

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) Henriquez offered the following:

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3 **Amendment (with title amendment)**

4 Remove line(s) 16-38 and insert:

5 Section 1. Section 401.2915, Florida Statutes, is amended
6 to read:

7 401.2915 Automated external defibrillators.--It is the
8 intent of the Legislature that an automated external
9 defibrillator may be used by any person for the purpose of
10 saving the life of another person in cardiac arrest. In order to
11 achieve that goal, the Legislature intends to encourage training
12 in lifesaving first aid, set standards for the use of automated
13 external defibrillators, and encourage their use.

14 (1) As used in this section, the term:

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15 (a) "Automated external defibrillator" means a lifesaving
16 defibrillation device that:

17 1. Is commercially distributed as a defibrillation device
18 in accordance with the Federal Food, Drug, and Cosmetic Act.

19 2. Is capable of recognizing the presence or absence of
20 ventricular fibrillation and is capable of determining, without
21 intervention by the user of the device, if defibrillation should
22 be performed.

23 3. Is capable of delivering an electrical shock to an
24 individual, upon determining that defibrillation should be
25 performed.

26 (b) "Defibrillation" means the administration of a
27 controlled electrical charge to the heart to restore a viable
28 cardiac rhythm.

29 (2) In order to ensure public health and safety:

30 (a)(1) All persons who use an automated external
31 defibrillator must obtain appropriate training, to include
32 completion of a course in cardiopulmonary resuscitation or
33 successful completion of a basic first aid course that includes
34 cardiopulmonary resuscitation training, and demonstrated
35 proficiency in the use of an automated external defibrillator.;

36 (b)(2) Any person or entity in possession of an automated
37 external defibrillator is encouraged to register with the local
38 emergency medical services medical director the existence and
39 location of the automated external defibrillator.; ~~and~~

40 (c)(3) Any person who uses an automated external
41 defibrillator shall ~~is required to~~ activate the emergency

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42 medical services system as soon as possible upon use of the
43 automated external defibrillator.

44 (3) Any person who intentionally or willfully:

45 (a) Tamper with or otherwise renders an automated
46 external defibrillator inoperative, except during such time as
47 the automated external defibrillator is being serviced, tested,
48 repaired, or recharged or except pursuant to court order; or

49 (b) Obliterates the serial number on an automated external
50 defibrillator for purposes of falsifying service records,

51
52 commits a misdemeanor of the first degree, punishable as
53 provided in s. 775.082 or s. 775.083.

54 (4) A local ordinance may require a person to obtain a
55 license, permit, or inspection certificate regarding automated
56 external defibrillators. Such ordinance may provide for any
57 enforcement method authorized by s. 162.22. The ordinance may
58 provide that it is an infraction or a criminal offense for any
59 person to intentionally or willfully:

60 (a) Fail to properly service, recharge, repair, test, or
61 inspect an automated external defibrillator;

62 (b) Use the license, permit, or inspection certificate of
63 another person to service, recharge, repair, test, or inspect an
64 automated external defibrillator;

65 (c) Hold a permit or inspection certificate and allow
66 another person to use that permit or inspection certificate
67 number to service, recharge, repair, test, or inspect an
68 automated external defibrillator; or

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69 (d) Use or permit the use of any license, permit, or
70 inspection certificate by any individual or organization other
71 than the one to whom the license, permit, or inspection
72 certificate is issued to service, recharge, repair, test, or
73 inspect an automated external defibrillator.

74 (5) Each local and state law enforcement vehicle may carry
75 an automated external defibrillator.

76 Section 2. The Department of Health shall implement an
77 educational campaign to inform any person who acquires an
78 automated external defibrillator device that his or her immunity
79 from liability under s. 768.1325, Florida Statutes, for harm
80 resulting from the use or attempted use of the device, does not
81 apply if he or she fails to:

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

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

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88 ===== T I T L E A M E N D M E N T =====

89 Remove line(s) 7-9 and insert:
90 amending s. 401.2915, F.S.; revising legislative intent with
91 respect to the use of an automated external defibrillator;
92 defining an automated external defibrillator as a lifesaving
93 defibrillation device; defining a related term; providing that
94 it is a first-degree misdemeanor for a person to commit certain
95 acts involving the misuse of an automated external

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96 | defibrillator; authorizing a local government to adopt an
97 | ordinance to license, permit, or inspect automated external
98 | defibrillators; providing for enforcement of such local
99 | ordinances; authorizing state and local law enforcement vehicles
100 | to carry an automated external defibrillator; requiring the
101 | Department of Health to implement an educational campaign to
102 | inform the public about the lack of immunity from liability
103 | regarding the use of automated external defibrillators under
104 | certain conditions; amending s. 932.7055, F.S.; authorizing

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