

## Chapter 1023

H.B. No. 76

### AN ACT

relating to cardiac assessments of high school participants in extracurricular athletic activities sponsored or sanctioned by the University Interscholastic League.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 33, Education Code, is amended by adding Section 33.096 to read as follows:

Sec. 33.096. CARDIAC ASSESSMENTS OF HIGH SCHOOL PARTICIPANTS IN EXTRACURRICULAR ATHLETIC ACTIVITIES. (a) A school district must provide a district student, who is required under University Interscholastic League rule or policy to receive a physical examination before being allowed to participate in an athletic activity sponsored or sanctioned by the University Interscholastic League, the following:

(1) information about sudden cardiac arrest and electrocardiogram testing; and

(2) notification of the option of the student to request the administration of an electrocardiogram, in addition to the physical examination.

(b) A student may request an electrocardiogram from any health care professional, including a health care professional provided through the student's patient-centered medical home, as defined by Section 533.0029, Government Code, a health care professional provided through a school district program, or another

1 health care professional chosen by the parent or person standing in  
2 parental relation to the student, provided that the health care  
3 professional is:

- 4           (1) appropriately licensed in this state; and  
5           (2) authorized to administer and interpret  
6 electrocardiograms under the health care professional's scope of  
7 practice, as established by the health care professional's Texas  
8 licensing act.

9           (c) The University Interscholastic League shall adopt rules  
10 as necessary to administer this section.

11           (d) The rules adopted under Subsection (c) must include:

12           (1) criteria under which a school district may request  
13 an exemption from the requirements of Subsection (a);

14           (2) variances that allow for a delay of the  
15 implementation of the requirement to notify students of the option  
16 to request an electrocardiogram under this section;

17           (3) procedures to ensure students receiving the  
18 required annual physical examination are notified of the option to  
19 request an electrocardiogram; and

20           (4) provisions to ensure that the requirements under  
21 this section are minimum standards that provide a school district  
22 with the option to implement a program that exceeds the standards  
23 required by this section.

24           (e) This section does not create a cause of action or  
25 liability or a standard of care, obligation, or duty that provides a  
26 basis for a cause of action or liability against a health care  
27 professional described by Subsection (b), the University

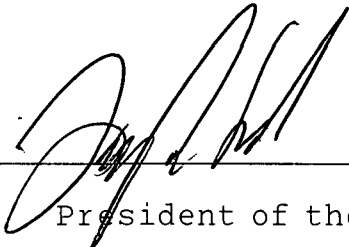
1 Interscholastic League, a school district, or a district officer or  
2 employee for:

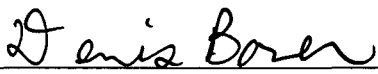
3 (1) the injury or death of a student participating in  
4 or practicing for an athletic activity sponsored or sanctioned by  
5 the University Interscholastic League based on or in connection  
6 with the administration or interpretation of or reliance on an  
7 electrocardiogram; or

8 (2) the content or distribution of the information  
9 required under Subsection (a) or the failure to distribute the  
10 required information under this section.

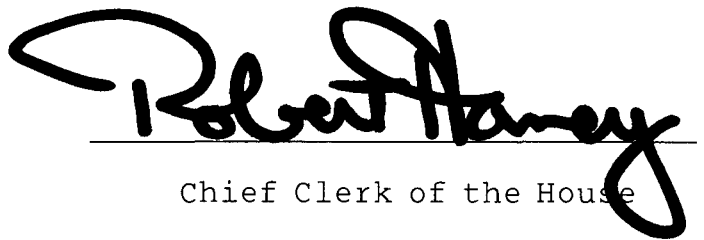
11 SECTION 2. This Act applies beginning with the 2019-2020  
12 school year.

13 SECTION 3. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2019.

  
\_\_\_\_\_  
President of the Senate

  
\_\_\_\_\_  
Speaker of the House

I certify that H.B. No. 76 was passed by the House on March 26, 2019, by the following vote: Yeas 145, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 76 on May 23, 2019, by the following vote: Yeas 139, Nays 0, 1 present, not voting.

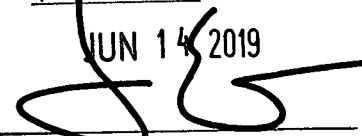
  
\_\_\_\_\_  
Chief Clerk of the House

I certify that H.B. No. 76 was passed by the Senate, with amendments, on May 20, 2019, by the following vote: Yeas 20, Nays 11.

  
\_\_\_\_\_  
Secretary of the Senate

APPROVED: 6-10-2019  
Date

  
\_\_\_\_\_  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
10:00 AM O'CLOCK  
JUN 14 2019  
  
\_\_\_\_\_  
Secretary of State