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BILL ANALYSIS

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Senate Bill 205 (as passed by the Senate)  
Sponsor: Senator Bev Hammerstrom  
Committee: Health Policy

Date Completed: 5-16-05

### **RATIONALE**

According to the American Red Cross, about 11 million injuries put American youths in the hospital every year. Of these injuries, it is reported that 2.6 million, including an estimated 91,000 in Michigan, are sport-related. In the interest of preventing and responding to injuries and accidents, the Red Cross provides training to the public in cardiopulmonary resuscitation (CPR), first aid, and sport safety, among other subjects. Because of the number of sport-related injuries and the success of the Red Cross training programs, some people believe that public school athletic coaches should obtain training in sport safety.

### **CONTENT**

The bill would amend the Revised School Code to provide that, by July 1, 2007, the board of a school district or public school academy would have to require each person it employed or assigned as an interscholastic athletic coach to hold valid certification in sport safety training. The bill would take effect July 1, 2005.

A person could obtain certification by successfully completing a sport safety training course approved by the State Board of Education. The course would have to include instruction in at least cardiopulmonary resuscitation, emergency procedures, first aid, and injury prevention.

Certification would not be required if a person demonstrated that he or she had a physical limitation that made it impracticable for him or her to complete the course and obtain the certification. The certification requirement also would not apply to a

licensed physician, physician's assistant, nurse, or emergency medical services worker.

If a person with valid sport safety certification, in the course of his or her employment or service as an interscholastic athletic coach, provided physical aid within the scope of the sport safety training to another person in an emergency, the coach would not be liable in a civil suit for damages resulting from an act or omission occurring in the provision of that aid, except for an act or omission constituting gross negligence or willful and wanton misconduct.

The bill states that it would not create a duty to act on the part of a person who held sport safety certification.

Proposed MCL 380.1523

### **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

#### **Supporting Argument**

Although many athletic events may be occurring simultaneously at a school, there might be only one athletic trainer available to respond to injuries. Coaches who are knowledgeable about sport safety are more likely to prevent, prepare for, and respond effectively to sport-related injuries. It is reasonable to expect, therefore, that every interscholastic athletic team have on staff a coach trained in current safety methods. While the bill would not require the State Board of Education to choose a specific

course, the Red Cross and the U.S. Olympic Committee have co-developed a sport safety training course to address this need. The six-and-one-half-hour class is designed to educate coaches about safety techniques, raise awareness of safety issues, and provide an atmosphere in which athletes can train and compete with the confidence that their coach has taken a sport safety course. The course includes training in first aid care and CPR. Reportedly, many other states mandate training in CPR and/or first aid for coaches.

The bill would be consistent with recent efforts to ensure that all teachers receive safety training. Under Public Act 18 of 2003, beginning July 1, 2004, a person may not obtain an initial teaching certificate unless he or she has successfully completed a course approved by the Department of Education in first aid and CPR, as well as Department-approved instruction in foreign body airway obstruction management.

**Response:** Under Public Act 18, the certification in those topics must be issued by the American Red Cross, the American Heart Association, or a comparable organization or institution approved by the Department. This bill should include similar language.

### **Opposing Argument**

Schools have enough difficulty recruiting teachers, let alone teacher-coaches. The bill would affect new hires, and could restrict the number of eligible candidates for coaching positions. Also, the requirement would be too expensive for some districts.

**Response:** The sport safety training course requires a minimal investment in time but provides a great return in peace of mind. The additional certification requirement would be minor enough that new teacher-coaches would not be deterred from accepting a job with a public school or public school academy. Furthermore, if a school found that it could not afford the \$50-\$75 per coach that it reportedly costs for sport safety training through the Red Cross, the school could create its own program with trained instructors, subject to State Board approval.

### **Opposing Argument**

Certification in sport safety training would not guarantee that a coach would respond appropriately in a crisis, especially if the coach were not comfortable providing such

care. New coaches who would be required to take the training, but did not want to perform the necessary procedures, likely would not renew their certification. Further, the bill could lead parents to assume mistakenly that coaches in a sport were qualified to administer certain care. A better approach would be for school administrators to find volunteers among the staff who were motivated and willing to become certified, and have at least one such person at each athletic event.

**Response:** Coaches who felt incapable of performing a procedure would not have to do so. The bill states that it would not create a duty to act.

Legislative Analyst: Julie Koval

### **FISCAL IMPACT**

The bill would have no fiscal impact on the State. There would be an indeterminate cost for obtaining the required certification. Many or most Red Cross organizations offer this training at a fee of \$50 to \$75 per person. The fee that is charged by other private, State-approved providers is unknown. This cost would have to be paid by either the school district or the coach.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.