

By: Huberty

H.B. No. 76

A BILL TO BE ENTITLED

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 require 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 to also have administered to the student an electrocardiogram or echocardiogram before being allowed to participate in the activity, including a practice for the activity, as follows:

(1) one time before the student's first year of participation at the ninth grade level or above; and

(2) if 11th grade is not the student's first year of participation, another time before the student's subsequent year of participation at the 11th grade level.

(b) This section does not create a cause of action or liability against an appropriately licensed or certified health

1 care professional, a school district, or a district officer or  
2 employee for the injury or death of a student participating in or  
3 practicing for an athletic activity sponsored or sanctioned by the  
4 University Interscholastic League based on or in connection with  
5 the administration or evaluation of or reliance on an  
6 electrocardiogram or on an echocardiogram.

7 (c) To facilitate the administration of electrocardiograms  
8 or echocardiograms to students, a school district may:

9 (1) at the district's expense, partner with a  
10 nonprofit entity to provide electrocardiograms or echocardiograms;  
11 or

12 (2) elect to pay for the costs of administering  
13 electrocardiograms or echocardiograms to students.

14 (d) The University Interscholastic League shall adopt rules  
15 as necessary to administer this section.

16 (e) The rules adopted under Subsection (d) must include:

17 (1) criteria under which a school district may  
18 demonstrate a hardship that allows the district to delay  
19 administering required electrocardiograms or echocardiograms to  
20 students under this section; and

21 (2) procedures that provide for granting a waiver from  
22 administration of an electrocardiogram or echocardiogram to a  
23 student if, for any reason, the parent or person standing in  
24 parental relation to the student submits a written request for the  
25 waiver.

26 SECTION 2. This Act applies beginning with the 2019-2020  
27 school year.

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