from the contract bid  
30 price obtained under subsection (b) or by providing automatic  
31 external defibrillators obtained under subsection (b).

32 (g.1) The purchase of an automatic external defibrillator  
33 shall be considered an allowable use of Pennsylvania  
34 Accountability Grants under section 2599.2(b).

35 (g.2) The purchase of automatic external defibrillators  
36 shall be considered an innovative educational program under  
37 Article XVII-F of the act of March 4, 1971 (P.L.6, No.2), known  
38 as the "Tax Reform Code of 1971."

39 (h) [No school entity shall be required to participate in  
40 the automatic external defibrillator program.] (Reserved).

41 (i) [No later than June 30, 2002, the secretary shall submit  
42 a report to the General Assembly describing the effectiveness of  
43 this section in outfitting the Commonwealth's school entities  
44 with automatic external defibrillators.] Not later than June 30,  
45 2014, and each year thereafter, each school entity shall make a  
46 report to the department detailing the number, condition, age  
47 and placement of automatic external defibrillators in each  
48 school building. After the initial report is made, a school  
49 entity may report this information as part of the annual report  
50 required by the Commonwealth under section 2505.1 to receive  
51 State reimbursement for health services.

1 (i.1) A nonpublic school that participates in the automatic  
2 external defibrillator program under subsection (b) or (g) shall  
3 be subject to the reporting required under subsection (i).

4 (i.2) The department shall annually publish a report on its  
5 publicly accessible Internet website no later than December 31,  
6 2014, and each year thereafter. The report shall contain the  
7 following information:

8 (1) The total number of automatic external defibrillators by  
9 school entity and nonpublic school.

10 (2) The number of school buildings by school entity and  
11 nonpublic school equipped with automatic external  
12 defibrillators.

13 (3) The number of school buildings by school entity and  
14 nonpublic school that need to be equipped with automatic  
15 external defibrillators.

16 (j) The department may adopt guidelines as necessary to  
17 administer this section.

18 (k) The General Assembly may appropriate funds to carry out  
19 the provisions of this section.

20 (l) As used in this section--

21 "Automatic external defibrillator" means a portable device  
22 that uses electric shock to restore a stable heart rhythm to an  
23 individual in cardiac arrest.

24 "Department" means the Department of Education of the  
25 Commonwealth.

26 "Nonpublic school" means a nonprofit school, other than a  
27 public school within this Commonwealth, wherein a resident of  
28 this Commonwealth may legally fulfill the compulsory school  
29 attendance requirements of this act and which meets the  
30 applicable requirements of Title VI of the Civil Rights Act of  
31 1964 (Public Law 88-352, 78 Stat. 241).

32 "School building" means a building owned by or under the  
33 control of a school entity or nonpublic school where classes are  
34 taught or extracurricular activities are conducted on a regular  
35 basis.

36 "School entity" means an area vocational-technical school, a  
37 charter school, a cyber charter school, an intermediate unit[, a  
38 nonpublic school] or a school district.

39 "Secretary" means the Secretary of Education of the  
40 Commonwealth.

41 Section 2. This act shall take effect in 60 days.