

ENROLLED
 HB 93, Engrossed 1

2006 Legislature

1 A bill to be entitled
 2 An act relating to automated external defibrillators;
 3 amending s. 401.2915, F.S.; revising legislative intent
 4 with respect to the use of an automated external
 5 defibrillator; defining the terms "automated external
 6 defibrillator" and "defibrillation"; providing that it is
 7 a first degree misdemeanor for a person to commit certain
 8 acts involving the misuse of an automated external
 9 defibrillator; providing penalties and an exception;
 10 requiring the Department of Health to implement an
 11 educational campaign to inform persons who acquire
 12 automated external defibrillator devices of the scope and
 13 limitations of the immunity from liability provided under
 14 the Cardiac Arrest Survival Act; amending s. 768.1325,
 15 F.S.; revising the definition of the term "automated
 16 external defibrillator"; providing an effective date.

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

19
 20 Section 1. Section 401.2915, Florida Statutes, is amended
 21 to read:

22 401.2915 Automated external defibrillators.--It is the
 23 intent of the Legislature that an automated external
 24 defibrillator may be used by any person for the purpose of
 25 saving the life of another person in cardiac arrest. In order to
 26 achieve that goal, the Legislature intends to encourage training

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27 | in lifesaving first aid and set standards for and encourage the
 28 | use of automated external defibrillators.

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

30 | (a) "Automated external defibrillator" means a device as
 31 | defined in s. 768.1325(2)(b).

32 | (b) "Defibrillation" means the administration of a
 33 | controlled electrical charge to the heart to restore a viable
 34 | cardiac rhythm.

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

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

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

46 | (c)~~(3)~~ Any person who uses an automated external
 47 | defibrillator shall activate the emergency medical services
 48 | system as soon as possible upon use of the automated external
 49 | defibrillator.

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

51 | (a) Tamper with or otherwise renders an automated
 52 | external defibrillator inoperative, except during such time as
 53 | the automated external defibrillator is being serviced, tested,

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54 repaired, recharged, or inspected or except pursuant to court
 55 order; or

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

58
 59 commits a misdemeanor of the first degree, punishable as
 60 provided in s. 775.082 or s. 775.083. Paragraph (a) does not
 61 apply to the owner of the automated external defibrillator or
 62 the owner's authorized representative or agent.

63 (4) Each local and state law enforcement vehicle may carry
 64 an automated external defibrillator.

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

70 Section 3. Paragraph (b) of subsection (2) of section
 71 768.1325, Florida Statutes, is amended to read:

72 768.1325 Cardiac Arrest Survival Act; immunity from civil
 73 liability.--

74 (2) As used in this section:

75 (b) "Automated external defibrillator device" means a
 76 lifesaving defibrillator device that:

77 1. Is commercially distributed in accordance with the
 78 Federal Food, Drug, and Cosmetic Act.

79 2. Is capable of recognizing the presence or absence of
 80 ventricular fibrillation, and is capable of determining without

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81 | intervention by the user of the device whether defibrillation
82 | should be performed.

83 | 3. Upon determining that defibrillation should be
84 | performed, is able to deliver an electrical shock to an
85 | individual.

86 | Section 4. This act shall take effect July 1, 2006.