

By the Committee on Health Care Services and
Representatives Byrd, Casey, Feeney and Bloom

1 A bill to be entitled
2 An act relating to automatic external
3 defibrillators; providing legislative intent
4 that automatic external defibrillators may be
5 used by any person; requiring persons to obtain
6 training and to activate the emergency medical
7 services system upon use of a defibrillator;
8 encouraging certain persons and entities to
9 register a defibrillator; repealing s. 401.291,
10 F.S., relating to automatic external
11 defibrillators; amending s. 768.13, F.S.;
12 providing immunity from liability for certain
13 persons; providing an effective date.
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15 WHEREAS, the Legislature finds that the number of
16 deaths due to sudden cardiac arrest is too high, and
17 WHEREAS, the key to preventing this high number of
18 deaths is to dramatically expand the availability of
19 defibrillation therapy in a timely fashion, and
20 WHEREAS, recent breakthroughs in automatic external
21 defibrillator technology have resulted in the availability of
22 devices that have proven to be exceptionally safe and
23 effective in treating sudden cardiac arrest, and
24 WHEREAS, these new devices are virtually
25 maintenance-free, safe and easy to use with minimum training,
26 small, lightweight, durable, and less expensive, and
27 WHEREAS, the widespread availability of these new
28 devices will make sudden cardiac arrest a truly treatable
29 disease, preventing hundreds of unnecessary deaths, and
30 WHEREAS, the Legislature has determined that it is in
31 the public interest to make these devices readily available to

1 the general public, but that the public be trained to properly
2 use these devices and to activate the emergency medical
3 services system immediately upon using the device, NOW,
4 THEREFORE,

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6 Be It Enacted by the Legislature of the State of Florida:

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8 Section 1. It is the intent of the Legislature that an
9 automatic external defibrillator may be used by any person for
10 the purpose of saving the life of another person in cardiac
11 arrest. In order to ensure public health and safety:

12 (1) All persons who have access to or use an automatic
13 external defibrillator must obtain appropriate training, to
14 include completion of a course in cardiopulmonary
15 resuscitation or successful completion of a basic first-aid
16 course that includes cardiopulmonary resuscitation training,
17 and demonstrated proficiency in the use of an automatic
18 external defibrillator;

19 (2) Any person or entity in possession of an automatic
20 external defibrillator is encouraged to register with the
21 local emergency medical services medical director the
22 existence and location of the automatic external
23 defibrillator; and

24 (3) Any person who uses an automatic external
25 defibrillator is required to activate the emergency medical
26 services system as soon as possible upon use of the automatic
27 external defibrillator.

28 Section 2. Section 401.291, Florida Statutes, is
29 hereby repealed.

30 Section 3. Subsection (4) is added to section 768.13,
31 Florida Statutes, to read:

1 768.13 Good Samaritan Act; immunity from civil
2 liability.--
3 (4) Any person, including those licensed to practice
4 medicine, who gratuitously and in good faith renders emergency
5 care or treatment by the use of or provision of an automatic
6 external defibrillator, without objection of the injured
7 victim or victims thereof, shall not be held liable for any
8 civil damages as a result of such care or treatment or as a
9 result of any act or failure to act in providing or arranging
10 further medical treatment where the person acts as an ordinary
11 reasonably prudent person would have acted under the same or
12 similar circumstances.

13 Section 4. This act shall take effect upon becoming a
14 law.

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