

HB 93 CS

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CHAMBER ACTION

1 The Health & Families Council recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to automated external defibrillators;
7 amending s. 401.2915, F.S.; revising legislative intent
8 with respect to the use of an automated external
9 defibrillator; defining the terms "automated external
10 defibrillator" and "defibrillation"; providing that it is
11 a first degree misdemeanor for a person to commit certain
12 acts involving the misuse of an automated external
13 defibrillator; providing penalties and an exception;
14 requiring the Department of Health to implement an
15 educational campaign to inform persons who acquire
16 automated external defibrillator devices of the scope and
17 limitations of the immunity from liability provided under
18 the Cardiac Arrest Survival Act; providing an effective
19 date.

20
21 Be It Enacted by the Legislature of the State of Florida:

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23 Section 1. Section 401.2915, Florida Statutes, is amended
24 to read:

25 401.2915 Automated external defibrillators.--It is the
26 intent of the Legislature that an automated external
27 defibrillator may be used by any person for the purpose of
28 saving the life of another person in cardiac arrest. In order to
29 achieve that goal, the Legislature intends to encourage training
30 in lifesaving first aid and set standards for and encourage the
31 use of automated external defibrillators.

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

33 (a) "Automated external defibrillator" means a device as
34 defined in s. 768.1325(2)(b).

35 (b) "Defibrillation" means the administration of a
36 controlled electrical charge to the heart to restore a viable
37 cardiac rhythm.

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

39 (a) ~~(1)~~ All persons who use an automated external
40 defibrillator must obtain appropriate training, to include
41 completion of a course in cardiopulmonary resuscitation or
42 successful completion of a basic first aid course that includes
43 cardiopulmonary resuscitation training, and demonstrated
44 proficiency in the use of an automated external defibrillator.

45 (b) ~~(2)~~ Any person or entity in possession of an automated
46 external defibrillator is encouraged to register with the local
47 emergency medical services medical director the existence and
48 location of the automated external defibrillator.

49 (c) ~~(3)~~ Any person who uses an automated external
50 defibrillator shall activate the emergency medical services

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51 | system as soon as possible upon use of the automated external
52 | defibrillator.

53 | (3) Any person who intentionally or willfully:

54 | (a) Tamper with or otherwise renders an automated
55 | external defibrillator inoperative, except during such time as
56 | the automated external defibrillator is being serviced, tested,
57 | repaired, recharged, or inspected or except pursuant to court
58 | order; or

59 | (b) Obliterates the serial number on an automated external
60 | defibrillator for purposes of falsifying service records,
61 |
62 | commits a misdemeanor of the first degree, punishable as
63 | provided in s. 775.082 or s. 775.083. Paragraph (a) does not
64 | apply to the owner of the automated external defibrillator or
65 | the owner's authorized representative or agent.

66 | (4) Each local and state law enforcement vehicle may carry
67 | an automated external defibrillator.

68 | Section 2. The Department of Health shall implement an
69 | educational campaign to inform any person who acquires an
70 | automated external defibrillator device of the scope and
71 | limitations of the immunity from liability provided under s.
72 | 768.1325, Florida Statutes.

73 | Section 3. This act shall take effect July 1, 2006.