18A:40-41a to 18A:40-41c
LEGISLATIVE HISTORY CHECKLIST
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LAWS OF: 2012
CHAPTER: 51
NJSA: 18A:40-41a to 18A:40-41c ("Janet's Law"; requires public and nonpublic schools to have automated external defibrillators and to establish emergency action plans for responding to sudden cardiac events)

BILL NO: A1608 (Substituted for S157)

SPONSOR(S) Bramnick and others

DATE INTRODUCED: January 10, 2012

COMMITTEE:
ASSEMBLY: Education
SENATE: Education

AMENDED DURING PASSAGE: No

DATE OF PASSAGE:
ASSEMBLY: May 24, 2012
SENATE: June 25, 2012

DATE OF APPROVAL:
September 19, 2012

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Assembly Committee Substitute enacted)

A1608 SPONSOR’S STATEMENT: (Begins on page 3 of original bill) Yes

COMMITTEE STATEMENT:
ASSEMBLY: Yes Education Appropriations

SENATE: Yes

(Sponsor's statement and committee statements may possibly be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:

LEGISLATIVE FISCAL ESTIMATE:

Yes

S157

SPONSOR’S STATEMENT: (Begins on page 4 of original bill) Yes

COMMITTEE STATEMENT:
ASSEMBLY: No

SENATE: Yes Education Budget

FLOOR AMENDMENT STATEMENT:

No

LEGISLATIVE FISCAL ESTIMATE:

Yes

(continued)
VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:
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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

LAW/KR
AN ACT concerning sudden cardiac events and schools and supplementing Title 18A of the New Jersey Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. a. Notwithstanding the provisions of any law, rule, or regulation to the contrary, beginning on September 1, 2014, the board of education of a public school district and the governing board or chief school administrator of a nonpublic school that includes any of the grades kindergarten through 12 shall ensure that:

(1) each public or nonpublic school has an automated external defibrillator, as defined in section 2 of P.L.1999, c.34 (C.2A:62A-24), which is made available in an unlocked location on school property with an appropriate identifying sign. The defibrillator shall be accessible during the school day and any other time when a school-sponsored athletic event or team practice is taking place in which pupils of the district or nonpublic school are participating. The defibrillator shall be within reasonable proximity of the school athletic field or gymnasium, as applicable;

(2) a team coach, licensed athletic trainer, or other designated staff member if there is no coach or licensed athletic trainer, who is present during the athletic event or team practice, is trained in cardio-pulmonary resuscitation and the use of the defibrillator in accordance with the provisions of section 3 of P.L.1999, c.34 (C.2A:62A-25). A school district or nonpublic school shall be deemed to be in compliance with this requirement if a State-certified emergency services provider or other certified first responder is on site at the event or practice; and

(3) each defibrillator is tested and maintained according to the manufacturer's operational guidelines and notification is provided to the appropriate first aid, ambulance, or rescue squad or other appropriate emergency medical services provider regarding the defibrillator, the type acquired, and its location in accordance with section 3 of P.L.1999, c.34 (C.2A:62A-25).

b. A school district or nonpublic school and its employees shall be immune from civil liability in the acquisition and use of defibrillators pursuant to the provisions of section 5 of P.L.1999, c.34 (C.2A:62A-27).
2. a. The board of education of a public school district and the
   governing body or chief school administrator of a nonpublic school
   that includes any of the grades kindergarten through 12 shall
   establish and implement an emergency action plan for responding to
   a sudden cardiac event including, but not limited to, an event in
   which the use of an automated external defibrillator may be
   necessary.

   b. The emergency action plan shall be consistent with the
   provisions of section 1 of this act and also, at minimum, include the
   following:

      (1) a list of no less than five school employees, team coaches, or
          licensed athletic trainers who hold current certifications from the
          American Red Cross, American Heart Association, or other training
          program recognized by the Department of Health and Senior
          Services, in cardio-pulmonary resuscitation and in the use of a
          defibrillator. The list shall be updated, as necessary, at least once in
          each semester of the school year; and

      (2) detailed procedures on responding to a sudden cardiac event
          including, but not limited to, the identification of the persons in the
          school who will be responsible for: responding to the person
          experiencing the sudden cardiac event, calling 911, starting cardio-
          pulmonary resuscitation, retrieving and using the defibrillator, and
          assisting emergency responders in getting to the individual
          experiencing the sudden cardiac event.

3. The State Board of Education, in consultation with the
   Commissioner of Health and Senior Services, and in accordance
   with the "Administrative Procedure Act," P.L.1968, c.410
   (C.52:14B-1 et seq.), shall adopt rules and regulations as may be
   necessary to implement the provisions of this act.

4. This act shall take effect immediately.

“Janet’s Law”: requires public and nonpublic schools to have
automated external defibrillators and to establish emergency action
plans for responding to sudden cardiac events.
SYNOPSIS

“Janet’s Law”; requires public schools to have automated external defibrillators for youth athletic events and to establish certain plans relating to sudden cardiac events.

CURRENT VERSION OF TEXT

As introduced.
AN ACT concerning automated external defibrillators for youth athletics, designated “Janet’s Law,” and supplementing Title 18A of the New Jersey Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. a. Notwithstanding the provisions of any law, rule, or regulation to the contrary, beginning on September 1, 2014, the board of education of a public school district that includes any of the grades kindergarten through 12 shall ensure that:

   (1) an automated external defibrillator, as defined in section 2 of P.L.1999, c.34 (C.2A:62A-24), identified with appropriate signage, is placed and made available in an unlocked location on school property, which is accessible during the school day and any other time in which a school-sponsored athletic event or team practice, in which pupils of the district are participating, is taking place and is within reasonable proximity of the school athletic field or gymnasium, as applicable;

   (2) a team coach or other designated staff member if there is no coach, who is present during the athletic event or team practice, is trained in cardio-pulmonary resuscitation and the use of the defibrillator in accordance with the provisions of section 3 of P.L.1999, c.34 (C.2A:62A-25). A school district shall be deemed to be in compliance with this requirement if a State-certified emergency services provider or other certified first responder is on site at the event or practice; and

   (3) each defibrillator is tested and maintained according to the manufacturer’s operational guidelines and notification is provided to the appropriate first aid, ambulance, or rescue squad or other appropriate emergency medical services provider regarding the defibrillator, the type acquired, and its location in accordance with section 3 of P.L.1999, c.34 (C.2A:62A-25).

b. A school district and its employees shall be immune from civil liability in the acquisition and use of defibrillators pursuant to the provisions of section 5 of P.L.1999, c.34 (C.2A:62A-27).

2. a. Notwithstanding the provisions of any law, rule, or regulation to the contrary, beginning on September 1, 2014, the board of education of a public school district that includes any of the grades kindergarten through 12 shall establish and implement an emergency action plan for responding to sudden cardiac events, including, but not limited to, those events in which the use of an automated external defibrillator may be necessary.

b. The emergency action plan required pursuant to subsection a. of this section, and in keeping with the provisions of section 1 of P.L. , c. (pending before the Legislature as this bill) shall also, at minimum, provide the following:
(1) a requirement that no less than five school faculty members successfully complete and hold a current certification from the American Red Cross, American Heart Association or other training program recognized by the Department of Health and Senior Services in cardio-pulmonary resuscitation and use of a defibrillator;

(2) a list of those school faculty members who hold current certifications in cardio-pulmonary resuscitation and use of a defibrillator, such list is to be made current at least once in each calendar year of each school year;

(3) written detailed procedures on responding to sudden cardiac events, including, but not limited to, who shall be responsible for responding to the individual in cardiac distress, calling emergency responders, starting cardio-pulmonary resuscitation, obtaining and using the automated external defibrillator, and assisting emergency responders in getting to the individual in cardiac distress; and

(4) any other requirement deemed relevant to responding to sudden cardiac events.

3. The State Board of Education, in consultation with the Commissioner of Health and Senior Services, and in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and regulations as may be necessary to implement the provisions of this act.

4. This act shall take effect immediately.

STATEMENT

This bill, which is designated "Janet’s Law," is in memory of Janet Zilinski, an 11-year old who died of sudden cardiac arrest following a cheerleading squad practice. The provisions of this bill apply to athletic events and activities that take place through public schools.

Specifically, the bill requires public school districts that include any of the grades kindergarten through 12 to ensure that, beginning on September 1, 2014, an automated external defibrillator (AED), identified with appropriate signage, is placed and made available in an unlocked location on school property, which is accessible during the school day and any other time in which a school-sponsored athletic event or team practice, in which pupils of the district are participating, is taking place and is within reasonable proximity of the school athletic field or gymnasium.

The bill requires that a team coach, or other designated staff member if there is no coach, who is present during the athletic event or team practice, be trained in cardio-pulmonary resuscitation (CPR) and the use of an AED in accordance with the provisions of
State law. A school district is deemed to be in compliance with this requirement if a State-certified emergency services provider or other certified first responder is on site at the event or practice. A public school district is also required to test and maintain each AED according to the manufacturer's operational guidelines and to provide notification to the appropriate first aid, ambulance, or rescue squad or other appropriate emergency medical services provider regarding the AED, the type acquired, and its location in accordance with current State law.

The bill also requires that a public school district establish and implement an emergency action plan for responding to sudden cardiac events, including, but not limited to, those events in which the use of an AED as may be necessary. The emergency action plan, in keeping with the provisions of section 1 of the bill shall also, at minimum, provide that: no less than five school faculty members successfully complete and hold a current certification from training programs recognized by the Department of Health and Senior Services in CPR and use of an AED; a list of those school faculty members who hold current certifications, such list is to be made current at least once in each calendar year of each school year; written detailed procedures on responding to sudden cardiac events; and any other requirement deemed relevant by the school district to responding to sudden cardiac events.

The bill directs the State Board of Education, in consultation with the Commissioner of Health and Senior Services, to adopt rules and regulations necessary for its implementation and provides that a school district and its employees shall be immune from civil liability in the acquisition and use of an AED pursuant to current law.
The Assembly Education Committee favorably reports an Assembly Committee Substitute for Assembly Bill No. 1608. This substitute, which is designated “Janet’s Law,” is in memory of Janet Zilinski, an 11-year old who died of sudden cardiac arrest following a cheerleading squad practice.

The substitute requires public school districts and nonpublic schools that include any of the grades kindergarten through 12 to ensure that, beginning on September 1, 2014:

- an automated external defibrillator (AED) is made available in an unlocked location at each school. The AED must be accessible during the school day and any other time in which a school-sponsored athletic event or team practice is taking place in which pupils of the district or nonpublic school are participating. The AED must be within reasonable proximity of the school athletic field or gymnasium;

- a team coach, licensed athletic trainer, or other designated staff member if there is no coach or licensed athletic trainer, who is present during the athletic event or team practice, is trained in cardio-pulmonary resuscitation (CPR) and the use of an AED. A school district or nonpublic school is deemed to be in compliance with this requirement if a State-certified emergency services provider or other certified first responder is on site at the event or practice; and

- the AED is tested and maintained in accordance with the manufacturer’s operational guidelines and notification is provided to the appropriate first aid, ambulance, rescue squad or other appropriate emergency medical services provider regarding the AED, the type acquired, and its location.

The substitute provides that a school district and a nonpublic school and their employees will be immune from civil liability in the acquisition and use of AEDs.

The substitute also requires that a public school district and a nonpublic school establish and implement an emergency action plan for responding to sudden cardiac events. The emergency action plan must be consistent with the other provisions of the substitute, and in
addition, at a minimum include: a list of no less than five school employees, team coaches, or licensed athletic trainers who hold current certifications in CPR and the use of AEDs from training programs recognized by the Department of Health and Senior Services; and detailed procedures on responding to sudden cardiac events.

The substitute directs the State Board of Education, in consultation with the Commissioner of Health and Senior Services, to adopt rules and regulations necessary for its implementation.
LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 1608
STATE OF NEW JERSEY
215th LEGISLATURE

DATED: MAY 21, 2012

SUMMARY

Synopsis: “Janet’s Law”; requires public and nonpublic schools to have automated external defibrillators and to establish action plans for responding to sudden cardiac events.

Type of Impact: Expenditure increase in local school districts.

Agencies Affected: Local school districts.

Office of Legislative Services Estimate

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<tr>
<th>Fiscal Impact</th>
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- The Office of Legislative Services (OLS) anticipates that the Assembly Committee Substitute for Assembly Bill No. 1608 of 2012 will lead to an indeterminate increase in expenditures for local school districts. The potential cost is indeterminate for three reasons: 1) it is unclear how many schools would be required to purchase an automated external defibrillator (AED) as a result of the legislation, 2) the bill requires that each school have five employees, coaches, or athletic providers certified and trained in the use of AED and in performing CPR, and 3) the cost of training current and additional personnel.

- While the State contract expires at the end of the current fiscal year, it may be useful for providing a general idea of what an AED would cost after the contract’s expiration. Under the contract, a school district may purchase an AED for $829 per unit, and training services for $58 per trainee. The OLS has not identified a similar State contract for the provision of CPR training; the American Red Cross offers such training courses at approximately $70 per participant, which leads to a certification that is valid for two years.
BILL DESCRIPTION

The Assembly Committee Substitute for Assembly Bill No. 1608 of 2012 requires each public and nonpublic school to have an AED that is accessible during the school day, or any other time when a school-sponsored athletic event or team practice is taking place in which students of the district or nonpublic school are participating. A team coach, licensed athletic trainer, or other designated staff who is present at the athletic event or team practice must be trained in the use of an AED and in performing cardiopulmonary resuscitation (CPR). A school will be considered in compliance with this requirement if a State-certified emergency services provider or other certified first responder is present at the event or practice. Additionally, each school must establish and implement an emergency action plan that includes having at least five school employees, team coaches, or licensed athletic providers trained in the use of an AED and in performing CPR.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS anticipates that the Assembly Committee Substitute for Assembly Bill No. 1608 of 2012 will lead to an indeterminate increase in expenditures for local school districts. There are three reasons why the cost cannot be determined. First, it is unclear how many schools do not currently have an AED in the building, and second, it is unknown the number of schools that have fewer than five staff members who are trained in the use of an AED or in administering CPR. Third, the precise cost of an AED and training required under the bill are also unknown. The State currently has a contract with a vendor, under which a school district may purchase an AED for $829 per unit, and the associated training for $58 per trainee. However, this contract expires at the end of fiscal year 2011-2012, and the cost in subsequent years is not known. This State contract does not include training individuals in the administration of CPR. The American Red Cross offers such courses at a cost of $70 per person, which leads to a certification that is valid for two years.

Section: Education
Analyst: Allen T. Dupree
Lead Fiscal Analyst
Approved: David J. Rosen
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).
The Assembly Appropriations Committee reports favorably Assembly Bill No. 1608 (ACS).

This bill requires public and nonpublic schools to have and maintain automated external defibrillators and to establish and implement emergency action plans for responding to sudden cardiac events.

The bill requires public school districts and nonpublic schools that include any of the grades kindergarten through 12 to ensure that, beginning September 1, 2014, each public or nonpublic school has an automated external defibrillator available in an unlocked location on school property with an appropriate identifying sign. The bill specifies the defibrillator must be accessible during the school day and any other time a school-sponsored athletic event or team practice is taking place in which pupils are participating. The bill specifies the defibrillator must be within reasonable proximity of the school athletic field or gymnasium.

The bill requires public school districts and nonpublic schools that include any of the grades kindergarten through 12 to ensure that, beginning September 1, 2014, a team coach, licensed athletic trainer, or other designated staff member (if there is no coach or licensed athletic trainer), who is present during the athletic event or team practice, is trained in cardio-pulmonary resuscitation and use of a defibrillator. The bill specifies a school district or nonpublic school is in compliance with this requirement if a State-certified emergency services provider or other certified first responder is on site at the event or practice.

The bill requires public school districts and nonpublic schools that include any of the grades kindergarten through 12 to ensure that, beginning September 1, 2014, each defibrillator is tested and maintained in accordance with the manufacturer's operational guidelines and notification is provided to the appropriate first aid, ambulance, rescue squad, or other appropriate emergency medical services provider regarding the defibrillator, the type acquired, and its location.
The bill provides that a school district or a nonpublic school and its employees are immune from civil liability in the acquisition and use of a defibrillator.

The bill requires public school districts and nonpublic schools that include any of the grades kindergarten through 12 to establish and implement an emergency action plan to respond to sudden cardiac events. The bill specifies that the plan must be consistent with other provisions of the bill, and must include: a list of not fewer than five school employees, team coaches, or licensed athletic trainers who hold certifications in cardio-pulmonary resuscitation and the use of defibrillators from certain recognized training programs; and detailed procedures for responding to sudden cardiac events.

The bill directs the State Board of Education, in consultation with the Commissioner of Health and Senior Services, to adopt rules and regulations necessary for its implementation.

The bill takes effect immediately upon enactment.

The bill is designated as Janet’s Law in memory of Janet Zilinski, an 11-year-old who died of sudden cardiac arrest following a cheerleading squad practice.

**FISCAL IMPACT:**

The Office of Legislative Services expects the bill will result in increased costs to public school districts and nonpublic schools required to comply with its provisions, but is unable to determine the magnitude of the increased costs.

The Office of Legislative Services notes the magnitude of the increased costs cannot be determined because it is unclear how many schools do not have defibrillators and will be required to acquire new or additional units, or how many schools have fewer than five staff members who hold certifications in cardio-pulmonary resuscitation and the use of defibrillators and will be required to train additional staff to comply with the bill.

Additionally, the increased costs cannot be determined because the cost to purchase each defibrillator and the cost to train each staff member in cardio-pulmonary resuscitation and the use of defibrillators are largely unknown. The State currently has a contract with a vendor under which a school district may purchase a defibrillator for $829 per unit and the associated training for $58 per trainee. However, the contract expires at the end of fiscal year 2011-2012, and does not include training in cardio-pulmonary resuscitation.

The Office of Legislative Services notes that the bill’s requirement that schools maintain defibrillators according to manufacturers’ operational guidelines and the requirement that schools establish and implement an emergency action plan may also contribute to increased costs incurred as a result of the bill, but expects those costs to be minimal.
The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 1608 (ACS).

The substitute bill requires public and nonpublic schools to have and maintain automated external defibrillators and to establish and implement emergency action plans for responding to sudden cardiac events.

The substitute bill requires public school districts and nonpublic schools that include any of the grades kindergarten through 12 to ensure that, beginning September 1, 2014, each public or nonpublic school has an automated external defibrillator available in an unlocked location on school property with an appropriate identifying sign. The substitute bill specifies the defibrillator must be accessible during the school day and any other time a school-sponsored athletic event or team practice is taking place in which pupils are participating. The substitute bill specifies the defibrillator must be within reasonable proximity of the school athletic field or gymnasium.

The substitute bill requires public school districts and nonpublic schools that include any of the grades kindergarten through 12 to ensure that, beginning September 1, 2014, a team coach, licensed athletic trainer, or other designated staff member (if there is no coach or licensed athletic trainer), who is present during the athletic event or team practice, is trained in cardio-pulmonary resuscitation and use of a defibrillator. The substitute bill specifies a school district or nonpublic school is in compliance with this requirement if a State-certified emergency services provider or other certified first responder is on site at the event or practice.

The substitute bill requires public school districts and nonpublic schools that include any of the grades kindergarten through 12 to ensure that, beginning September 1, 2014, each defibrillator is tested and maintained in accordance with the manufacturer's operational guidelines and notification is provided to the appropriate first aid, ambulance, rescue squad, or other appropriate emergency medical services provider regarding the defibrillator, the type acquired, and its location.

The substitute bill provides that a school district or a nonpublic
school and its employees are immune from civil liability in the acquisition and use of a defibrillator.

The substitute bill requires public school districts and nonpublic schools that include any of the grades kindergarten through 12 to establish and implement an emergency action plan to respond to sudden cardiac events. The substitute bill specifies that the plan must be consistent with other provisions of the substitute bill, and must include: a list of not fewer than five school employees, team coaches, or licensed athletic trainers who hold certifications in cardio-pulmonary resuscitation and the use of defibrillators from certain recognized training programs; and detailed procedures for responding to sudden cardiac events.

The substitute bill directs the State Board of Education, in consultation with the Commissioner of Health and Senior Services, to adopt rules and regulations necessary for its implementation.

The substitute bill takes effect immediately upon enactment.

The legislation is designated as Janet’s Law in memory of Janet Zilinski, an 11-year-old who died of sudden cardiac arrest following a cheerleading squad practice.

As reported by the committee, Assembly Bill No. 1608 (ACS) is identical to Senate Bill No. 157 (SCS), as also reported by the committee.

FISCAL IMPACT:

The Office of Legislative Services (OLS) notes in the Legislative Fiscal Estimate for the substitute bill that public school districts and nonpublic schools will incur increased costs to comply with its provisions, but is unable to determine the magnitude of the increased costs.

The OLS notes the magnitude of the increased costs cannot be determined because it is unclear how many schools do not have defibrillators and will be required to acquire new or additional units, or how many schools have fewer than five staff members who hold certifications in cardio-pulmonary resuscitation and the use of defibrillators and will be required to train additional staff to comply with the bill.

Additionally, the increased costs cannot be determined because the cost to purchase each defibrillator and the cost to train each staff member in cardio-pulmonary resuscitation and the use of defibrillators are largely unknown. The State currently has a contract with a vendor under which a school district may purchase a defibrillator for $829 per unit and the associated training for $58 per trainee. However, the contract expires at the end of fiscal year 2011-2012, and does not include training in cardio-pulmonary resuscitation.

The OLS notes that the requirement that schools maintain defibrillators according to manufacturers’ operational guidelines and the requirement that schools establish and implement an emergency
action plan may also contribute to increased costs incurred, but expects those costs to be minimal.
Sponsored by:
Senator ROBERT W. SINGER
District 30 (Monmouth and Ocean)
Senator JOSEPH F. VITALE
District 19 (Middlesex)

Co-Sponsored by:
Senators Madden and Buono

SYNOPSIS
“Janet’s Law”; requires public and nonpublic schools, recreational fields and youth camps to have defibrillators for youth athletic events, and public schools to train pupils in use thereof and in cardio-pulmonary resuscitation.

CURRENT VERSION OF TEXT
Introduced Pending Technical Review by Legislative Counsel
AN ACT concerning automated external defibrillators for youth athletics, designated “Janet’s Law,” and supplementing Title 18A of the New Jersey Statutes and Titles 5 and 26 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. a. Notwithstanding the provisions of any law, rule, or regulation to the contrary, beginning on September 1, 2009, the board of education of a public school district and the governing board or chief school administrator of a nonpublic school that includes any of the grades kindergarten through 12 shall ensure that:

   (1) an automated external defibrillator, as defined in section 2 of P.L.1999, c.34 (C.2A:62A-24), is readily available and within reasonable proximity of the school athletic field or gymnasium, as applicable, at which a school-sponsored athletic event or team practice in which pupils of the district or pupils of the nonpublic school are participating, is taking place;

   (2) a team coach or other designated staff member if there is no coach, who is present during the athletic event or team practice, is trained in cardio-pulmonary resuscitation and the use of the defibrillator in accordance with the provisions of section 3 of P.L.1999, c.34 (C.2A:62A-25). A school district or nonpublic school shall be deemed to be in compliance with this requirement if a State-certified emergency services provider or other certified first responder is on site at the event or practice; and

   (3) each defibrillator is tested and maintained according to the manufacturer's operational guidelines or guidelines established by any appropriate government agency and notification is provided to the appropriate first aid, ambulance, or rescue squad or other appropriate emergency medical services provider regarding the defibrillator, the type acquired, and its location in accordance with section 3 of P.L.1999, c.34 (C.2A:62A-25).

b. A school district or nonpublic school and its employees shall be immune from civil liability in the acquisition and use of defibrillators pursuant to the provisions of section 5 of P.L.1999, c.34 (C.2A:62A-27).

c. In the case of a public school district, the school physician appointed by the board of education pursuant to N.J.S.18A:40-1 shall provide written instructions on the proper use of the automated external defibrillator which shall be posted in a conspicuous place near the defibrillator. In the case of a nonpublic school, the chief school administrator in consultation with a physician shall provide written instructions on the proper use of the automated external defibrillator which shall be posted in a conspicuous place near the defibrillator.
2. Notwithstanding the provisions of any law, rule, or regulation to the contrary, beginning on September 1, 2009, the board of education of a public school district that includes any of the grades 9 through 12 shall:
   a. provide instruction in cardio-pulmonary resuscitation as part of the curriculum each year for grades 9 through 12; and
   b. provide instruction in the use of an automated external defibrillator as part of the curriculum each year for grades 9 through 12.

3. The State Board of Education, in consultation with the Commissioner of Health and Senior Services, and in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and regulations as may be necessary to implement the provisions of this act.

4. a. Beginning September 1, 2009, a municipal or county recreation department and a nonprofit youth serving organization as defined in section 1 of P.L.1999, c.432 (C.15A:3A-1) including, but not limited to, Little Leagues, Babe Ruth Leagues, Pop Warner Leagues, Police Athletic Leagues, and youth soccer leagues, which organizes, sponsors, or is otherwise affiliated with youth athletic events that are played on municipal, county, school, or other publicly-owned fields, shall ensure that there is available on site an automated external defibrillator, as defined in section 2 of P.L.1999, c.34 (C.2A:62A-24), at each youth athletic event and practice held on the department’s or organization’s home field.
   The recreation department or youth serving organization shall designate one or more umpires or coaches, as applicable, who will be present at the athletic event or practice, to be responsible for ensuring that the defibrillator is available on site at the event and practice. The designated umpire or coach shall be trained in cardio-pulmonary resuscitation and the use of the defibrillator in accordance with the provisions of section 3 of P.L.1999, c.34 (C.2A:62A-25).
   b. A recreation department or youth serving organization shall be deemed to be in compliance with the requirements of this section if a State-certified emergency services provider or other certified first responder is on site at the athletic event or practice and has a defibrillator available for use on site.
   c. A recreation department or youth serving organization and its employees and volunteer umpires and coaches shall be immune from civil liability in the acquisition and use of a defibrillator pursuant to section 5 of P.L.1999, c.34 (C.2A:62A-27).

5. a. Beginning September 1, 2009, a youth camp operating pursuant to P.L.1973, c.375 (C.26:12-1 et seq.) shall ensure that there is available on site an automated external defibrillator, as
defined in section 2 of P.L.1999, c.34 (C.2A:62A-24), within reasonable proximity of the camp’s athletic fields or other indoor or outdoor athletic facilities.

The youth camp shall designate one or more counselors or other staff members who will be present at the athletic field or facility when campers are participating in athletic activities, to be responsible for ensuring that the defibrillator is available on site at the field or facility. The designated counselor or staff member shall be trained in cardio-pulmonary resuscitation and the use of the defibrillator in accordance with the provisions of section 3 of P.L.1999, c.34 (C.2A:62A-25).

b. A youth camp shall be deemed to be in compliance with the requirements of this section if a State-certified emergency services provider or other certified first responder is on site at the athletic field or facility and has a defibrillator available for use on site.


6. This act shall take effect immediately.

STATEMENT

This bill, which is designated “Janet’s Law,” is in memory of Janet Zilinski, an 11-year old who died of sudden cardiac arrest following a cheerleading squad practice. The provisions of this bill apply to athletic events and activities that take place through public and nonpublic schools, recreational departments, youth serving organizations and youth camps.

Specifically, the bill requires public school districts and nonpublic schools that include any of the grades kindergarten through 12 to ensure that, beginning on September 1, 2009:

• an automated external defibrillator (AED) is readily available and within reasonable proximity of the school athletic field or gymnasium, as applicable, at which a school-sponsored athletic event or team practice in which pupils of the district or nonpublic school are participating, is taking place;

• a team coach, or other designated staff member if there is no coach, who is present during the athletic event or team practice, is trained in cardio-pulmonary resuscitation (CPR) and the use of an AED. A school district or nonpublic school will be deemed to be in compliance with this requirement if a State-certified emergency services provider or other certified first responder is on site at the event or practice; and

• each AED is tested and maintained according to the manufacturer's operational guidelines or guidelines established
by any appropriate government agency and notification is
provided to the appropriate first aid, ambulance, or rescue
squad or other appropriate emergency medical services
provider regarding the AED, the type acquired, and its
location.
Under the provisions of the bill, instruction in CPR is required to
be provided in a public school district as part of the curriculum each
year for grades 9 through 12. In addition, public school districts
must provide instruction in the use of an AED as part of the
curriculum each year for grades 9 through 12.
The bill further provides that a school district and a nonpublic
school and its employees will be immune from civil liability in the
acquisition and use of an AED pursuant to the provisions of
P.L.1999, c.34.
Also, beginning on September 1, 2009, the bill requires a
municipal or county recreation department and a nonprofit youth
serving organization (such as, Little Leagues, Babe Ruth Leagues,
Pop Warner Leagues, Police Athletic Leagues, and youth soccer
leagues), to ensure that there is available on site an AED at each
youth athletic event and practice held on the department’s or
organization’s home field. The department or organization must
designate one or more umpires or coaches, as applicable, who will
be present at the athletic event or practice, to be responsible for
ensuring that the AED is available on site. The designated umpire
or coach must be trained in CPR and the use of an AED.
Also, beginning September 1, 2009, a youth camp operating
pursuant to P.L.1973, c.375 (C.26:12-1 et seq.) is required to ensure
that there is available on site an AED within reasonable proximity
of the camp’s athletic fields or other indoor or outdoor athletic
facilities. The youth camp must designate one or more counselors
or other staff members who will be present at the athletic field or
facility when campers are participating in athletic activities, to be
responsible for ensuring that the AED is available on site at the
field or facility. The designated counselor or staff member must be
trained in CPR and the use of an AED.
As in the case of public school districts and nonpublic schools, a
recreation department, youth serving organization, or youth camp
will be deemed to be in compliance with the AED requirement if a
State-certified emergency services provider or other certified first
responder is on site at the athletic event or practice and has an AED
available for use on site. As with school districts and nonpublic
schools, a recreation department, youth serving organization, youth
camp and its employees and volunteers will be immune from civil
liability in the acquisition and use of an AED.
The Senate Education Committee favorably reports a Senate Committee Substitute for Senate Bill No. 157.

This substitute, which is designated “Janet’s Law,” is in memory of Janet Zilinski, an 11-year old who died of sudden cardiac arrest following a cheerleading squad practice.

The substitute requires public school districts and nonpublic schools that include any of the grades kindergarten through 12 to ensure that, beginning on September 1, 2014:

- an automated external defibrillator (AED) is made available in an unlocked location at each school. The AED must be accessible during the school day and any other time in which a school-sponsored athletic event or team practice is taking place in which pupils of the district or nonpublic school are participating. The AED must be within reasonable proximity of the school athletic field or gymnasium;
- a team coach, licensed athletic trainer, or other designated staff member if there is no coach or licensed athletic trainer, who is present during the athletic event or team practice, is trained in cardio-pulmonary resuscitation (CPR) and the use of an AED. A school district or nonpublic school is deemed to be in compliance with this requirement if a State-certified emergency services provider or other certified first responder is on site at the event or practice; and
- the AED is tested and maintained in accordance with the manufacturer’s operational guidelines and notification is provided to the appropriate first aid, ambulance, rescue squad or other appropriate emergency medical services provider regarding the AED, the type acquired, and its location.

The substitute provides that a school district and a nonpublic school and their employees will be immune from civil liability in the acquisition and use of AEDs.

The substitute also requires that a public school district and a nonpublic school establish and implement an emergency action plan for responding to sudden cardiac events. The emergency action plan must be consistent with the other provisions of the substitute, and in
addition, at a minimum include: a list of no less than five school employees, team coaches, or licensed athletic trainers who hold current certifications in CPR and the use of AEDs from training programs recognized by the Department of Health and Senior Services; and detailed procedures on responding to sudden cardiac events.

The substitute directs the State Board of Education, in consultation with the Commissioner of Health and Senior Services, to adopt rules and regulations necessary for its implementation.
The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 157 (SCS).

The substitute bill requires public and nonpublic schools to have and maintain automated external defibrillators and to establish and implement emergency action plans for responding to sudden cardiac events.

The substitute bill requires public school districts and nonpublic schools that include any of the grades kindergarten through 12 to ensure that, beginning September 1, 2014, each public or nonpublic school has an automated external defibrillator available in an unlocked location on school property with an appropriate identifying sign. The substitute bill specifies the defibrillator must be accessible during the school day and any other time a school-sponsored athletic event or team practice is taking place in which pupils are participating. The substitute bill specifies the defibrillator must be within reasonable proximity of the school athletic field or gymnasium.

The substitute bill requires public school districts and nonpublic schools that include any of the grades kindergarten through 12 to ensure that, beginning September 1, 2014, a team coach, licensed athletic trainer, or other designated staff member (if there is no coach or licensed athletic trainer), who is present during the athletic event or team practice, is trained in cardio-pulmonary resuscitation and use of a defibrillator. The substitute bill specifies a school district or nonpublic school is in compliance with this requirement if a State-certified emergency services provider or other certified first responder is on site at the event or practice.

The substitute bill requires public school districts and nonpublic schools that include any of the grades kindergarten through 12 to ensure that, beginning September 1, 2014, each defibrillator is tested and maintained in accordance with the manufacturer's operational guidelines and notification is provided to the appropriate first aid, ambulance, rescue squad, or other appropriate emergency medical services provider regarding the defibrillator, the type acquired, and its location.

The substitute bill provides that a school district or a nonpublic
school and its employees are immune from civil liability in the acquisition and use of a defibrillator.

The substitute bill requires public school districts and nonpublic schools that include any of the grades kindergarten through 12 to establish and implement an emergency action plan to respond to sudden cardiac events. The substitute bill specifies that the plan must be consistent with other provisions of the substitute bill, and must include: a list of not fewer than five school employees, team coaches, or licensed athletic trainers who hold certifications in cardio-pulmonary resuscitation and the use of defibrillators from certain recognized training programs; and detailed procedures for responding to sudden cardiac events.

The substitute bill directs the State Board of Education, in consultation with the Commissioner of Health and Senior Services, to adopt rules and regulations necessary for its implementation.

The substitute bill takes effect immediately upon enactment.

The legislation is designated as Janet’s Law in memory of Janet Zilinski, an 11-year-old who died of sudden cardiac arrest following a cheerleading squad practice.

As reported by the committee, the Senate Bill No. 157 (SCS) is identical to Assembly Bill No. 1608 (ACS), as also reported by the committee.

FISCAL IMPACT:

In the Legislative Fiscal Estimate for the identical ACS, the Office of Legislative Services (OLS) notes that public school districts and nonpublic schools will incur increased costs to comply with the provisions of the legislation, but is unable to determine the magnitude of the increased costs.

The OLS notes the magnitude of the increased costs cannot be determined because it is unclear how many schools do not have defibrillators and will be required to acquire new or additional units, or how many schools have fewer than five staff members who hold certifications in cardio-pulmonary resuscitation and the use of defibrillators and will be required to train additional staff to comply with the bill.

Additionally, the increased costs cannot be determined because the cost to purchase each defibrillator and the cost to train each staff member in cardio-pulmonary resuscitation and the use of defibrillators are largely unknown. The State currently has a contract with a vendor under which a school district may purchase a defibrillator for $829 per unit and the associated training for $58 per trainee. However, the contract expires at the end of fiscal year 2011-2012, and does not include training in cardio-pulmonary resuscitation.

The OLS notes that the requirement that schools maintain defibrillators according to manufacturers’ operational guidelines and the requirement that schools establish and implement an emergency
action plan may also contribute to increased costs incurred, but expects those costs to be minimal.
LEGISLATIVE FISCAL ESTIMATE
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 157
STATE OF NEW JERSEY
215th LEGISLATURE

DATED: AUGUST 3, 2012

SUMMARY

Synopsis: “Janet’s Law”; requires public and nonpublic schools to have automated external defibrillators and to establish action plans for responding to sudden cardiac events.

Type of Impact: Expenditure increase in local school districts.

Agencies Affected: Local school districts.

Office of Legislative Services Estimate

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<tr>
<th>Fiscal Impact</th>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3</th>
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<tr>
<td>Local Cost</td>
<td>Indeterminate Increase – See Comments Below</td>
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- The Office of Legislative Services (OLS) anticipates that the Senate Committee Substitute for Senate Bill No. 157 of 2012 will lead to an indeterminate increase in expenditures for local school districts. The potential cost is indeterminate for three reasons: 1) it is unclear how many schools would be required to purchase an automated external defibrillator (AED) as a result of the legislation, 2) the bill requires that each school have five employees, coaches, or athletic providers certified and trained in the use of AED and in performing cardiopulmonary resuscitation (CPR), and 3) the cost of training current and additional personnel.

- While the State contract expires at the end of the current fiscal year, it may be useful for providing a general idea of what an AED would cost after the contract’s expiration. Under the contract, a school district may purchase an AED for $829 per unit, and training services for $58 per trainee. The OLS has not identified a similar State contract for the provision of CPR training; the American Red Cross offers such training courses at approximately $70 per participant, which leads to a certification that is valid for two years.
BILL DESCRIPTION

The Senate Committee Substitute for Senate Bill No. 157 of 2012 requires each public and nonpublic school to have an AED that is accessible during the school day, or any other time when a school-sponsored athletic event or team practice is taking place in which students of the district or nonpublic school are participating. A team coach, licensed athletic trainer, or other designated staff who is present at the athletic event or team practice must be trained in the use of an AED and in performing CPR. A school will be considered in compliance with this requirement if a State-certified emergency services provider or other certified first responder is present at the event or practice. Additionally, each school must establish and implement an emergency action plan that includes having at least five school employees, team coaches, or licensed athletic providers trained in the use of an AED and in performing CPR.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS anticipates that the Senate Committee Substitute for Senate Bill No. 157 of 2012 will lead to an indeterminate increase in expenditures for local school districts. There are three reasons why the cost cannot be determined. First, it is unclear how many schools do not currently have an AED in the building, and second, it is unknown the number of schools that have fewer than five staff members who are trained in the use of an AED or in administering CPR. Third, the precise cost of an AED and training required under the bill are also unknown. The State currently has a contract with a vendor, under which a school district may purchase an AED for $829 per unit, and the associated training for $58 per trainee. However, this contract expires at the end of fiscal year 2011-2012, and the cost in subsequent years is not known. This State contract does not include training individuals in the administration of CPR. The American Red Cross offers such courses at a cost of $70 per person, which leads to a certification that is valid for two years.

Section: Education
Analyst: Allen T. Dupree
Lead Fiscal Analyst
Approved: David J. Rosen
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L. 1980, c.67 (C.52:13B-6 et seq.).
Governor Chris Christie Signs Lifesaving Janet's Law

Friday, September 21, 2012

New Law Makes Automated External Defibrillators (AED) and Cardiac Emergency Action Plans a Requirement in All New Jersey Schools

Trenton, NJ - Acting to safeguard the lives of New Jersey’s K-12 students, Governor Chris Christie today signed “Janet’s Law,” requiring all public and nonpublic schools to have automated external defibrillators (AED) on site. In addition, the new law (A-1608), calls for schools to establish emergency action plans to respond to sudden cardiac events, in order to be as prepared as possible to deal with life-threatening emergencies. The law is named in memory of Janet Zilinski, an 11-year-old resident from Warren who died of sudden cardiac arrest following cheerleading squad practice.

"By signing Janet’s Law, we hope to prevent other families from having to live through the shock and sorrow of unexpectedly losing a beloved child to an emergency cardiac situation,” said Governor Christie. “This law ensures that our schools will be prepared by having the appropriate equipment and that designated staff is properly trained to handle these sudden events before, during and after school. I am proud to sign this law in memory of Janet and I thank her parents, Karen and Jim Zilinski, for their commitment and action taken in their daughter’s name to help prevent other families from facing the same tragedy.”

As a result of Janet’s Law, all public and non-public schools, K-12, will have an automated external defibrillator on school property that is properly identified in an unlocked location beginning September 1, 2014. The defibrillator must be accessible during the school day as well as during school-sponsored athletic events or team practices and within reasonable proximity to the school athletic field or gymnasium.

A school’s emergency action plan must contain a list of at least five school employees, team coaches or athletic trainers who have certifications in cardio-pulmonary resuscitation and the use of a defibrillator from either the American Red Cross, American Heart Association, or other training program recognized by the New Jersey Department of Health. Further, the detailed response procedure must identify the appropriate school official responsible for responding to the person experiencing the sudden cardiac event, calling 911, starting cardio-pulmonary resuscitation, retrieving and using the defibrillator, and assisting emergency responders in getting to the individual experiencing the sudden cardiac event.

"Saving lives is the most important goal of Janet’s Law,” said Assembly Minority Leader Jon Bramnick. “All schools will now have a defibrillator available and an emergency plan in place which will help avoid the tragedy which the Lipinski family experienced. I appreciate the unanimous support this bill received in the Legislature and I thank Governor Christie for signing it into law.”

The State Board of Education, in consultation with the Commissioner of Health, will adopt rules and regulations as necessary to implement the provisions of the legislation.

Primary sponsors of the legislation include Assemblymembers Jon M. Bramnick (R-Morris, Somerset, Union); Craig J. Coughlin (D-Middlesex); Vincent Prieto (D-Bergen, Hudson); Patrick J. Diegnan, Jr. (D-Middlesex); Thomas P. Giblin (D-Essex, Passaic); and David P. Rible (R-Monmouth, Ocean).

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