

By: Representative Mims

To: Public Health and Human Services

HOUSE BILL NO. 734

1 AN ACT TO ESTABLISH THE PROJECT ADAM (AUTOMATED  
2 DEFIBRILLATOR'S IN ADAM'S MEMORY) PILOT PROGRAM; TO PROVIDE THAT  
3 THE PILOT PROGRAM SHALL BE ADMINISTERED BY THE STATE DEPARTMENT OF  
4 HEALTH AND LIMITED TO HINDS COUNTY, MISSISSIPPI; TO AUTHORIZE  
5 PUBLIC, NONPUBLIC AND PAROCHIAL SCHOOLS LOCATED IN HINDS COUNTY,  
6 MISSISSIPPI, TO HAVE AN AUTOMATED EXTERNAL DEFIBRILLATOR (AED) IN  
7 ALL INSTRUCTIONAL, ADMINISTRATIVE, CAFETERIA AND SUBSIDIARY  
8 BUILDINGS UNDER THE JURISDICTION OF ITS GOVERNING SCHOOL BOARD; TO  
9 REQUIRE THE AEDS TO BE STORED IN A SECURE AND EASILY ACCESSIBLE  
10 LOCATION WITHIN EACH RESPECTIVE BUILDING; TO DEFINE THE TERMS USED  
11 IN THIS ACT; TO REQUIRE THE GOVERNING SCHOOL BOARD OF SUCH SCHOOLS  
12 TO ADOPT AND IMPLEMENT A POLICY REGARDING THE MAINTENANCE,  
13 STORAGE, TESTING AND USE OF AEDS; TO PRESCRIBE THE MINIMUM  
14 REQUIREMENTS OF THE POLICY; TO AUTHORIZE SUCH SCHOOLS TO LEASE  
15 AEDS FOR THEIR CAMPUSES; TO REQUIRE THE LEASE TO INCLUDE A SERVICE  
16 AND MAINTENANCE AND UPGRADE PROVISION; TO REQUIRE THE STATE  
17 DEPARTMENT OF HEALTH, SUBJECT TO PURCHASE AND DISTRIBUTE AEDS TO  
18 ALL SUCH SCHOOLS WITHIN THE PILOT PROGRAM AREA; TO REQUIRE  
19 GOVERNING SCHOOL BOARDS TO ENTER INTO A SEPARATE AGREEMENT FOR THE  
20 SERVICE AND MAINTENANCE ON THE AED ONCE DELIVERED BY THE STATE  
21 DEPARTMENT OF HEALTH; TO PROVIDE THAT ONLY LICENSED MEDICAL  
22 PROFESSIONALS OR SCHOOL PERSONNEL TRAINED BY LICENSED MEDICAL  
23 PROFESSIONALS SHALL BE AUTHORIZED TO USE AN AED FOR PERSONS IN  
24 CARDIAC ARREST; TO REQUIRE THE STATE DEPARTMENT OF HEALTH TO  
25 ESTABLISH GUIDELINES FOR THE DEVELOPMENT OF POLICIES BY GOVERNING  
26 SCHOOL BOARDS; TO REQUIRE THE STATE DEPARTMENT OF HEALTH TO ADOPT  
27 RULES REGARDING THE MAINTENANCE, STORAGE, TESTING AND USE OF AEDS  
28 IN SCHOOLS; TO REQUIRE THE STATE DEPARTMENT OF HEALTH TO PROVIDE  
29 ANNUAL TRAINING AND INSPECTIONS; AND FOR RELATED PURPOSES.

30 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:



31           **SECTION 1.** This act shall be known, and may be cited as the  
32 "Project ADAM (Automated Defibrillator's in Adam's Memory) Pilot  
33 Program."

34           **SECTION 2.** As used in this act, the following terms shall  
35 have the meanings ascribed in this section, unless context clearly  
36 requires otherwise:

37           (a) "Automated external defibrillator" or "AED" means a  
38 portable electronic device that automatically diagnoses the  
39 life-threatening cardiac arrhythmias of ventricular fibrillation  
40 (VF) and pulseless ventricular tachycardia, and is able to treat  
41 them through defibrillation, the application of electricity which  
42 stops the arrhythmia, allowing the heart to reestablish an  
43 effective rhythm.

44           (b) "Department" means the State Department of Health.

45           (c) "Designated pilot program area" means Hinds County,  
46 Mississippi.

47           (d) "Licensed medical professional" means a physician,  
48 physician assistant, advanced practice nurse, registered nurse or  
49 school nurse who is appropriately licensed by the State of  
50 Mississippi and is designated by a local school board or  
51 institution to oversee the school's CPR instruction, automated  
52 external defibrillator (AED) usage and training program.

53           (e) "Pilot program" means the Project ADAM program  
54 administered by the State Department of Health to ensure the



55 placement of AEDs in all school facilities within the designated  
56 pilot program area.

57 (f) "School" means a public, nonpublic or parochial  
58 elementary or secondary educational facility under the control of  
59 a governing school board, and all the instructional and subsidiary  
60 buildings situated on the same campus, off-campus teaching  
61 locations and regional centers under the jurisdiction of the  
62 governing school board.

63 (g) "School personnel" means an individual who is a  
64 faculty or staff member of a school or whose job responsibilities  
65 are under the supervision of the governing school board.

66 (h) "Trained designee" means a member of the school  
67 personnel trained by a licensed medical professional in the  
68 administration of CPR and use of an automated external  
69 defibrillator (AED).

70 **SECTION 3.** (1) (a) The State Department of Health, shall  
71 establish and administer the Project ADAM (Automated Defibrillator  
72 in Adam's Memory) Pilot Program within Hinds County, Mississippi,  
73 subject to the availability of funds for such purposes. Provided  
74 that any such funds become available to the department through the  
75 receipt of any federal or state grants or other public or private  
76 donations, the department shall purchase and distribute automated  
77 external defibrillators (AEDs) to participating schools located in  
78 the designated pilot program area.



79           (b) In order to be in compliance with the requirements  
80 of subsection (1) of this section, the department is authorized to  
81 lease automated external defibrillators (AEDs) for schools in the  
82 designated pilot program area. However, the department may opt to  
83 purchase instead of leasing the AEDs for such, as funds are  
84 available for such purchases. If funds are insufficient for the  
85 department to purchase the necessary number of AEDs for each  
86 building under the jurisdiction of the governing school board of a  
87 public, nonpublic or parochial school as required under subsection  
88 (3), the department shall proportionately distribute AEDs to such  
89 schools to ensure that each instructional building and cafeteria  
90 is equipped with an AED.

91           (2) (a) If the department leases AEDs for schools in the  
92 designated pilot program area, the lease agreement shall include a  
93 provision requiring the supplier of the units to provide regularly  
94 scheduled maintenance and system upgrades as determined by the  
95 prevailing industry standards for system replacements or upgrades.  
96 If the department exercises the option to purchase AEDs for  
97 schools, the AEDs shall become the property of the governing  
98 school board, which shall enter into an agreement, either with the  
99 company from which the units were purchased or a certified medical  
100 supply company that specializes in AED service and maintenance,  
101 for the regularly scheduled maintenance of its units.

102           (b) For the duration of the pilot program, the  
103 department shall ensure that AEDs are replaced or upgraded in



104 accordance with the prevailing industry standards for system  
105 replacements or upgrades.

106 (3) All public, nonpublic and parochial schools in the pilot  
107 program shall comply with all provisions of this act. Except as  
108 otherwise provided under subsection (1)(b), each such school shall  
109 have, in each instructional building, central administrative  
110 office, cafeteria and subsidiary building under the jurisdiction  
111 of its governing school board, an AED, which is stored in a secure  
112 and easily accessible location within each respective building to  
113 be used by a licensed medical professional or trained designee for  
114 use in the event of an emergency cardiac arrest.

115 **SECTION 4.** (1) Subject to selection by the department for  
116 participation in the pilot program, each governing school board  
117 shall adopt and implement a policy regarding the maintenance,  
118 storage, testing and use of automated external defibrillators  
119 (AEDs) in schools consistent with the rules and regulations  
120 adopted by the department for the Project ADAM pilot program.

121 (2) The adopted policy must provide:

122 (a) That licensed medical professionals or school  
123 personnel under the guidance of a licensed medical professional  
124 who are authorized and trained may administer the use of an AED,  
125 when the designee in good faith believes that an individual is  
126 reasonably believed to be experiencing severe cardiac arrest on  
127 the school premises;



128           (b) That licensed medical professionals or school  
129 personnel under the guidance of a licensed medical professional  
130 who are authorized and trained may administer the use of an AED on  
131 a person who is reasonably believed to be experiencing severe  
132 cardiac arrest at an off-campus event or while in transit to or  
133 from an off-campus event sponsored by the school district;

134           (c) That the licensed medical professional shall have  
135 responsibility for training designees in the proper administration  
136 of CPR and use of an AED; and

137           (d) That a physician, physician assistant, advanced  
138 practice nurse, registered nurse or school nurse who is  
139 appropriately licensed by the State of Mississippi shall be  
140 designated to serve as the licensed medical professional,  
141 authorized to:

142                   (i) Establish and administer a standardized  
143 training protocol for the emergency administration of CPR and the  
144 use of an AED by trained designees; and

145                   (ii) Ensure that trained designees have  
146 satisfactorily completed the training protocol.

147           (3) To become a trained designee, an individual must:

148                   (a) Be eighteen (18) years of age or older;

149                   (b) Have, or reasonably expect to have, responsibility  
150 for students and other persons as a result of the individual's  
151 occupational or volunteer status; and



152 (c) Have satisfactorily completed a standardized  
153 training protocol established and administered by a licensed  
154 medical professional in accordance with guidelines developed by  
155 the State Department of Health, in accordance with Section 5 of  
156 this act.

157 **SECTION 5.** (1) The State Department of Health shall  
158 establish guidelines for the development of a policy by  
159 participating governing school boards for the administration of  
160 CPR and the emergency use of an AED on a student, school personnel  
161 or other person in cardiac arrest when a medical professional is  
162 not available. The guidelines shall address issues including, but  
163 not be limited to, the responsibilities of the school, the  
164 licensed medical professional and the trained designee for the  
165 administration of CPR and use of an AED. The department shall  
166 disseminate the guidelines to the governing school board of each  
167 participating school in the designated pilot program area.

168 (2) The State Department of Health shall provide annual  
169 trainings for schools in the pilot program on CPR instruction,  
170 automated external defibrillator (AED) usage and training  
171 consistent with the policies adopted by the governing school  
172 boards as required by this act which align to the standards of  
173 training provided by the licensed medical professional in  
174 accordance with guidelines developed by the department.  
175 Additionally, the department is authorized to make an inspection  
176 of campus AEDs, at least twice annually, to ensure proper



177 functioning capability and to determine the need for replacement  
178 or upgrade.

179         **SECTION 6.** (1) The State Department of Health shall adopt  
180 rules regarding the maintenance, storage, testing and use of AEDs  
181 in schools subject to a policy adopted under Section 4 of this  
182 act. The rules must establish:

183                 (a) The number of AEDs available at each school;

184                 (b) The process to be used by governing school boards  
185 to check the inventory and to conduct tests of AEDs at regular  
186 intervals; and

187                 (c) The amount of training required for personnel or  
188 volunteers to administer CPR or use an AED.

189         (2) No licensed medical professional, trained designee, or  
190 physician providing a prescription under a standing protocol in  
191 accordance with this act, shall be held liable for any good faith  
192 act or omission committed in accordance with the provisions of  
193 this act. Good faith shall not include willful misconduct, gross  
194 negligence or recklessness.

195         **SECTION 7.** Nothing in this act shall be construed to:

196                 (a) Permit a trained designee to perform the duties or  
197 fill the position of a licensed medical professional;

198                 (b) Prohibit the administration of CPR or use of an  
199 AED; or

200                 (c) Prevent a licensed and qualified member of a health  
201 care profession from administering CPR or using an AED if the





202 duties are consistent with the accepted standards of the member's  
203 profession.

204           **SECTION 8.** This act shall take effect and be in force from  
205 and after July 1, 2022.

