

Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

SFA**BILL ANALYSIS**

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 4237 (Substitute S-1 as reported)
Sponsor: Representative Sal Rocca
House Committee: Education
Senate Committee: Education

Date Completed: 6-17-02

RATIONALE

According to the American Heart Association, 95% of cardiac arrest victims die before they reach the hospital. While these odds are grim, the Heart Association has identified four steps that increase the chances that a victim will make it to the hospital alive. Each step makes up a link in the "chain of survival", which includes early access to medical care (calling 911); early cardiopulmonary resuscitation (CPR); early defibrillation; and early advanced medical care. Although three out of four of these links require equipment, CPR does not; it can be performed by a layperson with minimal training. This link in the chain is considered essential because it provides some circulation of oxygen-rich blood to the victim's heart and brain, which delays both brain death and the death of the heart muscle.

While most cardiac arrest victims are adults, children can suffer heart attacks when their supply of oxygen is interrupted. Choking, near-drowning, electric shocks, and allergic reactions have been known to put children in a state of cardiac arrest. Because teachers spend a great deal of time around children, and because CPR is deemed so important to sustaining life in heart attack victims until medical help arrives, some people believe that new teachers should receive CPR training.

CONTENT

The bill would amend the Revised School Code to prohibit the Superintendent of Public Instruction from issuing an initial teaching certificate to a person unless that person presented evidence that he or she had successfully completed a course in first aid and cardiopulmonary resuscitation. The new requirement would begin July 1, 2003.

Under the bill, new teachers would have to hold valid certification from the American Red Cross, the American Heart Association, or a comparable organization or institution approved by the Department of Education. A person would have to have successfully completed a Department-approved course in first aid and CPR, including a test demonstration on a mannequin, as well as instruction approved by the Department in foreign body airway obstruction management.

A person would be exempt from this requirement if he or she had physical limitations that made it impracticable for him or her to complete the instruction and obtain the required certification.

A person who met the requirements of the bill and who performed first aid, CPR, or foreign body airway obstruction management on another person in the course of his or her employment as a teacher would not be liable in a civil suit for damages resulting from an act or omission occurring in that performance, except an act or omission that constituted gross negligence or willful and wanton misconduct.

Proposed MCL 380.1531d

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Considering the importance of CPR to the chain of survival, it is surprising that teachers are not already required to take a course in CPR. According to the American Heart

Association, many other professionals--such as optometrists, dentists, dental hygienists, Department of Corrections officers, and child care providers--are required to obtain CPR training before they can be licensed in Michigan. Teachers, who are often the only adult in a room with 30 children, should have to meet the same standard. While it would be ideal to require all teachers to have CPR certification, imposing the prerequisite on new teachers would provide for several thousand CPR-trained teachers in the 2003-2004 school year. Under the bill, the chances that someone familiar with CPR would be at a school when a cardiac arrest occurred would dramatically increase. In addition, the proposed requirement is popular with the public. According to the *Detroit Free Press* (2-12-02), an EPIC-MRA poll showed that, among State voters, 75% favored the CPR requirement for new teachers. Reportedly, this poll also indicated that 38% of the public favored the State's paying the estimated \$40 training fee.

Legislative Analyst: Claire Layman

FISCAL IMPACT

The Department of Education would have to request and review evidence that a person seeking an initial teaching certificate had successfully completed a first aid and CPR course, or that the person was incapable of doing so. Therefore, the Department would experience slightly higher administrative costs stemming from this legislation.

Fiscal Analyst: Kathryn Summers-Coty

H0102\s4237a

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.