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

Bill Number	<u>HB54</u>	Sponsor	<u>Herndon/Gurrola</u>
Tracking Number	<u>.229091.1</u>	Committee Referrals	<u>HHHC/HEC</u>
Short Title	<u>Defibrillators in Every High School</u>		
Analyst	<u>Hicks</u>	Original Date	<u>1/24/2025</u>
		Last Updated	<u>1/27/2025</u>

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

BILL SUMMARY

Synopsis of Bill

House Bill 54 (HB54) 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 January 1, 2026. The bill directs the Public Education Department (PED) to promulgate rules for school employee training in AED use and requires school districts to provide AED training to all high school employees on an annual basis.

FISCAL IMPACT

HB54 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 high 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 does not include funding to support these recurring costs.

According to the Department of Health (DOH) analysis of HB54, it is estimated there are around 3,300 high school teachers in New Mexico, and training costs for cardiopulmonary resuscitation (CPR) and AED use is a minimum of \$50 per person, bringing training costs for the first year to \$165 thousand. DOH notes this cost estimate does not account for high schools that may already

have AEDs and trained staff. Given school employees aside from teachers would also need to be trained, these training costs would likely be higher.

SUBSTANTIVE ISSUES

Existing AED requirements. New Mexico law does not require schools to have AEDs onsite. Neither state law nor administrative rule mandates AED training for all school personnel. However, Section 22-13-31.2 NMSA 1978 and administrative code (NMAC 6.63.8.8) does require all school personnel who serve as athletic coaches in grades seven through 12 to maintain valid certification in both AED use and cardiopulmonary resuscitation. HB54 would make such training a requirement for all high school employees. 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, the Public Education Department would be required to promulgate rules governing AED training for all high school employees.

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 become law, high schools in New Mexico would also be required to comply with the terms of the Cardiac Arrest Response Act.

According PED, neither the language of HB54 nor [Section 24-10C-7 NMSA 1978](#) extend limited liability protection to schools or school staff, although that section does extend such protections to trained targeted responders, defined as a person trained in the use of an AED under emergency cardiac care guidelines. If PED, in the promulgation of rules for this mandated AED training, required that training to include emergency cardiac care guidelines, it seems that trained school

personnel would be covered by the limited liability protections of Section 2410C-7 NMSA 1978 and 7.27.8.11 NMAC.

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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