

1 AN ACT
2 RELATING TO PUBLIC SCHOOLS; REQUIRING SCHOOLS TO DEVELOP
3 CARDIAC EMERGENCY RESPONSE PLANS; REQUIRING EVERY SCHOOL TO
4 INSTALL AN AUTOMATED EXTERNAL DEFIBRILLATOR.
5

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

7 SECTION 1. Section 22-33-1 NMSA 1978 (being Laws 2014,
8 Chapter 50, Section 1) is amended to read:

9 "22-33-1. SHORT TITLE.--Chapter 22, Article 33 NMSA
10 1978 may be cited as the "Emergency Medication in Schools
11 Act".

12 SECTION 2. Section 22-33-2 NMSA 1978 (being Laws 2014,
13 Chapter 50, Section 2) is amended to read:

14 "22-33-2. DEFINITIONS.--As used in the Emergency
15 Medication in Schools Act:

16 A. "albuterol" includes albuterol or another
17 inhaled bronchodilator, as recommended by the department of
18 health, for the treatment of respiratory distress;

19 B. "albuterol aerosol canister" means a portable
20 drug delivery device packaged with multiple premeasured doses
21 of albuterol;

22 C. "anaphylaxis" or "anaphylactic reaction" means
23 a sudden, severe and potentially life-threatening whole-body
24 allergic reaction;

25 D. "automated external defibrillator" means a

1 medical device heart monitor and defibrillator that:

2 (1) has received approval of its premarket
3 modification filed pursuant to 21 U.S.C. 360(k), from the
4 United States food and drug administration;

5 (2) is capable of recognizing cardiac arrest
6 that will respond to defibrillation, ventricular fibrillation
7 or rapid ventricular tachycardia and is capable of
8 determining whether defibrillation should be performed; and

9 (3) upon determining that defibrillation
10 should be performed, automatically charges and is capable of
11 delivering an electrical impulse to an individual's heart;

12 E. "emergency medication" means albuterol or
13 epinephrine;

14 F. "epinephrine" includes epinephrine or another
15 medication, as recommended by the department of health, used
16 to treat anaphylaxis until the immediate arrival of emergency
17 medical system responders;

18 G. "epinephrine auto-injector" means a portable,
19 disposable drug delivery device that contains a premeasured
20 single dose of epinephrine;

21 H. "governing body" includes a governing body of a
22 private school;

23 I. "health care practitioner" means a person
24 authorized by the state to prescribe emergency medication;

25 J. "respiratory distress" includes impaired

1 oxygenation of the blood or impaired ventilation of the
2 respiratory system;

3 K. "school" means a public school, charter school
4 or private school;

5 L. "spacer" means a holding chamber that is used
6 to optimize the delivery of albuterol to a person's lungs;

7 M. "stock supply" means an appropriate quantity of
8 emergency medication, as recommended by the department of
9 health; and

10 N. "trained personnel" means a school employee,
11 agent or volunteer who has completed epinephrine
12 administration training documented by the school nurse,
13 school principal or school leader and approved by the
14 department of health and who has been designated by the
15 school principal or school leader to administer epinephrine
16 on a voluntary basis outside of the scope of employment."

17 SECTION 3. A new section of the Emergency Medication in
18 Schools Act is enacted to read:

19 "CARDIAC EMERGENCY RESPONSE PLAN--AUTOMATED EXTERNAL
20 DEFIBRILLATOR.--

21 A. Each school shall develop and implement a
22 cardiac emergency response plan that addresses the
23 appropriate use of school personnel who are to respond to
24 incidents involving a person experiencing a sudden cardiac
25 arrest or a similar life-threatening emergency while on

1 school grounds. Each cardiac emergency response plan shall:

2 (1) be developed and implemented using core
3 elements that are nationally recognized and evidence-based;

4 (2) identify specific school personnel who
5 will take action when a person experiences a sudden cardiac
6 arrest or a similar life-threatening emergency;

7 (3) establish protocols for school personnel
8 identified by the cardiac emergency response plan to follow
9 when a person experiences a sudden cardiac arrest or a
10 similar life-threatening emergency;

11 (4) determine an appropriate location for an
12 automated external defibrillator to be installed;

13 (5) provide for routine maintenance of the
14 automated external defibrillator; and

15 (6) be updated when necessary to be
16 consistent with evidence-based guidelines.

17 B. Every school in the state shall install an
18 automated external defibrillator. Installed automated
19 external defibrillators shall be maintained and tested
20 according to the manufacturer's operational guidelines.

21 C. No later than January 1, 2026, the department
22 shall adopt and promulgate rules for the training of school
23 employees on the use of automated external defibrillators in
24 a manner consistent with standards adopted by the American
25 heart association.

1 D. The requirements of Subsections A and B of this
2 section shall be fulfilled by all:

3 (1) public non-charter high schools no later
4 than the 2026-2027 school year; and

5 (2) elementary schools, middle schools,
6 charter schools and private schools no later than the 2027-
7 2028 school year."

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