

# SENATE BILL NO. 1063

May 26, 2022, Introduced by Senators IRWIN and WOJNO and referred to the Committee on Health Policy and Human Services.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding sections 9157 and 9158.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1        **Sec. 9157. (1) Not more than 90 days after the effective date**  
2        **of the amendatory act that added this section, the department shall**  
3        **develop, adopt, or approve educational materials on the nature,**  
4        **risk, and symptoms of sudden cardiac arrest.**

1           (2) Not more than 90 days after the effective date of the  
2   amendatory act that added this section, the department shall  
3   develop, adopt, or approve a sudden cardiac arrest awareness  
4   training program in an electronic format that includes all of the  
5   following:

6           (a) The nature, risk, and symptoms of sudden cardiac arrest.

7           (b) The criteria for the removal of a youth athlete from  
8   physical participation in an athletic activity due to a suspected  
9   sudden cardiac arrest or after experiencing symptoms of sudden  
10   cardiac arrest and his or her return to that athletic activity.

11          (c) The risks to a youth athlete of not reporting a suspected  
12   sudden cardiac arrest or symptoms of sudden cardiac arrest and  
13   continuing to physically participate in the athletic activity.

14          (3) As soon as they are available, the department shall make  
15   the educational materials and training program required under this  
16   section available to the public on the department's website. The  
17   department shall make the training program available to all  
18   individuals required to participate in the program under section  
19   9158 and to any interested individual, including school personnel,  
20   coaches, parents, students, and youth athletes.

21          (4) As used in this section and section 9158:

22          (a) "Appropriate health professional" means a health  
23   professional who meets either of the following:

24           (i) Is licensed or otherwise authorized to engage in a health  
25   profession under article 15 and whose scope of practice within that  
26   health profession includes the recognition, treatment, and  
27   management of sudden cardiac arrest.

28           (ii) Is licensed as a physician under part 170 or part 175 and  
29   specializes in pediatrics.

(b) "Athletic activity" means a program or event, including practice and competition, during which youth athletes participate or practice to participate in an organized athletic game or competition against another team, club, entity, or individual. Athletic activity includes participation in physical education classes that are part of a school curriculum.

(c) "Institution of higher education" means a degree or certificate granting public or private college or university, junior college, or community college.

(d) "Organizing entity" means any of the following:

(i) A school.

(ii) A state or local parks and recreation department or commission or other state or local entity.

(iii) A nonprofit or for-profit entity.

(iv) A public or private entity.

(e) "School" means a nonpublic school, public school, or public school academy as those terms are defined in section 5 of the revised school code, 1976 PA 451, MCL 380.5.

(f) "Sudden cardiac arrest" means a life-threatening condition that results when an individual's heart stops or fails to produce a pulse.

(g) "Symptoms of sudden cardiac arrest" includes fainting, difficulty breathing, chest pains, dizziness, extreme fatigue, and abnormal racing heart rate.

(h) "Youth athlete" means an individual who participates in an athletic activity and who is under 18 years of age. Youth athlete does not include an individual who is 17 years of age and enrolled in solely an institution of higher education.

Sec. 9158. (1) An organizing entity that is subject to this

1 section shall ensure that it is in compliance with this section  
2 before it sponsors or operates an athletic activity in which youth  
3 athletes will participate, if that athletic activity is subject to  
4 this section.

5 (2) Before a youth athlete may participate in an athletic  
6 activity sponsored by or operated under the auspices of an  
7 organizing entity, the organizing entity shall do all of the  
8 following:

9 (a) Comply with all the requirements of this section with  
10 regard to its coaches, employees, volunteers, and other adults who  
11 are involved with the participation of youth athletes in athletic  
12 activity sponsored by or operated under the auspices of that  
13 organizing entity and who are required to participate in the sudden  
14 cardiac arrest awareness training program developed under section  
15 9157.

16 (b) Provide the educational materials developed under section  
17 9157 to each youth athlete who participates in an athletic activity  
18 sponsored by or operated under the auspices of the organizing  
19 entity and a parent or guardian of the youth athlete.

20 (c) Obtain a statement signed by each youth athlete and a  
21 parent or guardian of the youth athlete acknowledging receipt of  
22 the educational materials developed under section 9157. The  
23 organizing entity shall maintain the statement obtained under this  
24 subdivision in a file for that youth for the duration of the school  
25 year. Upon request, the organizing entity shall make the statements  
26 obtained under this subdivision available to the department.

27 (3) A coach or other adult employed by, volunteering for, or  
28 otherwise acting on behalf of an organizing entity during an  
29 athletic event sponsored by or operated under the auspices of the

1 organizing entity shall immediately remove from physical  
2 participation in an athletic activity a youth athlete who is  
3 suspected of having a sudden cardiac arrest or is exhibiting  
4 symptoms of sudden cardiac arrest during the athletic activity. A  
5 youth athlete who has been removed from physical participation in  
6 an athletic activity under this subsection must not return to  
7 physical activity until he or she has been evaluated by an  
8 appropriate health professional and receives written clearance from  
9 that appropriate health professional authorizing the youth  
10 athlete's return to physical participation in the athletic  
11 activity. The organizing entity shall maintain a written clearance  
12 obtained under this subsection in a permanent file for the duration  
13 of that youth athlete's participation in athletic activity  
14 sponsored by or operated under the auspices of that organizing  
15 entity or until the youth athlete is 18 years of age. Upon request,  
16 the organizing entity shall make the written clearance obtained  
17 under this subsection available to the department.

18 (4) This section does not apply to an athletic activity  
19 sponsored by or operated under the auspices of an organizing entity  
20 if all of the following requirements are met:

21 (a) The entity is a member of a private nonprofit multisport  
22 statewide interscholastic athletic association.

23 (b) The athletic activity is governed by a rule established by  
24 the interscholastic athletic association described in subdivision  
25 (a), the rule establishes sudden cardiac arrest protocols that are  
26 substantially similar to or more stringent than the sudden cardiac  
27 arrest protocols in the training program developed, adopted, or  
28 approved under section 9157 and the removal from and return to  
29 physical activity requirements of this section, and the rule

1 includes an enforcement mechanism applicable to its members.

2       (5) This section does not apply to an entity that would  
3 otherwise be considered an organizing entity subject to this  
4 section if the primary focus of the program or event sponsored by  
5 or operated under the auspices of that entity is not the  
6 participation in an organized athletic game or competition but that  
7 participation is only incidental to the primary focus of the  
8 program or event.