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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
57th Legislature, 1st Session, 2025

Bill Number	<u>HB54/HECS/aSEC</u>	Sponsor	<u>HEC</u>
Tracking Number	<u>.230039.4</u>	Committee Referrals	<u>HHHC/HEC</u>
Short Title	<u>Defibrillators in Every High School</u>		
Analyst	<u>Hicks</u>	Original Date	<u>2/28/2025</u>
		Last Updated	<u>3/12/2025</u>

BILL SUMMARY

Synopsis of SEC Amendment

The Senate Education Committee Amendment to the House Education Committee Substitute for House Bill 54 (HB54/HECS/aSEC) amends language to apply required automated external defibrillator (AED) installation and associated training to all schools rather than only high schools. Under the amendment, the Public Education Department (PED) would also be required to adopt rules for AED training for kindergarten through 12th grade (K-12) school employees regardless of grade level.

The requirement of HB54/HECS/aSEC for schools to adopt cardiac emergency response plans would also be delayed by one year. For non-charter high schools, the requirement would apply no later than the 2026-2027 school year (SY27), while elementary schools, middle schools, charter schools, and private schools would need to comply no later than SY28.

Finally, HB54/HECS/aSEC also revises the first component of mandated content for the cardiac emergency response plan, now directing plans to be developed and implemented using core elements that are nationally recognized and evidence-based.

Synopsis of Original Bill

The House Education Committee Substitute for House Bill 54 (HB54/HECS) would add the definition of “automated external defibrillator” (AED) to the Emergency Medication in Schools Act and would require every high school in New Mexico to install an AED on school premises by the beginning of the 2026-2027 school year (SY27).

HB54/HECS also mandates schools adopt cardiac emergency response plans, with the requirement applying to public non-charter high schools in SY26 before then extending to all elementary schools, middle schools, charter schools, and private schools in SY27. The plans must meet the following criteria:

1. Be developed and implemented using evidence-based guidelines;

2. Identify specific school personnel to respond when sudden cardiac arrest or a similar emergency occurs;
3. Establish protocols for school personnel to follow when responding to incidents;
4. Determine appropriate AED location;
5. Provide for routine AED maintenance; and
6. Be updated when necessary to align with evidence-based guidelines.

The bill directs the Public Education Department (PED) to promulgate rules for school employee training in AED use but does not set a requirement for the frequency of this training.

FISCAL IMPACT

HB54/HECS/aSEC does not contain an appropriation.

This bill would have a moderate fiscal impact on school districts and charter schools to purchase and maintain AEDs, as well as train staff to use these. A staff review of AED models for sale indicates the cost of a single new AED unit can range from \$1,200 to nearly \$4,000. With approximately 230 high schools operating in New Mexico, the total cost for the state, assuming the low end of AED costs at \$1,200, could be at least \$276 thousand. This fiscal impact could shift based on actual AED costs and does not take into account if a school already has an AED, which could lower the fiscal impact.

Additionally, AEDs require maintenance, including replacing batteries and electrical shock pads. Battery prices can range anywhere from \$100 to \$300, while pads cost \$40 to \$100 and should be replaced after each use or upon expiration. HB54/HECS/aSEC does not include funding to support these recurring costs.

SUBSTANTIVE ISSUES

Existing AED requirements. New Mexico law does not require schools to have AEDs onsite. Section 22-13-31.2 NMSA 1978 and administrative code (NMAC 6.63.8.8) requires all school personnel who serve as athletic coaches in grades seven through 12 to maintain valid certification in both AED use and cardiopulmonary resuscitation. Additionally, as specified in [Section 22-13-1 NMSA 1978](#) and [Section 22-13-1.1 NMSA 1978](#), health education courses in grades nine through 12 must include “lifesaving skills training” which includes recognizing the signs of heart attack, using an AED, and performing the Heimlich maneuver.

Federal Law. In December 2024, President Biden signed [H.R.6829 \(HEARTS Act of 2024\)](#) into law. This law directs the United States Department of Health and Human Services to disseminate information on cardiomyopathy and AED use to state education agencies for further dissemination to local school employees and families. State education agencies are encouraged to create public websites to house this information. The HEARTS Act also authorizes the creation of a federal grant program to support local educational agencies, including public charter schools, in purchasing AEDs and developing training programs for staff and students.

According to the [American Heart Association](#), an organization focused on promoting cardiovascular health, anywhere from 7,000 to 23 thousand cardiac arrests each year occur in children. About 39 percent of these youth cardiac arrests are sports related.

ADMINISTRATIVE IMPLICATIONS

Under HB54/HECS/aSEC, PED would be required to promulgate rules governing AED training for school employees.

Schools would need to dedicate staff time and other district resources to develop and implement the required cardiac emergency response plan.

OTHER SIGNIFICANT ISSUES

State and National Context. In March 2024, Albuquerque Public Schools [announced](#) the removal of AEDs in district schools. APS indicated the existing AEDs were too old to function properly. The district also noted a lack of funding to replace the removed AED units.

Under New Mexico’s Cardiac Arrest Response Act (Section 24-10C NMSA 1978), any person who acquires an AED must ensure a “trained targeted responder” is designated to oversee all aspects of the AED program, such as training, emergency services coordination, protocol approval, and AED deployment strategies. Should HB54/HECS/aSEC become law, schools in New Mexico would also be required to comply with the terms of the Cardiac Arrest Response Act.

In 2024, Ohio Governor Mike DeWine signed [House Bill 47](#) into law, requiring the placement of AEDs in every public and chartered nonpublic school in the state. The legislation also directs schools to develop AED emergency action plans and practice implementation of these plans on a quarterly basis. Ohio is one of the latest states to adopt laws governing AEDs and related response plans on school grounds. [News reports](#) note more than 20 states currently have laws providing guidance for or mandating AEDs and response plans in schools.

SOURCES OF INFORMATION

- LESC Files
- LFC Files
- Department of Health (DOH)
- Board of Nursing (BON)
- New Mexico Medical Board (NMMB)
- New Mexico Public Schools Insurance Authority (NMPSIA)
- Public Education Department (PED)

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