

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1458

By: Representatives Cavanaugh, M. Berry, L. Johnson, Vaught

By: Senator D. Sullivan

For An Act To Be Entitled

AN ACT TO CREATE THE VINCENT PARKS LAW; TO REQUIRE INSTRUCTORS COMPLETE TRAINING ON THE RECOGNITION AND MANAGEMENT OF CERTAIN HEALTH CONDITIONS; TO SET CERTAIN PROCEDURES IF A CADET OR OFFICER RECEIVING TRAINING HAS SYMPTOMS OF A SUDDEN CARDIAC ARREST; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE VINCENT PARKS LAW; TO REQUIRE INSTRUCTORS COMPLETE TRAINING ON THE RECOGNITION AND MANAGEMENT OF CERTAIN HEALTH CONDITIONS; AND TO DECLARE AN EMERGENCY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 20, Chapter 13, Subchapter 1, is amended to add an additional section to read as follows:

20-13-107. Vincent Parks Law – Training to recognize and manage certain health conditions – Removal from physical activity during training.

(a) This section shall be known and may be cited as the "Vincent Parks Law".

(b) As used in this section:

(1) "Cadet" means a law enforcement cadet, a firefighter cadet or trainee, or a trainee to be an uniformed employee for the Arkansas State Game and Fish Commission;



(2) "Instructor" means a physical fitness instructor for the purpose of physical fitness, including a law enforcement instructor, firefighter instructor, or an instructor for the Arkansas State Game and Fish Commission at any location; and

(3) "Officer" means a law enforcement officer, firefighter, or uniformed employee for the Arkansas State Game and Fish Commission.

(c) An instructor shall complete training and receive a certification on the recognition and management of the following events or conditions that may be encountered by a person:

(1) A concussion, dehydration, or other health emergency;

(2) An environmental issue that threatens the health or safety of a person, including without limitation heat exhaustion; and

(3) A sudden cardiac arrest, including the nature and warning signs of a sudden cardiac arrest and the risks associated with continuing to participate or engage in physical activity when experiencing any of the following symptoms:

(A) Fainting or seizures during physical activity;

(B) Unexplained shortness of breath;

(C) Chest pain;

(D) Dizziness;

(E) Racing heart beat; or

(F) Extreme fatigue.

(d) An instructor shall maintain certification under subsection (c) of this section.

(e)(1) If a cadet or officer receiving training from an instructor faints or loses consciousness while participating in or immediately following a physical activity, the instructor shall remove the cadet or officer from participation in the physical activity at that time.

(2) If a cadet or officer exhibits any symptom described in subdivision (c)(3) of this section while participating in or immediately following a physical activity and an instructor reasonably believes that the symptom is cardiac-related, the instructor may remove the cadet or officer from participation in the physical activity at that time.

(3) A cadet or officer who is removed from participation in a physical activity shall not be permitted to return to participation in a physical activity until the cadet or officer is evaluated and cleared for

return to participation in writing by a physician licensed in this state.

(4) An instructor acting in good faith under this subsection is not liable for any act or omission unless the act or omission is intentional, reckless, or grossly negligent.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that instructors do not currently have training or certification regarding concussions, dehydration, environmental issues that threaten the health or safety of a person, or sudden cardiac arrests; that in the past year, a cadet died due to this lack of education on health conditions; that without immediate action, cadets or officers who are required to receive training will be in danger of having instructors without education or training on these serious conditions; and that this act is immediately necessary to protect the health and safety of cadets and officers who are required to receive training from these instructors. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.