WEST VIRGINIA CODE: §18-5-22E

§18-5-22e. Cardiac response plans.

(a) For the purposes of this section, the following terms are defined:

"Automated external defibrillator" means a lightweight, portable device that delivers an electric shock through the chest to the heart.

"Cardiac emergency response plan" or "the plan" means a written document that establishes the specific steps to reduce death from cardiac arrest.

"School" means any elementary or secondary school under the jurisdiction of a county board of education.

"Sudden cardiac arrest" means when the heart malfunctions and stops beating unexpectedly.

"Youth sports league team" means any team that is a member of an entity that organizes and establishes rules for competitive youth sports activities other than the West Virginia Secondary School Activities Commission or any other entity that organizes and establishes rules for competitive youth sports activities exclusively for teams that are created by and represent schools.

(b) A school shall develop a cardiac emergency response plan that provides for the following:

(1) A school with an athletic department or organized athletic program shall develop a cardiac emergency response plan that addresses the appropriate use of school personnel to respond to incidents involving an individual experiencing sudden cardiac arrest or a similar life-threatening emergency while attending or participating in an athletic practice or event while on school grounds and that is venue specific and practiced annually;

(2) A school shall develop a cardiac emergency response plan that addresses the appropriate use of school personnel to respond to incidents involving an individual experiencing sudden cardiac arrest or a similar life-threatening emergency while on school grounds outside of athletic events; and

(3) School staff trained in first-aid, CPR, and automated external defibrillator use that follow evidence-based guidelines including, but not limited to, licensed coaches, school nurses, and athletic trainers.

(c) Prior to the start of each athletic season, a school subject to this section shall hold an informational meeting for students, parents, guardians, or other persons having care or charge of a student, regarding the warning signs of sudden cardiac arrest for children of all ages.

WV Legislature

(d) No student may participate in an athletic activity until the student has submitted to a designated school official, a form signed by the student and the parent, guardian, or other person having care or charge of the student, stating that the student and the parent, guardian, or other person having care or charge of the student have received and reviewed a copy of the cardiac emergency response plan developed by the school and posted on its webpage. A completed form shall be submitted each school year in which the student participates in an athletic activity.

(e) No individual may coach an athletic activity unless the individual has completed, on an annual basis, the sudden cardiac arrest training course approved by the Department of Education.

(f) A student shall not be allowed to participate in an athletic activity if either of the following is the case:

(1) The student is known to have exhibited syncope or fainting at any time prior to or following an athletic activity and has not been evaluated and cleared for return after exhibiting syncope or fainting; or

(2) The student experiences syncope or fainting while participating in, or immediately following, an athletic activity.

(g) If a student is not allowed to participate in or is removed from participation in an athletic activity under subsection (f) of this section, the student shall not be allowed to return to participation until the student is evaluated and cleared for return in writing by any of the following: (1) A physician authorized under §30-3-1 *et seq*. and §30-14-1 *et seq*. of this code;

(2) A certified nurse practitioner, or certified nurse specialist; or

(3) A physician assistant licensed under §30-3E-1 *et seq*. and §30-14A-1 *et seq*. of this code.

(h) School officials shall work directly with local emergency service providers to integrate the plan into the community's EMS responder protocols, which shall include, at a minimum, the following:

(1) Establishing a cardiac emergency response team;

(2) Activating the team in response to a sudden cardiac arrest;

(3) Implementing automated external defibrillator placement and routine maintenance within the school;

(4) Disseminating the plan throughout the school campus;

(5) Maintaining ongoing staff training in CPR/AED use;

WV Legislature

(6) Plan for practicing skills learned;

(7) Integrating local EMS with the plan;

(8) Ongoing and annual review and evaluation of the plan; and

(9) Appropriate automated external defibrillator placement.

(i) The State Board of Education may promulgate a legislative rule pursuant §29A-3B-1 *et seq*. of this code to ensure compliance with this section by county school boards.

(j) A county 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.

(k) Coaches and any other personnel supervising a youth sports league team that plays or practices on school grounds shall:

(1) Receive a copy of the cardiac emergency response plan;

(2) Locate and be aware of the automated external defibrillator placement on the school grounds;

(3) Maintain ongoing staff training in CPR/AED use; and

(4) Practice the skills learned.

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