

Connecticut AED Act

AN ACT CONCERNING GOOD SAMARITAN IMMUNITY FOR AUTOMATIC EXTERNAL DEFIBRILLATOR USE BY A PERSON WITH PROPER TRAINING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (a) of section 52-557b of the general statutes is repealed and the following is substituted in lieu thereof:

(a) A person licensed to practice medicine and surgery under the provisions of chapter 370 or dentistry under the provisions of section 20-106 or members of the same professions licensed to practice in any other state of the United States, a person licensed as a registered nurse under section 20-93 or 20-94 or certified as a licensed practical nurse under section 20-96 or 20-97, AS AMENDED, a medical technician or any person operating a cardiopulmonary resuscitator or a person trained in cardiopulmonary resuscitation OR IN THE USE OF AN AUTOMATIC EXTERNAL DEFIBRILLATOR in accordance with the standards set forth by the American Red Cross or American Heart Association, who, voluntarily and gratuitously and other than in the ordinary course of his employment or practice, renders emergency medical or professional assistance to person in need thereof, shall not be liable to such person assisted for civil damages or any personal injuries which result from acts or omissions by such person in rendering the emergency care, which may constitute ordinary negligence. The immunity provided in this subsection does not apply to acts or omissions constituting gross, willful or wanton negligence. FOR THE PURPOSES OF THIS SUBSECTION, "AUTOMATIC EXTERNAL DEFIBRILLATOR" MEANS A DEVICE THAT: (1) IS USED TO ADMINISTER AN ELECTRIC SHOCK THROUGH THE CHEST WALL TO THE HEART; (2) CONTAINS INTERNAL DECISION-MAKING ELECTRONICS, MICROCOMPUTERS OR SPECIAL SOFTWARE THAT ALLOWS IT TO INTERPRET PHYSIOLOGIC SIGNALS, MAKE MEDICAL DIAGNOSIS AND, IF NECESSARY, APPLY THERAPY; (3) GUIDES THE USER THROUGH THE PROCESS OF USING THE DEVICE BY AUDIBLE OR VISUAL PROMPTS; AND (4) DOES NOT REQUIRE THE USER TO EMPLOY ANY DISCRETION OR JUDGMENT IN ITS USE.

Sec. 2. Section 19a-175 of the general statutes, as amended by section 15 of public act 97-311, is repealed and the following is substituted in lieu thereof:

As used in this chapter: (1) "Emergency medical service system" means a system which provides for the arrangement of personnel, facilities and equipment for the efficient, effective and coordinated delivery of health care services under emergency conditions;

(2) "Patient" means an injured, ill, crippled or physically handicapped person requiring assistance and transportation;

(3) "Ambulance" means a motor vehicle specifically designed to carry patients;

(4) "Ambulance service" means an organization which transports patients;

(5) "Emergency medical technician" means an individual who has successfully completed the training requirements established by the Commissioner of Public Health and has been certified by the Department of Public Health;

(6) "Ambulance driver" means a person whose primary function is driving an ambulance;

(7) "Emergency medical technician instructor" means a person who is certified by the Department of Public Health to teach courses, the completion of which are required in order to become an emergency medical technician;

(8) "Communications facility" means any facility housing the personnel and equipment for handling the emergency communications needs of a particular geographic area;

(9) "Life saving equipment" means equipment used by emergency medical personnel for the stabilization and treatment of patients;

(10) "Emergency medical service organization" means any organization whether public, private or voluntary which offers transportation or treatment services to patients under emergency conditions;

(11) "Invalid coach" means a vehicle used exclusively for the transportation of nonambulatory patients, who are not confined to stretchers, to or from either a medical facility or the patient's home in nonemergency situations or utilized in emergency situations as a backup vehicle when insufficient emergency vehicles exist;

(12) "Rescue service" means any organization, whether profit or nonprofit, whose primary purpose is to search for persons who have become lost or to render emergency service to persons who are in dangerous or perilous circumstances;

(13) "Provider" means any person, corporation or organization, whether profit or nonprofit, whose primary purpose is to deliver medical care or services, including such related medical care services as ambulance transportation;

(14) "Commissioner" means the Commissioner of Public Health acting through the Office of Emergency Medical Services;

(15) "Paramedic" means a person licensed pursuant to section 11 of [this act] PUBLIC ACT 97-311;

(16) "Commercial ambulance service" means an ambulance service which primarily operates for profit;

(17) "Licensed ambulance service" means a commercial ambulance service issued a license by the Office of Emergency Medical Services or any volunteer or municipal ambulance service issued a license by the Office of Emergency Medical Services prior to July 1, 1981;

(18) "Certified ambulance services" means a municipal or volunteer ambulance service issued a certificate by the Office of Emergency Medical Services; [and]

(19) "Management service" means an organization which provides emergency medical technicians or paramedics to any entity including an ambulance service but does not include a commercial ambulance service or a volunteer or municipal ambulance service; and

(20) "AUTOMATIC EXTERNAL DEFIBRILLATOR" MEANS A DEVICE THAT: (A) IS USED TO ADMINISTER AN ELECTRIC SHOCK THROUGH THE CHEST WALL TO THE HEART; (B) CONTAINS INTERNAL DECISION-MAKING ELECTRONICS, MICROCOMPUTERS OR SPECIAL SOFTWARE THAT ALLOWS IT TO INTERPRET PHYSIOLOGIC SIGNALS, MAKE MEDICAL DIAGNOSIS AND, IF NECESSARY, APPLY THERAPY; (C) GUIDES THE USER THROUGH THE PROCESS OF USING THE DEVICE BY AUDIBLE OR VISUAL PROMPTS; AND (D) DOES NOT REQUIRE THE USER TO EMPLOY ANY DISCRETION OR JUDGMENT IN ITS USE.

Sec. 3. (NEW) (a) Any person in possession of an automatic external defibrillator shall provide notice of the location of such defibrillator to the Office of Emergency Medical Services.

(b) The Office of Emergency Medical Services shall establish a registry of automatic external defibrillators located within the state and shall establish a procedure facilitating the use of the enhanced 9-1-1 service, as defined in section 28-25 of the general statutes, for the location of such defibrillator nearest to the caller.

(c) The Commissioner of Public Health may adopt regulations in accordance with the provisions of chapter 54 of the general statutes to implement the purposes of the registry established by this section.

Approved May 19, 1998