

117TH CONGRESS
2D SESSION

H. R. 9698

To amend the Higher Education Act of 1965 to require institutions of higher education to create a venue-specific heat emergency action plan.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 27, 2022

Mr. MFUME introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Higher Education Act of 1965 to require institutions of higher education to create a venue-specific heat emergency action plan.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Jordan McNair Stu-
5 dent-Athlete Heat Fatality Prevention Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Heat-related illnesses are serious medical
9 conditions that result from the body’s inability to
10 cool itself down in extremely hot environments.

1 Heat-related illnesses include heatstroke, heat ex-
2 haustion, heat cramps, heat syncope, heat rash, and
3 muscle breakdown. When experiencing heat illness,
4 patients may exhibit an array of symptoms, includ-
5 ing confusion, slurred speech, unconsciousness, sei-
6 zures, fatigue, elevated body temperature, fainting,
7 dizziness, or muscle pain.

8 (2) The Centers for Disease Control and Pre-
9 vention reported over 700 heat-related deaths in the
10 United States from 2004 to 2018. Heat is the lead-
11 ing climate-related cause of deaths, and rising tem-
12 peratures pose a serious risk to student-athletes par-
13 ticipating in outdoor sports.

14 (3) Jordan McNair, a highly accomplished high
15 school football player from Maryland, received schol-
16 arship offers from many competitive university foot-
17 ball programs. He chose to continue his athletic and
18 academic career at the University of Maryland.

19 (4) On May 29, 2018, Jordan McNair collapsed
20 during a workout on the University of Maryland's
21 football field in the 81 degrees Fahrenheit heat.
22 McNair was suffering from heatstroke and was un-
23 able to remain in an upright position without assist-
24 ance from his teammates and athletic trainers.

1 (5) Despite being a student-athlete at a well-
2 funded Division I university, Jordan McNair re-
3 ceived inadequate heat-related illness treatment once
4 he was escorted off the field and into the training
5 room. Because athletic trainers were unable to re-
6 verse McNair's core body temperature, the illness es-
7 calated to a seizure and respiratory distress.

8 (6) Most medical professionals advise patients
9 to receive treatment within 30 minutes of initial heat
10 illness symptoms. Over 90 minutes passed from the
11 time McNair displayed initial symptoms of heat-
12 stroke to the time he finally received adequate care
13 from the nearest hospital.

14 (7) By the time Jordan McNair arrived at the
15 hospital, his core body temperature had reached a
16 life-threatening temperature of 106 degrees Fahr-
17 enheit.

18 (8) On June 13, 2018, two weeks after col-
19 lapsing on the football field at practice, Jordan
20 McNair died from symptoms of heatstroke.

21 (9) Two extensive external investigations of the
22 University of Maryland's football program concluded
23 that the program's athletic training staff failed to
24 promptly intervene, diagnose, and treat Jordan
25 McNair's heatstroke symptoms.

1 (10) According to an independent medical re-
2 port, University staff failed to assess Jordan
3 McNair’s vitals, recognize and monitor heat-related
4 illness symptoms, provide adequate cooling devices
5 and respiratory aids, and generate an emergency
6 plan to coordinate with emergency responders.

7 (11) The McNair family is devoted to honoring
8 Jordan’s legacy and founded the Jordan McNair
9 Foundation, which provides an educational tool to
10 help coaches, student-athletes, and parents identify
11 symptoms of heatstroke and heat-related illnesses.

12 (12) Heat-related illnesses and fatalities are
13 preventable if caught early. Medical staff, coaches,
14 and athletes must be knowledgeable of the warning
15 signs for heat-related illness in order to protect stu-
16 dent-athletes from injury, and even death.

17 **SEC. 3. VENUE-SPECIFIC HEAT EMERGENCY ACTION PLAN**
18 **REQUIREMENT.**

19 Section 485 of the Higher Education Act of 1965 (20
20 U.S.C. 1092) is amended by inserting at the end the fol-
21 lowing new subsection:

22 “(n) VENUE-SPECIFIC HEAT EMERGENCY ACTION
23 PLAN REQUIREMENT.—

24 “(1) IN GENERAL.—Each institution of higher
25 education that is participating in any program under

1 this title and that is a member of an athletic asso-
2 ciation or athletic conference, shall, beginning not
3 later than 1 year after the date of the enactment of
4 this subsection, develop and implement a venue-spe-
5 cific heat emergency action plan for the operation
6 and use of automatic external defibrillators and cold
7 water immersion equipment.

8 “(2) REQUIREMENTS.—A venue-specific heat
9 emergency action plan developed and implemented
10 under paragraph (1), with respect to an institution
11 of higher education, shall—

12 “(A) include a symptom identification
13 structure and a plan for staff and emergency
14 responders to coordinate care for student-ath-
15 letes;

16 “(B) be posted and visible in each—

17 “(i) locker room;

18 “(ii) athletic training facility;

19 “(iii) weight room; and

20 “(iv) outdoor sports complex and sta-
21 dium;

22 “(C) be made available on the school’s ath-
23 letic program website or public website of the
24 institution of higher education at the beginning
25 of each academic year;

1 “(D) be distributed to medical staff and
2 coaching staff; and

3 “(E) be rehearsed in-person every year by
4 medical staff, coaching staff, and student-ath-
5 letes before the start of in-person training.

6 “(3) ANNUAL REPORT.—An institution of high-
7 er education that is subject to the requirements of
8 paragraph (1) during a 12-month period (or during
9 a portion of such period) ending August 31 of a year
10 shall submit to the Secretary and authorizing com-
11 mittees a report to demonstrate compliance during
12 such period by not later than July 1 of the following
13 year.”.

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