

HB 1038 -- AUTOMATED EXTERNAL DEFIBRILLATORS

SPONSOR: Shaul (113)

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Crime Prevention and Public Safety by a vote of 6 to 0. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 9 to 0.

This bill modifies the Public Access to Automated External Defibrillator Act.

The bill states that a person or entity that acquires an automated external defibrillator (AED) shall:

- (1) Comply with regulations regarding the placement of the AED;
- (2) Notify an agent of the local EMS agency of the AED and the AED's location;
- (3) Ensure that the AED is maintained and tested according to the guidelines set forth by the manufacturer;
- (4) Ensure that the AED is tested at least biannually and after each use; and
- (5) Ensure that an inspection is made of all AEDs at least every 90 days.

The bill removes provisions that AED users receive training from the American Red Cross or American Heart Association, that any person who uses an AED activates the emergency medical services system as soon as possible and that any person who has an AED for use outside of a health care facility must have a physician review and approve the clinical protocol for use of the AED.

The bill removes liability for a criminal penalty for any person who gratuitously and in good faith renders emergency care by use of an AED. The bill also removes liability for a criminal penalty for a person who provides AED training, the person who owns the AED, and the person who is responsible for the site where the AED is located.

PROPONENTS: Supporters say that we have seen an influx of AEDs but not many since the original push. Part of the reason for the slowing down is because of the liability that comes along with having them. We are trying to get rid of the disincentive so they are hoping to have entities install them without worrying about the liability. The new machines are very user friendly and practically

fool proof. The bill is not a new protection; it revises how one gets protection he or she already is entitled to. This would help protect businesses that get them installed.

Testifying for the bill were Representative Shaul; and the Fire Service Alliance.

OPPONENTS: There was no opposition voiced to the committee.