

# Legislative Analysis



## YOUTH ATHLETES AND SUDDEN CARDIAC ARREST

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**House Bill 4291 as introduced**  
**Sponsor: Rep. Felicia Brabec**  
**Committee: Health Policy**  
**Complete to 4-24-24**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 4291 would amend the Public Health Code to require the Department of Health and Human Services (DHHS) to adopt and make publicly available educational materials and a training program related to sudden cardiac arrest.

#### Educational materials and training program

Within 90 days after the bill takes effect, DHHS would have to do both of the following:

- Develop, adopt, or approve educational materials on the nature, risk, and symptoms of *sudden cardiac arrest*.
- Develop, adopt, or approve a sudden cardiac arrest awareness training program that is in an electronic format and includes all of the following:
  - The nature, risk, and symptoms of sudden cardiac arrest.
  - The criteria for the removal of a *youth athlete* from physical participation in an *athletic activity* due to a suspected sudden cardiac arrest or after *symptoms of sudden cardiac arrest*.
  - The criteria for that youth athlete's return to that athletic activity.
  - The risks to a youth athlete of not reporting a suspected sudden cardiac arrest or symptoms of sudden cardiac arrest and continuing to physically participate in the athletic activity.

*Sudden cardiac arrest* would mean a life-threatening condition that results when an individual's heart stops or fails to produce a pulse.

*Youth athlete* would mean an individual under 18 years of age who participates in an athletic activity, except for a 17-year-old enrolled solely in an *institution of higher education*.

*Athletic activity* would mean the following:

- A program or event where youth athletes participate (or practice to participate) in an organized athletic game or competition against another team, club, entity, or individual.
- Participation in physical education classes that are part of a school curriculum.

*Symptoms of sudden cardiac arrest* would include fainting, difficulty breathing, chest pains, dizziness, extreme fatigue, and an abnormal racing heart rate.

*Institution of higher education* would mean a degree- or certificate-granting public or private college or university, junior college, or community college.

DHHS would have to make the educational materials and training program available on its website and make the training program available to any interested individual, including school personnel, coaches, parents, students, and youth athletes, and to all individuals required to participate in the program described below.

#### Athletic activities

With exceptions described below, before an **organizing entity** sponsors or operates an athletic activity youth athletes will participate in, it would have to ensure that it is in compliance with the provisions described below.

**Organizing entity** would mean any nonprofit or for-profit entity, any public or private entity, a school, a state or local parks and recreation department or commission, or any other state or local entity.

An organizing entity would have to do all of the following before a youth athlete could participate in an athletic activity sponsored by the entity or operated under its auspices:

- Provide the educational materials on sudden cardiac arrest to each youth athlete who participates in the athletic activity and a parent or guardian of the youth athlete.
- Obtain a statement signed by each youth athlete and a parent or guardian of the youth athlete acknowledging receipt of the educational materials. (The organizing entity would have to keep the statement on file for the school year and make it available to DHHS upon request.)
- Comply with all the requirements of section 9158 (described in this summary under the heading “Athletic activities”) with regard to its coaches, employees, volunteers, and other adults who are involved with the participation of youth athletes in athletic activity sponsored by or operated under the auspices of that organizing entity and who are required to participate in the sudden cardiac arrest awareness training program developed under section 9157.

A coach or other adult employed by, volunteering for, or otherwise acting on behalf of an organizing entity during an athletic event sponsored by the entity or operated under its auspices would have to immediately remove a youth athlete who is suspected of having a sudden cardiac arrest or is exhibiting symptoms of sudden cardiac arrest during an athletic activity from physical participation in the athletic activity.

A youth athlete removed from an athletic activity as described above could not physically participate again until they have been evaluated by an **appropriate health professional** and have received written clearance from that health professional authorizing their return to physical participation in the athletic activity.

**Appropriate health professional** would mean an individual who either specializes in pediatrics as a physician licensed under the Public Health Code or is licensed or otherwise authorized to engage in a health profession under the code whose scope of practice includes the recognition, treatment, and management of sudden cardiac arrest.

An organizing entity would have to maintain a written clearance described above in a permanent file for the duration of that youth athlete’s participation in athletic activity sponsored by that entity or operated under its auspices or until the youth athlete is 18 years of age,

whichever is earlier. The entity would have to make the written clearance available to DHHS upon request.

### Exceptions

The provisions described above under “Athletic activities” would not apply to an athletic activity sponsored by an organizing entity or operated under its auspices if both of the following apply:

- The entity is a member of a private, nonprofit, multisport, statewide interscholastic athletic association.
- The athletic activity is governed by a rule established by that association that does all of the following:
  - Establishes sudden cardiac arrest protocols that are substantially similar to or more stringent than those in the DHHS training program described above.
  - Establishes sudden cardiac arrest protocols that are substantially similar to or more stringent than those described above governing a youth athlete’s removal from, and return to, physical participation in an athletic activity.
  - Includes an enforcement mechanism applicable to its members.

The provisions described above under “Athletic activities” also would not apply if participation in an organized athletic game or competition is not the primary focus of the program or event sponsored by an entity or operated under its auspices but is only incidental to the program’s or event’s primary focus.

Proposed MCL 333.9157 and 333.9158

### **FISCAL IMPACT:**

House Bill 4291 would increase state expenditures to the Department of Health and Human Services by an indeterminate amount and have no fiscal impact on local units of government. The fiscal impact of the bill is dependent on the administrative cost of developing, adopting, and distributing educational materials along with an online training program on sudden cardiac arrest.

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