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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 2012

Mr. BROWN of Ohio (for himself, Mr. BEGICH, Mr. SANDERS, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

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

Be it enacted by the Senate and House of Representatives 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 2012” 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 Sec-
retary 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 defibrilla-
tors for use in elementary schools and secondary
schools served by the local educational agency.

(2) To provide training to enable elementary
schools and secondary schools served by the local
educational agency to meet the requirements of sub-
section (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 el-
ligible 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 agency shall 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 requirement of paragraph (1) for a local educational agency if the number of children counted under section 1124(c)(1)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6333(c)(1)(A)) for the local educational agency is 20 percent or more of the total number of children aged 5 to 17, inclusive, served by the local educational 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 not less than 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 resuscita-
tion, conducted by the American Heart Associa-
tion, the American Red Cross, the National
Safety Council, or another nationally recognized
organization offering training programs of simi-
lar caliber;

(2) local paramedics and other emergency serv-
ices personnel are notified where on school grounds
the automated external defibrillators are to be lo-
cated; and

(3) the automated external defibrillators will be
integrated into the school’s emergency response plan
or procedures.

(e) PRIORITY.—In making grants under this section,
the Secretary shall give priority to schools—

(1) that do not already have an automated ex-
ternal 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(f) of the Public Health Service Act (42 U.S.C. 254e–15(f))) to reach the school is greater than the average time required 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. 254e 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 the fiscal years 2013 through 2018.