

HB 1038 -- AUTOMATED EXTERNAL DEFIBRILLATORS

SPONSOR: Shaul (113)

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.