

Bill No. SB 976

Barcode 913048

CHAMBER ACTION

Senate

House

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The Committee on Health Care (Rich) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

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

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

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

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

(b) "Defibrillation" means the administration of a controlled electrical charge to the heart to restore a viable

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1 cardiac rhythm.

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

3 ~~(a)(1)~~ All persons who use an automated external
4 defibrillator must obtain appropriate training, to include
5 completion of a course in cardiopulmonary resuscitation or
6 successful completion of a basic first aid course that
7 includes cardiopulmonary resuscitation training, and
8 demonstrated proficiency in the use of an automated external
9 defibrillator.

10 ~~(b)(2)~~ Any person or entity in possession of an
11 automated external defibrillator is encouraged to register
12 with the local emergency medical services medical director the
13 existence and location of the automated external
14 defibrillator.

15 ~~(c)(3)~~ Any person who uses an automated external
16 defibrillator shall activate the emergency medical services
17 system as soon as possible upon use of the automated external
18 defibrillator.

19 (3) Any person who intentionally or willfully:

20 (a) Tamper with or otherwise renders an automated
21 external defibrillator inoperative, except during such time as
22 the automated external defibrillator is being serviced,
23 tested, repaired, recharged, or inspected or except pursuant
24 to court order; or

25 (b) Obliterates the serial number on an automated
26 external defibrillator for purposes of falsifying service
27 records,

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29 commits a misdemeanor of the first degree, punishable as
30 provided in s. 775.082 or s. 775.083. Paragraph (a) does not
31 apply to the owner of the automated external defibrillator or

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1 the owner's agent.

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

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

- 10 (1) Properly maintain and test the device; or
- 11 (2) Provide appropriate training in the use of the
12 device to his or her employee or agent when the employee or
13 agent was the person who used the device on the victim, except
14 as provided in s. 768.1325, Florida Statutes.

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

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

19 And the title is amended as follows:

20 Delete everything before the enacting clause

22 and insert:

23 A bill to be entitled

24 An act relating to automated external

25 defibrillators; amending s. 401.2915, F.S.;

26 revising legislative intent with respect to the

27 use of an automated external defibrillator;

28 defining the terms "automated external

29 defibrillator" and "defibrillation"; providing

30 that it is a first-degree misdemeanor for a

31 person to commit certain acts involving the

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1 misuse of an automated external defibrillator;
2 providing penalties and an exception; requiring
3 the Department of Health to implement an
4 educational campaign to inform the public about
5 the lack of immunity from liability regarding
6 the use of automated external defibrillators
7 under certain conditions; providing an
8 effective date.

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