

By: Representatives McCarty, Hale

To: Education

HOUSE BILL NO. 1133

1 AN ACT TO REQUIRE SCHOOLS AND SCHOOL SPONSORED ATHLETIC
2 EVENTS, INCLUDING SCHOOL BOARDS, AND OPERATORS OF INDEPENDENT
3 CHARTER SCHOOLS, TO SUPPORT, ADOPT AND IMPLEMENT A CARDIAC
4 EMERGENCY RESPONSE PLAN THAT INTEGRATES EVIDENCE-BASED CORE
5 ELEMENTS IN ACCORDANCE WITH THE AMERICAN HEART ASSOCIATION'S
6 GUIDELINES OR ANOTHER NATIONALLY RECOGNIZED, EVIDENCE-BASED
7 STANDARD; TO REQUIRE THAT ALL SCHOOL-SPONSORED ATHLETICS PROVIDE
8 AN AED ON SITE OF EACH ATHLETIC VENUE FOR PRACTICES, GAMES, OR
9 OTHER ATHLETIC EVENTS OR THAT IS RETRIEVABLE AND ABLE TO BE PLACED
10 ON A VICTIM EXPERIENCING A CARDIAC EPISODE WITHIN THREE MINUTES;
11 TO EXEMPT SCHOOLS FROM THE PREREQUISITE THAT A MISSISSIPPI
12 LICENSED PHYSICIAN MUST EXERCISE MEDICAL CONTROL AUTHORITY OVER
13 THE PERSON USING AN AED; TO REQUIRE THAT ANY PERSON USING AN
14 AUTOMATED EXTERNAL DEFIBRILLATOR MUST USE AN FDA APPROVED DEVICE
15 TO ASSURE THE SAFETY AND RELIABILITY OF THE DEVICE; TO AMEND
16 SECTION 41-60-33, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE
17 PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

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

19 **SECTION 1.** As used in this act, the following terms and
20 phrases shall have the meanings ascribed in this section unless
21 context clearly indicates otherwise:

22 (a) "Cardiac Emergency Response Plan (CERP)" is a
23 written document that establishes the specific steps to reduce
24 death from cardiac arrest in any setting, be it a school,
25 community organization, workplace or sports facility.



26 (b) "Automated External Defibrillator (AED)" is a
27 lightweight, portable device that delivers an electric shock
28 through the chest to the heart. The shock can potentially stop an
29 irregular heartbeat, known as arrhythmia, and allow a normal
30 rhythm to resume following sudden cardiac arrest.

31 (c) "Sudden Cardiac Arrest (SCA)" occurs when the heart
32 malfunctions and stops beating unexpectedly. If not treated within
33 minutes, it quickly leads to death.

34 (d) "High-needs schools" means schools where at least
35 fifty percent (50%) of children are eligible to receive free and
36 reduced priced meals or the school participates in the Community
37 Eligibility Provision or Universal Free Meals. High-need schools
38 may also be defined by Title 1 status for low-achieving children,
39 especially in high-poverty schools.

40 **SECTION 2.** (1) Beginning in the 2025-2026 school year, each
41 public school shall develop a cardiac emergency response plan
42 (CERP) that addresses the appropriate use of school personnel to
43 respond to incidents involving an individual experiencing sudden
44 cardiac arrest or a similar life-threatening emergency while on
45 school and school athletic venue grounds.

46 (2) Beginning in the 2025-2026 school year, each public
47 school with an athletic department or organized athletic program
48 shall develop a cardiac emergency response plan that addresses the
49 appropriate use of school personnel to respond to incidents
50 involving an individual experiencing sudden cardiac arrest or a



51 similar life-threatening emergency while attending or
52 participating in an athletic practice or event while on school and
53 school athletic venue grounds.

54 (3) School officials shall work directly with local
55 emergency service providers to integrate the CERP into the
56 community's EMS responder protocols. Each plan shall integrate
57 evidence-based core elements, such as those recommended by the
58 American Heart Association's guidelines or another nationally
59 recognized, evidence-based standard.

60 (4) The CERP shall integrate, at a minimum, the following
61 guidelines:

- 62 (a) Establishing a cardiac emergency response team;
- 63 (b) Activating the team in response to a SCA;
- 64 (c) A plan for implementing AED placement and routine
65 maintenance within the school;
- 66 (d) Disseminating the plan throughout the school
67 campus;
- 68 (e) Maintaining ongoing staff training in CPR/AED use;
- 69 (f) Practicing using drills annually;
- 70 (g) Integrating local EMS with the plan; and
- 71 (h) Ongoing annual review and evaluation of the plan.

72 (5) Appropriate AED placement shall be dictated by the CERP
73 and in accordance with guidelines set by the American Heart
74 Association or another nationally recognized, evidence-based
75 standard. An automated external defibrillator must be identified



76 with appropriate signage, is on-site of each school athletic
77 venue, or placed and made available in an unlocked location on
78 school property that can be placed on a victim within three (3)
79 minutes of a victim experiencing a cardiac episode. The AED shall
80 be accessible during the school day and any other time in which a
81 school-sponsored athletic event or team practice, in which pupils
82 of the school are participating. A school or local and regional
83 board of education may accept gifts, grants and donations,
84 including in-kind donations designated for the purchase of an AED
85 that meets the standards established by the United States Food and
86 Drug Administration and for the costs incurred to inspect and
87 maintain such device and train staff in the use of such device.

88 (6) Appropriate school staff shall be trained in first-aid,
89 CPR, and AED use that follow evidence-based guidelines set forth
90 by the American Heart Association or another nationally
91 recognized, evidence-based standard. Staff trained shall be
92 determined by the CERP, including, but not limited to, licensed
93 coaches, school nurses, and athletic trainers.

94 **SECTION 3.** (1) The implementation of the provisions of this
95 act is subject to the appropriation of necessary funds by the
96 Legislature for such purposes. If funds are appropriated or
97 otherwise made available, said funds shall be allocated to schools
98 determined to be in high need, to be used for activities and
99 equipment that further promotes CERP preparedness, including, but
100 not limited to, the purchase of automatic external defibrillators



(AEDs) and AED maintenance, the purchase of CPR training kits or CPR training for faculty and staff, basic first aid training and educational materials.

(2) The State Department of Education/local board of education may establish a procedure for monitoring adherence by school boards, operators of independent charter schools, and the governing bodies of private schools to the requirements set forth in subdivision of this section.

(3) A local and regional board of education may accept gifts, grants, and donations, including in-kind donations designated for the purchase of an automatic external defibrillator that meets the standards established by the United States Food and Drug Administration and for the costs incurred to inspect and maintain such device and train staff in the use of such device.

SECTION 4. A school district, school district employee or agent acting in good faith who provides assistance or services under this act shall be immune from civil prosecution and shall not be liable in any action for civil damages in his or her individual, marital, governmental, corporate or other capacity as a result of the services provided under this act.

SECTION 5. All public and charter schools will be exempt from Section 41-60-33, which defines the prerequisite that a Mississippi licensed physician must exercise medical control authority over the person using an AED.



125 **SECTION 6.** Section 41-60-33, Mississippi Code of 1972, is
126 amended as follows:

127 41-60-33. (1) Except as otherwise exempted by Section 5 of
128 this act, any person may use an automated external defibrillator
129 for the purpose of saving the life of another person in sudden
130 cardiac death, subject to the following requirements:

131 (a) A Mississippi licensed physician must exercise
132 medical control authority over the person using the AED to ensure
133 compliance with requirements for training, emergency medical
134 services (EMS) notification and maintenance;

135 (b) The person using the AED must have received
136 appropriate training in cardiopulmonary resuscitation (CPR) and in
137 the use of an AED by the American Heart Association, American Red
138 Cross, National Safety Council or other nationally recognized
139 course in CPR and AED use;

140 (c) The AED must not operate in a manual mode except
141 when access control devices are in place or when appropriately
142 licensed individuals such as registered nurses, physicians or
143 emergency medical technician-paramedics utilize the AED; and

144 (d) Any person who renders emergency care or treatment
145 on a person in sudden cardiac death by using an AED must activate
146 the EMS system as soon as possible, and report any clinical use of
147 the AED to the licensed physician.



148 (2) All public schools and charter schools shall be exempt
149 from the provisions of this section when acting in accordance with
150 Sections 37-11-85 and 37-11-87.

151 **SECTION 7.** This act shall take effect and be in force from
152 and after July 1, 2025.

