

110TH CONGRESS
1ST SESSION

H. R. 4926

To amend the Elementary and Secondary Education Act of 1965 to establish a grant program for automated external defibrillators in schools.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2007

Ms. SUTTON (for herself, Ms. BORDALLO, Mrs. CAPPS, Mr. YARMUTH, Mr. ARCURI, Mr. WALZ of Minnesota, Mr. KUHLMANN of New York, Mr. HASTINGS of Florida, Ms. MATSUI, Ms. CASTOR, Ms. SLAUGHTER, Mr. WELCH of Vermont, Mr. PICKERING, Mr. SARBANES, Mr. WILSON of Ohio, Mr. RYAN of Ohio, Mr. MICHAUD, Mr. COHEN, Mr. KILDEE, and Mrs. JONES of Ohio) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Elementary and Secondary Education Act of 1965 to establish a grant program for automated external defibrillators in schools.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Josh Miller Helping
5 Everyone Access Responsive Treatment in Schools Act of
6 2007” or the “Josh Miller HEARTS Act”.

1 **SEC. 2. GRANT PROGRAM FOR AUTOMATED EXTERNAL**
2 **DEFIBRILLATORS.**

3 Title IV of the Elementary and Secondary Education
4 Act of 1965 is amended by adding at the end the fol-
5 lowing:

6 **“PART D—AUTOMATED EXTERNAL**
7 **DEFIBRILLATORS**

8 **“SEC. 4401. GRANT PROGRAM.**

9 “(a) PROGRAM REQUIRED.—The Secretary shall
10 carry out a program under which the Secretary makes
11 grants to local educational agencies, to be used by the local
12 educational agencies for one or both of the following:

13 “(1) To purchase automated external
14 defibrillators for use in schools within the local edu-
15 cational agency.

16 “(2) To provide training to enable schools with-
17 in the local educational agency to meet the require-
18 ments of subsection (d)(1), but only if automated ex-
19 ternal defibrillators are to be used at such schools.

20 “(b) ELIGIBILITY.—

21 “(1) LOCAL EDUCATIONAL AGENCIES.—To be
22 eligible to receive a grant under this section, a local
23 educational agency shall submit an application to
24 the Secretary at such time, in such form, and con-
25 taining such information as the Secretary may re-
26 quire.

1 “(2) SCHOOLS.—To be eligible to receive an
2 automated external defibrillator through a grant
3 under this section, a school may be any public or
4 private school within the local educational agency,
5 except that an internet- or computer-based commu-
6 nity school is not eligible.

7 “(c) MATCHING FUNDS REQUIRED.—

8 “(1) IN GENERAL.—To be eligible to receive a
9 grant under this section, the local educational agen-
10 cy must provide at least \$1 from non-Federal
11 sources (whether public or private) for every \$3
12 from Federal sources.

13 “(2) WAIVER.—The Secretary shall waive the
14 requirement of paragraph (1) for a local educational
15 agency if the number of children counted under sec-
16 tion 1124(c)(1)(A) is 20 percent or more of the total
17 number of children aged 5 to 17, inclusive, in the
18 school district of the local educational agency.

19 “(d) TRAINING AND COORDINATION REQUIRED.—A
20 local educational agency may not receive a grant under
21 subsection (a)(1) unless the local educational agency dem-
22 onstrates that, for each school at which the automated ex-
23 ternal defibrillators are to be used—

24 “(1) there are at least 5 individuals at the
25 school who—

1 “(A) are employees or volunteers at the
2 school;

3 “(B) are at least 18 years of age; and

4 “(C) have successfully completed training,
5 with the expectation that the certification shall
6 be maintained, in the use of automated external
7 defibrillators and in cardiopulmonary resuscita-
8 tion, conducted by the American Heart Associa-
9 tion, the American Red Cross, or another na-
10 tionally recognized organization offering train-
11 ing programs of similar caliber;

12 “(2) local paramedics and other emergency
13 services personnel are notified where on school
14 grounds the automated external defibrillators are to
15 be located; and

16 “(3) the automated external defibrillator will be
17 integrated into the school’s medical emergency re-
18 sponse plan or procedures.

19 “(e) PRIORITY.—In making grants under this sec-
20 tion, the Secretary shall—

21 “(1) give priority to schools that do not already
22 have an automated external defibrillator;

23 “(2) give priority to schools at which a greater
24 number of students, staff, and visitors are present
25 on school grounds during a typical day; and

1 “(3) give priority to schools with respect to
2 which a greater average time is required for emer-
3 gency medical services (as defined in section 330J of
4 the Public Health Service Act (42 U.S.C. 254c-
5 15(f))) to reach the school.

6 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated to carry out this section
8 such sums as may be necessary for each of fiscal years
9 2008 through 2013.”.

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