

1 A bill to be entitled
 2 An act relating to emergency medical services; amending s.
 3 401.107, F.S.; defining the terms "youth athletic
 4 organization" and "automated external defibrillator
 5 device"; amending s. 401.111, F.S.; providing for grants
 6 to local agencies, emergency medical services
 7 organizations, and youth athletic organizations to expand
 8 the use of automated external defibrillator devices;
 9 amending s. 401.113, F.S.; providing for disbursement of
 10 funds from the Emergency Medical Services Trust Fund;
 11 requiring the Department of Health to implement an
 12 educational campaign to inform the public about the lack
 13 of immunity from liability regarding the use of automated
 14 external defibrillator devices under certain conditions;
 15 providing an effective date.

16
 17 Be It Enacted by the Legislature of the State of Florida:

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 19 Section 1. Subsections (6) and (7) are added to section
 20 401.107, Florida Statutes, to read:

21 401.107 Definitions.--As used in this part, the term:

22 (6) "Youth athletic organization" means a private not-for-
 23 profit organization that promotes and provides organized
 24 athletic activities to youth.

25 (7) "Automated external defibrillator device" means a
 26 device as defined in s. 768.1325(2)(b).

27 Section 2. Section 401.111, Florida Statutes, is amended
 28 to read:

29 401.111 Emergency medical services grant program;
 30 authority.--The department is hereby authorized to make grants
 31 to local agencies, ~~and~~ emergency medical services organizations,
 32 and youth athletic organizations in accordance with any
 33 agreement entered into pursuant to this part. These grants shall
 34 be designed to assist local ~~said~~ agencies and emergency medical
 35 services organizations in providing emergency medical services,
 36 including emergency medical dispatch, and to assist youth
 37 athletic organizations that work in conjunction with local
 38 emergency medical services organizations to expand the use of
 39 automated external defibrillator devices in the community. The
 40 cost of administering this program shall be paid by the
 41 department from funds appropriated to it.

42 Section 3. Paragraphs (a) and (b) of subsection (2) of
 43 section 401.113, Florida Statutes, are amended to read:

44 401.113 Department; powers and duties.--

45 (2) The department shall annually dispense funds contained
 46 in the Emergency Medical Services Trust Fund as follows:

47 (a) Forty-five percent of such moneys must be divided
 48 among the counties according to the proportion of the combined
 49 amount deposited in the trust fund from the county. These funds
 50 may not be used to match grant funds as identified in paragraph
 51 (b). An individual board of county commissioners may distribute
 52 these funds to emergency medical service organizations and youth
 53 athletic organizations within the county, as it deems
 54 appropriate.

55 (b) Forty percent of such moneys must be used by the
 56 department for making matching grants to local agencies,

57 municipalities, ~~and~~ emergency medical services organizations,
58 and youth athletic organizations for the purpose of conducting
59 research, increasing existing levels of emergency medical
60 services, evaluation, community education, injury-prevention
61 programs, and training in cardiopulmonary resuscitation and
62 other lifesaving and first aid techniques.

63 1. At least 90 percent of these moneys must be made
64 available on a cash matching basis. A grant made under this
65 subparagraph must be contingent upon the recipient providing a
66 cash sum equal to 25 percent of the total department-approved
67 grant amount.

68 2. No more than 10 percent of these moneys must be made
69 available to rural emergency medical services, and
70 notwithstanding the restrictions specified in subsection (1),
71 these moneys may be used for improvement, expansion, or
72 continuation of services provided. A grant made under this
73 subparagraph must be contingent upon the recipient providing a
74 cash sum equal to no more than 10 percent of the total
75 department-approved grant amount.

76
77 The department shall develop procedures and standards for grant
78 disbursement under this paragraph based on the need for
79 emergency medical services, the requirements of the population
80 to be served, and the objectives of the state emergency medical
81 services plan.

82 Section 4. The Department of Health shall implement an
83 educational campaign to inform any person who acquires an
84 automated external defibrillator device that his or her immunity

85 from liability under s. 768.1325, Florida Statutes, for harm
86 resulting from the use or attempted use of the device, does not
87 apply if he or she fails to:

88 (1) Properly maintain and test the device; or

89 (2) Provide appropriate training in the use of the device
90 to his or her employee or agent when the employee or agent was
91 the person who used the device on the victim, except as provided
92 in s. 768.1325, Florida Statutes.

93 Section 5. This act shall take effect July 1, 2005.