

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 14-0836.01 Brita Darling x2241

HOUSE BILL 14-1276

HOUSE SPONSORSHIP

Primavera,

SENATE SPONSORSHIP

Hodge,

House Committees

Public Health Care & Human Services
Appropriations

Senate Committees

Health & Human Services
Appropriations

A BILL FOR AN ACT

101 CONCERNING INSTRUCTION IN CARDIOPULMONARY RESUSCITATION IN
102 PUBLIC SCHOOLS, AND, IN CONNECTION THEREWITH, MAKING
103 AND REDUCING APPROPRIATIONS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill allows school districts, charter schools, institute charter schools, and boards of cooperative services to apply for grant moneys to provide training to students in grades 9 through 12 on cardiopulmonary resuscitation. The department of education will administer the program

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

SENATE
Amended 2nd Reading
May 1, 2014

HOUSE
3rd Reading Unamended
April 15, 2014

HOUSE
Amended 2nd Reading
April 14, 2014

pursuant to rules adopted by the state board of education concerning the requirements for the award of a grant and the use of grant moneys.

The bill creates a fund for the grant moneys and appropriates general fund moneys to fund the grants.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) Heart disease affects men, women, and children of every age
5 and race in the United States and continues to be the leading cause of
6 death in America;

7 (b) Approximately two hundred ninety-five thousand emergency
8 medical services-treated, out-of-hospital cardiac arrests occur annually
9 nationwide, and roughly ninety-two percent of out-of-hospital sudden
10 cardiac arrest victims do not survive;

11 (c) Sudden cardiac arrest results from an abnormal heart rhythm
12 in most adults, often ventricular fibrillation;

13 (d) An automated external defibrillator, or "AED", even when
14 used by a bystander, is safe, easy to operate, and, if used immediately
15 after the onset of sudden cardiac arrest, is highly effective in terminating
16 ventricular fibrillation so that the heart can resume a normal, effective
17 rhythm;

18 (e) Prompt delivery of cardiopulmonary resuscitation, or "CPR",
19 more than doubles a victim's chance of survival by helping to maintain
20 vital blood flow to the heart and brain, increasing the amount of time in
21 which an electric shock from a defibrillator may be effective;

22 (f) Unfortunately, only thirty-two percent of out-of-hospital
23 cardiac arrest victims receive bystander CPR;

1 (g) For every minute without bystander CPR, survival from
2 witnessed cardiac arrest decreases seven to ten percent;

3 (h) Because the interval between a 911 telephone call and the
4 arrival of emergency medical services personnel is usually longer than
5 five minutes, a cardiac arrest victim's survival is likely to depend on a
6 member of the public trained in CPR and the use of an AED and access
7 to these life-saving measures; _____

8 (i) Training high school students on the effective implementation
9 of CPR and the use of defibrillators is an effective way to increase the
10 number of Coloradans capable of performing CPR and using an AED to
11 save lives; and

12 (j) Further, because public high schools' coaching staffs are often
13 the first line of defense when a student athlete experiences cardiac arrest,
14 coaches and athletic trainers have saved and will continue to save lives
15 through the effective implementation of CPR and the use of defibrillators;

16 (k) For example, Thompson Valley High School coaches Jay
17 Denning and Chad Raabe saved the life of Tommy Lucero, a high school
18 freshman and baseball player who went into cardiac arrest during baseball
19 practice; and

20 (l) Requiring coaching staff to obtain instruction in the effective
21 implementation of CPR and use of an AED is an effective way to reduce
22 risk to student athletes and to increase the number of adults in public
23 schools who are able to apply and use these life-saving measures.

24 (2) Therefore, the general assembly declares that it is in the best
25 interests of Colorado to create a grant program whereby public high
26 schools have access to grant moneys to provide hands-on training for
27 students in CPR and the use of an AED.

1 **SECTION 2.** In Colorado Revised Statutes, **add** 22-1-129 as
2 follows:

3 **22-1-129. Instruction in cardiopulmonary resuscitation and**
4 **the use of automated external defibrillators - grants - fund created -**
5 **definitions - rules.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
6 OTHERWISE REQUIRES:

7 (a) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
8 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

9 (b) "FUND" MEANS THE SCHOOL CARDIOPULMONARY
10 RESUSCITATION AND AUTOMATED EXTERNAL DEFIBRILLATOR TRAINING
11 FUND CREATED IN SUBSECTION (5) OF THIS SECTION.

12 (c) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A
13 CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART
14 1 OF ARTICLE 30.5 OF THIS TITLE, A CHARTER SCHOOL AUTHORIZED BY THE
15 STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5
16 OF THIS TITLE, OR A BOARD OF COOPERATIVE SERVICES CREATED AND
17 OPERATING PURSUANT TO ARTICLE 5 OF THIS TITLE THAT OPERATES ONE
18 OR MORE PUBLIC SCHOOLS.

19 (d) "PSYCHOMOTOR SKILLS DEVELOPMENT" MEANS THE USE OF
20 HANDS-ON PRACTICE THAT SUPPORTS COGNITIVE LEARNING.

21 (e) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
22 CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE
23 STATE CONSTITUTION.

24 (2) ON AND AFTER SEPTEMBER 1, 2014, EACH LOCAL EDUCATION
25 PROVIDER MAY APPLY FOR A GRANT OR GRANTS TO PROVIDE INSTRUCTION
26 TO STUDENTS IN ANY OF GRADES NINE THROUGH TWELVE AND SCHOOL
27 STAFF IN ANY OF GRADES NINE THROUGH TWELVE IN CARDIOPULMONARY

1 RESUSCITATION AND THE USE OF AN AUTOMATED EXTERNAL
2 DEFIBRILLATOR. THE INSTRUCTION FUNDED PURSUANT TO THIS SECTION
3 MUST INCLUDE A NATIONALLY RECOGNIZED, PSYCHOMOTOR-SKILLS-BASED
4 INSTRUCTIONAL PROGRAM THAT REFLECTS CURRENT, NATIONAL,
5 EVIDENCE-BASED, EMERGENCY CARDIOVASCULAR CARE GUIDELINES FOR
6 CARDIOPULMONARY RESUSCITATION AND THE USE OF AN AUTOMATED
7 EXTERNAL DEFIBRILLATOR. THE DEPARTMENT SHALL ADMINISTER THE
8 GRANT PROGRAM PURSUANT TO STATE BOARD RULES ADOPTED PURSUANT
9 TO SUBSECTION (3) OF THIS SECTION.

10 (3) THE STATE BOARD SHALL PROMULGATE RULES CONCERNING
11 THE GRANTS AWARDED PURSUANT TO THIS SECTION, WHICH RULES MUST
12 INCLUDE, AT A MINIMUM:

13 (a) THE PROCESS BY WHICH A LOCAL EDUCATION PROVIDER MAY
14 APPLY FOR AND RECEIVE GRANT MONEYS PURSUANT TO THIS SECTION,
15 INCLUDING APPLICATION REQUIREMENTS AND DEADLINES;

16 (b) THE NUMBER AND AMOUNT OF EACH GRANT AND WHETHER
17 GRANTS MONEYS WILL BE AWARDED IN THE ORDER APPLICATIONS ARE
18 RECEIVED OR THROUGH SOME OTHER METHOD; ■

19 (c) THE PROCESS FOR ACHIEVING A BALANCED DISTRIBUTION OF
20 GRANT MONEYS TO APPLICANTS INCLUDING RURAL, URBAN, AND
21 SUBURBAN LOCAL EDUCATION PROVIDERS; AND

22 (d) PROCEDURES FOR MONITORING A LOCAL EDUCATION
23 PROVIDER'S COMPLIANCE WITH THE PROVISIONS OF THIS SECTION AND
24 SPECIFICALLY THAT MONEYS AWARDED PURSUANT TO THIS SECTION ARE
25 USED FOR REASONABLE COSTS ASSOCIATED WITH
26 PSYCHOMOTOR-SKILLS-BASED CARDIOPULMONARY RESUSCITATION
27 TRAINING AND TRAINING ON THE USE OF AUTOMATED EXTERNAL

1 DEFIBRILLATORS, INCLUDING BUT NOT LIMITED TO TRAINING MATERIALS
2 AND THE TEMPORARY EMPLOYMENT OF CARDIOPULMONARY
3 RESUSCITATION INSTRUCTORS OR OTHER TRAINERS QUALIFIED TO TEACH
4 SKILLS-BASED CARDIOPULMONARY RESUSCITATION TRAINING.

5 (4) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION TO
6 THE CONTRARY, THE DEPARTMENT SHALL NOT AWARD ANY GRANTS
7 PURSUANT TO THIS SECTION UNLESS THE DEPARTMENT DETERMINES THAT
8 THERE ARE SUFFICIENT MONEYS IN THE FUND TO IMPLEMENT THE
9 PROGRAM.

10 (5) (a) THERE IS CREATED IN THE STATE TREASURY THE SCHOOL
11 CARDIOPULMONARY RESUSCITATION AND AUTOMATED EXTERNAL
12 DEFIBRILLATOR TRAINING FUND. THE FUND CONSISTS OF:

13 (I) TWO HUNDRED FIFTY THOUSAND DOLLARS, WHICH THE STATE
14 TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE FUND ON
15 THE EFFECTIVE DATE OF THIS SECTION;

16 (II) ANY OTHER MONEYS THAT THE GENERAL ASSEMBLY
17 APPROPRIATES TO IT; AND

18 (III) ANY GIFTS, GRANTS, OR DONATIONS CREDITED TO THE FUND
19 PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (5).

20 (b) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,
21 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE
22 PURPOSES OF THIS SECTION; EXCEPT THAT THE DEPARTMENT MAY NOT
23 ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS
24 THAT ARE INCONSISTENT WITH THIS SECTION OR ANY OTHER LAW OF THE
25 STATE. THE DEPARTMENT SHALL TRANSMIT ALL PRIVATE AND PUBLIC
26 MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE
27 STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE FUND. NOTHING

1 IN THIS SECTION REQUIRES THE DEPARTMENT TO SOLICIT MONEYS FOR
2 PURPOSES OF IMPLEMENTING THIS SECTION.

3 (c) THE MONEYS IN THE FUND ARE SUBJECT TO ANNUAL
4 APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR
5 THE PURPOSE OF AWARDING GRANTS ALLOWED BY THIS SECTION AND FOR
6 THE DEPARTMENT'S REASONABLE AND NECESSARY ADMINISTRATIVE
7 EXPENSES ASSOCIATED WITH IMPLEMENTATION OF THIS SECTION. THE
8 DEPARTMENT'S ADMINISTRATIVE EXPENSES FOR A FISCAL YEAR SHALL NOT
9 EXCEED TWO PERCENT OF THE MONEY TRANSFERRED OR APPROPRIATED TO
10 THE FUND IN THE FISCAL YEAR.

11 (d) THE STATE TREASURER MAY INVEST ANY MONEYS IN THE FUND
12 NOT EXPENDED FOR THE PURPOSE OF THIS SECTION AS PROVIDED BY LAW.
13 THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED
14 FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND TO THE
15 FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN
16 THE FUND AT THE END OF A FISCAL YEAR SHALL NOT BE CREDITED OR
17 TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

18 **SECTION 3. In Colorado Revised Statutes, add 22-1-125.5 as**
19 **follows:**

20 **22-1-125.5. Requirement for certification of public school**
21 **athletic coaches in cardiopulmonary resuscitation - use of automated**
22 **external defibrillators - definitions. (1) AS USED IN THIS SECTION,**
23 **UNLESS THE CONTEXT OTHERWISE REQUIRES:**

24 (a) **"CURRENTLY CERTIFIED IN CPR" MEANS THAT THE PERSON HAS**
25 **COMPLETED TRAINING IN CARDIOPULMONARY RESUSCITATION FROM A**
26 **NATIONALLY RECOGNIZED EVIDENCE-BASED CERTIFICATION PROGRAM**
27 **WITHIN THE PRECEDING TWO YEARS.**

1 (b) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A
2 CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART
3 1 OF ARTICLE 30.5 OF THIS TITLE, A CHARTER SCHOOL AUTHORIZED BY THE
4 STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5
5 OF THIS TITLE, OR A BOARD OF COOPERATIVE SERVICES CREATED AND
6 OPERATING PURSUANT TO ARTICLE 5 OF THIS TITLE THAT OPERATES ONE
7 OR MORE PUBLIC SCHOOLS.

8 (c) "STATE BOARD OF EDUCATION" MEANS THE STATE BOARD OF
9 EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE
10 IX OF THE STATE CONSTITUTION.

11 (2) NO LATER THAN JANUARY 1, 2015, COACHES OF ATHLETIC
12 PROGRAMS EMPLOYED BY LOCAL EDUCATION PROVIDERS MUST BE
13 CURRENTLY CERTIFIED IN CPR AND MUST HAVE RECEIVED INSTRUCTION
14 IN THE EFFECTIVE USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR. THE
15 STATE BOARD SHALL PROMULGATE RULES CONCERNING THE COACHING
16 STAFF POSITIONS THAT ARE INCLUDED IN THIS REQUIREMENT.

17 (3) NOTHING IN THIS SECTION ABROGATES OR LIMITS:

18 (a) THE PROTECTIONS APPLICABLE TO:

19 (I) ANY PERSON OR ENTITY THAT RENDERS EMERGENCY
20 ASSISTANCE THROUGH THE USE OF AN AUTOMATED EXTERNAL
21 DEFIBRILLATOR PURSUANT TO SECTION 13-21-108.1, C.R.S.; OR

22 (II) VOLUNTEERS AND BOARD MEMBERS PURSUANT TO SECTIONS
23 13-21-115.7 AND 13-21-116, C.R.S.; OR

24 (b) THE LIMITS OR PROTECTIONS APPLICABLE TO PUBLIC ENTITIES
25 AND PUBLIC EMPLOYEES PURSUANT TO THE "COLORADO GOVERNMENTAL
26 IMMUNITY ACT", ARTICLE 10 OF TITLE 24, C.R.S.

27 **SECTION 4. Appropriation - adjustments to 2014 long bill.**

1 For the implementation of this act, the general fund appropriation made
2 in the annual general appropriation act to the controlled maintenance trust
3 fund created in section 24-75-302.5 (2) (a), Colorado Revised Statutes,
4 for the fiscal year beginning July 1, 2014, is decreased by \$250,000.

5 **SECTION 5. Appropriation.** In addition to any other
6 appropriation, there is hereby appropriated, out of any moneys in the
7 school cardiopulmonary resuscitation and automated external defibrillator
8 training fund created in section 22-1-129, Colorado Revised Statutes, not
9 otherwise appropriated, to the department of education, for the fiscal year
10 beginning July 1, 2014, the sum of \$250,000 and 0.3 FTE, or so much
11 thereof as may be necessary, for allocation to grant programs,
12 distributions, and other assistance for implementation of this act.

13 **SECTION 6. Act subject to petition - effective date.** This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly (August
16 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a
17 referendum petition is filed pursuant to section 1 (3) of article V of the
18 state constitution against this act or an item, section, or part of this act
19 within such period, then the act, item, section, or part will not take effect
20 unless approved by the people at the general election to be held in
21 November 2014 and, in such case, will take effect on the date of the
22 official declaration of the vote thereon by the governor.