

Date of Hearing: April 3, 2024

ASSEMBLY COMMITTEE ON EDUCATION  
Al Muratsuchi, Chair  
AB 3262 (Maienschein) – As Introduced February 16, 2024

**SUBJECT:** Automated external defibrillators

**SUMMARY:** Requires, when an automated external defibrillator (AED) is placed in a public or private school serving students in grades 6 to 12, the principal to ensure that students annually receive information that describes sudden cardiac arrest (SCA), the school's emergency response plan, and the proper use of an AED, and at least annually notify students of the locations of all AED units on campus. Specifically, **this bill:**

- 1) Requires, when an AED is placed in a public or private school serving students in grades 6 to 12, the principal to ensure that students annually receive information that describes SCA, the school's emergency response plan, and the proper use of an AED, and at least annually notify students of the locations of all AED units on campus.

**EXISTING LAW:**

- 1) Requires each school district or county office of education (COE) to be responsible for the overall development of all comprehensive school safety plans for its schools operating kindergarten or any of grades 1 through 12. (Education Code (EC) 32281)
- 2) Requires the petition to establish a charter school to include the development of a school safety plan with specified safety topics, aligned with the requirements for a school district's comprehensive school safety plan. (EC 47605 and 47605.5)
- 3) Authorizes public schools to solicit and receive non-state funds to acquire and maintain an AED and requires these funds to be used only to acquire and maintain an AED, and to provide training to school employees in the use of an AED. (EC 49417)
- 4) Requires, if a school district or charter school requires a course in health education for graduation from high school, instruction in performing compression-only cardiopulmonary resuscitation (CPR). Also encourages school districts and charter schools to provide information to students on the use and importance of an AED, but states that the physical presence of an AED in the classroom is not required. (EC 51225.6)
- 5) Requires, if a school district or charter school elects to offer any interscholastic athletic program, the school district or charter school must acquire at least one AED for each school that participates in the program, and encourages school districts and charter schools to ensure that at least one AED is available for the purpose of rendering emergency care or treatment within the recommended 3 to 5 minutes of SCA to students, spectators or other individuals in attendance at the athletic program's activities or events. (EC 35179.6)
- 6) Requires the CDE to post on its website, guidelines, videos, an information sheet on sudden cardiac arrest symptoms and warning signs, and other relevant materials to inform and educate students and parents and to train coaches. Also encourages school districts and

schools to post these materials on their websites to provide ready access to the information. (EC 33479.2)

- 7) Requires that when an AED is placed in a building, the building owner to, at least once per year, notify the tenants as to the location of the AED units and provide information to tenants about who they can contact if they want to voluntarily take AED or CPR training, and to post instructions next to the AED on how to use the AED. (Health and Safety Code (HSC) 1797.196)

**FISCAL EFFECT:** This bill has been keyed non-fiscal by the Office of Legislative Counsel.

**COMMENTS:**

***Need for the bill.*** According to the author, “Emergency medical events never strike at a moment of our choosing and can be particularly unnerving. The entire campus community should be prepared and knowledgeable about how to respond amidst the turmoil. This bill aims to make the dissemination of such vital information more inclusive, allowing the student body to play a participatory role in their protection.”

***Sudden Cardiac Arrest (SCA).*** According to the American Heart Association (AHA), unlike a heart attack (when blood flow to the heart is blocked), SCA is when the heart malfunctions and suddenly stops beating unexpectedly. It is triggered by an electrical malfunction in the heart that causes an irregular heartbeat (arrhythmia). With its pumping action disrupted, the heart cannot pump blood to the brain, lungs, and other organs. Seconds later, a person loses consciousness and has no pulse. Death occurs within minutes if the victim does not receive treatment.

According to the Centers for Disease Control and Prevention (CDC), about 2,000 young, seemingly healthy people under age 25 in the U.S. die each year of SCA. It is thought to be a leading cause of death in young athletes, but it also affects young people not involved in organized sports.

***What is an AED?*** An AED is a lightweight, portable device that delivers an electric shock through the chest to the heart. According to the American Heart Association, the shock can potentially stop an irregular heartbeat and allow a normal rhythm to resume following SCA. AEDs are considered safe for use by anyone. The device has a built-in computer to check a victim’s heart rhythm and calculate whether defibrillation is needed. If it is, audible prompts guide the rescuer through the process.

***Effectiveness of AEDs.*** More than 356,000 out-of-hospital cardiac arrests (OHCAs) are reported annually in the United States by the CDC. An estimated 70% to 90% of people experiencing OHCA die before reaching the hospital. CPR and the use of an AED within minutes of cardiac arrest can dramatically raise survival rates, but are not commonly used or available. One study reported AED use at 10.8% in public settings before emergency medical services arrive. (Andersen, 2018)

Research further suggests that the availability of an AED in communities is associated with nearly a doubling of survival after out-of-hospital cardiac arrest, reinforcing the importance of strategically expanding community-based AED programs. (Weisfeldt, 2010)

According to the CDC, the placement of AEDs at public locations where cardiac arrest is likely to occur, including schools, casinos, federal buildings, airports, fitness centers, churches, and workplaces, has been found to increase out-of-hospital cardiac arrest survival, increase rates of return of spontaneous circulation, and improve neurological outcomes for patients.

***AEDs in schools.*** A 2009 research study noted that U.S. high schools are increasingly adopting AEDs for use in campus settings, and found that school-based AED programs provide a high survival rate for both student athletes and older non-students who suffer SCA on school grounds. (Drezner, 2009)

***Recommended Committee Amendments.*** *Staff recommends that the bill be amended to* remove references to pupils annually receiving information that describes SCA, the school’s emergency response plan, and the proper use of an AED.

***Arguments in support.*** The California Federation of Teachers writes, “Current law requires principals of schools serving students in grades 6 or higher to ensure that school administrators and staff annually receive information that describes sudden cardiac arrest, the school’s emergency response plan, and the proper use of an AED. AB 3262 would further require the principal to ensure that the pupils annually receive information that describes sudden cardiac arrest, the school’s emergency response plan, and the proper use of an AED. The bill would also require the principal to notify pupils—at least annually—as to the location of on campus AED units. This additional language will significantly help schools be much better prepared during the unfortunate event that such measures are necessary to save the lives of students or education workers.”

***Related legislation.*** AB 2887 (Mainschein) of the 2023-24 Session requires that comprehensive school safety plans include procedures that address the appropriate use of school personnel in responding to incidents involving an individual experiencing a SCA or similar life-threatening medical emergency on school grounds, and requires those procedures include specified elements, including CPR training and AED placement.

SB 1135 (Jones) of the 2021-22 Session would have required the CDE, upon an appropriation by the Legislature, to establish the California Youth Cardiac Screening Pilot Program to provide free cardiac screenings for students in grades 5 through 12 from the 2022-23 school year through the 2024-25 school years at schools that voluntarily participate in the program. This bill was held in the Assembly Appropriations Committee.

AB 379 (Mainschein) Chapter 174, Statutes of 2019, adds “an athlete who has passed out or fainted” to existing law that prohibits an athlete from returning to athletic activity until being evaluated and cleared by a health care provider. Requires the athlete, if the healthcare provider suspects that the athlete has a cardiac condition that puts the athlete at risk for SCA or other heart-related issues, to remain under the care of the healthcare provider to pursue follow-up testing until the athlete is cleared to play.

AB 2009 (Mainschein) Chapter 646, Statutes of 2018, requires a school district or charter school that elects to offer any interscholastic athletic program to ensure that there is a written emergency action plan in place and acquire at least one AED for each school for the purpose of emergency care in the event of cardiac arrest and other related medical emergencies. Clarifies

that existing law providing conditional liability protections to those acquiring or using these AEDs would apply.

AB 1639 (Mainschein) Chapter 792, Statutes of 2016, requires the CDE to make available specified guidelines and materials on SCA; requires students and parents to sign informational materials before athletic participation; requires training of coaches; and sets requirements for action in the event a pupil experiences specified symptoms.

AB 1719 (Rodriguez) Chapter 556, Statutes of 2016, requires that, commencing in the 2018-19 school year, school districts and charter schools that require a health course for graduation include instruction in compression-only CPR.

AB 2217 (Melendez) Chapter 812, Statutes of 2014, authorizes schools to solicit and receive non-state funds for AEDs, and clarifies those schools and school employees are not civilly liable when acting in good faith.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

California Federation of Teachers

**Opposition**

None on file

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