To establish a grant program for automated external defibrillators in elementary and secondary schools.

IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2011

Ms. SUTTON (for herself, Mr. TURNER, Mr. MEeks, Ms. LEE of California, Mr. HINCHey, Mr. ISRAEL, Mr. PAYne, Mr. JACKSON of Illinois, Mr. YARMUYTH, Mr. COURTNEY, Ms. RICHARDSON, Mr. RYAN of Ohio, Mrs. MALONEY, Ms. DELAuro, Mr. LOEBSACK, Ms. FUDGE, Mr. CUMMINGS, Ms. NORTON, Mr. JOHNSON of Georgia, Mr. MCGOVERN, Mr. VAN HOLLEN, Mr. SABLAn, Mr. GRIJALVA, Ms. WILSON of Florida, Ms. SCHAKOWSKY, Mr. TONKO, Mr. WALZ of Minnesota, Ms. KAPTUR, Mr. CHANDLER, Mrs. LOWEY, Mr. MICHAUD, Mr. KILDEE, MS. DEGETTE, and Mr. COHEN) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish a grant program for automated external defibrillators in elementary and secondary schools.

Be it enacted by the Senate and House of Representa-

tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the “Josh Miller Helping Everyone Access Responsive Treatment in Schools Act of 2011” or the “Josh Miller HEARTS Act”.

SEC. 2. GRANT PROGRAM FOR AUTOMATED EXTERNAL DEFIBRILLATORS.

(a) Program Required.—The Secretary of Education shall carry out a program under which the Secretary makes grants to local educational agencies, to be used by the local educational agencies for one or both of the following:

(1) To purchase automated external defibrillators for use in elementary and secondary schools served by the local educational agency.

(2) To provide training to enable elementary and secondary schools served by the local educational agency to meet the requirements of subsection (d)(1), but only if automated external defibrillators are already in use at such schools or are acquired through this program.

(b) Eligibility.—

(1) Local Educational Agencies.—To be eligible to receive a grant under this section, a local educational agency shall submit an application to the Secretary at such time, in such form, and con-
taining such information as the Secretary may re-
quire.

(2) **ELEMENTARY AND SECONDARY SCHOOLS.**—
To be eligible to receive an automated external
defibrillator through a grant under this section, a
school may be any public or private school served by
the local educational agency, except that an
Internet- or computer-based community school is not
eligible.

(c) **MATCHING FUNDS REQUIRED.**—

(1) **IN GENERAL.**—To be eligible to receive a
grant under this section, the local educational agen-
cy must provide matching funds from non-Federal
sources equal to not less than 25 percent of the
amount of the grant.

(2) **WAIVER.**—The Secretary shall waive the re-
quirement of paragraph (1) for a local educational
agency if the number of children counted under sec-
tion 1124(c)(1)(A) of the Elementary and Secondary
Education Act of 1965 (20 U.S.C. 6333(c)(1)(A)) is
20 percent or more of the total number of children
aged 5 to 17, inclusive, served by the local edu-
cational agency.

(d) **TRAINING AND COORDINATION REQUIRED.**—A
local educational agency that receives a grant under this
section shall demonstrate that, for each elementary and secondary school at which the automated external defibrillators are to be used—

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

(A) are employees or volunteers at the school;

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

(C) have successfully completed training, with the expectation that the certification shall be maintained, in the use of automated external defibrillators and in cardiopulmonary resuscitation, conducted by the American Heart Association, the American Red Cross, the National Safety Council, or another nationally recognized organization offering training programs of similar caliber;

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

(3) the automated external defibrillator will be integrated into the school’s emergency response plan or procedures.
(c) PRIORITY.—In making grants under this section, the Secretary shall give priority to schools—

(1) that do not already have an automated external defibrillator on school grounds;

(2) at which a significant number of students, staff, and visitors are present on school grounds during a typical day;

(3) with respect to which the average time required for emergency medical services (as defined in section 330J of the Public Health Service Act (42 U.S.C. 254c-15(f))) to reach the school is greater than the average time for emergency medical services to reach other public facilities in the community; and

(4) that have not received funds under the Rural Access to Emergency Devices Act (42 U.S.C. 254c note).

(f) ESEA DEFINITIONS.—The terms used in this section shall have the meanings given to such terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section
such sums as may be necessary for each of fiscal years 2012 through 2017.