

	CHAMBER ACTION	
Senate	•	House
Comm: RCS 2/6/2008	•	
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The Committee on Health Regulation (Jones) recommended the following **amendment**:

Senate Amendment (with directory and title amendments) Delete line(s) 21 through 42 and insert:

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

(a) All persons who use an automated external

8 defibrillator <u>are encouraged to</u> <u>must</u> obtain appropriate 9 training, to include completion of a course in cardiopulmonary 10 resuscitation or successful completion of a basic first aid 11 course that includes cardiopulmonary resuscitation training, and 12 demonstrated proficiency in the use of an automated external 13 defibrillator.

(b) Any person or entity in possession of an automated
 external defibrillator is encouraged to notify register with the

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16 local emergency medical services medical director <u>of</u> the 17 existence and location of the automated external defibrillator.

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

Section 2. Subsection (3) of section 768.1325, Florida
Statutes, is amended to read:

24 768.1325 Cardiac Arrest Survival Act; immunity from civil 25 liability.--

26 (3) Notwithstanding any other provision of law to the 27 contrary, and except as provided in subsection (4), any person 28 who uses or attempts to use an automated external defibrillator 29 device on a victim of a perceived medical emergency, without 30 objection of the victim of the perceived medical emergency, is immune from civil liability for any harm resulting from the use 31 32 or attempted use of such device. In addition, notwithstanding 33 any other provision of law to the contrary, and except as 34 provided in subsection (4), any person who makes the device available acquired the device, including, but not limited to, a 35 36 community association organized under chapter 617, chapter 718, 37 chapter 719, chapter 720, chapter 721, or chapter 723, is immune from such liability, if the harm was not due to the failure of 38 39 such person acquirer of the device to:

40 (a) Notify the local emergency medical services medical
41 director of the most recent placement of the device within a
42 reasonable period of time after the device was placed;

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(b) Properly maintain and test the device; or

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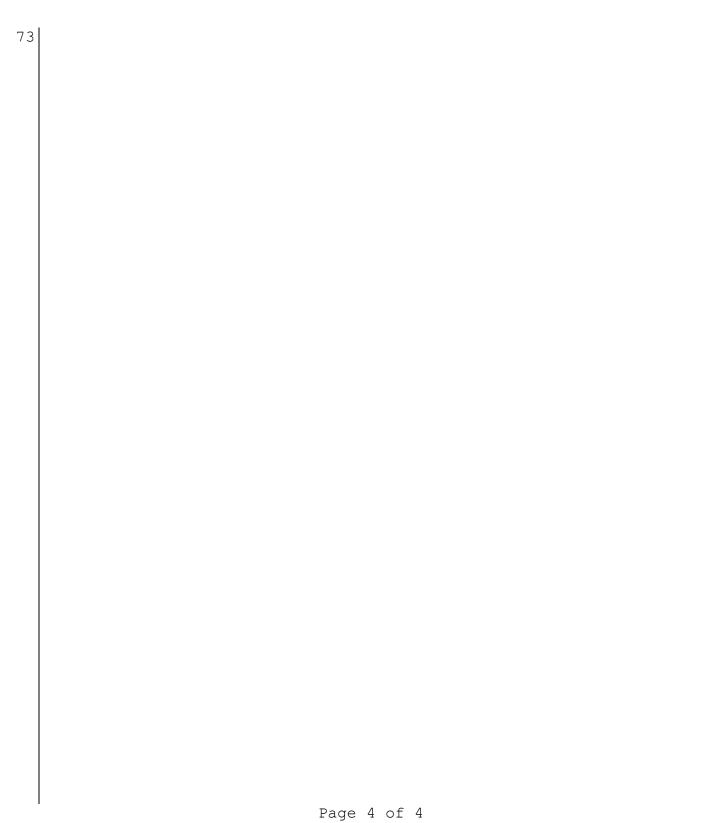


44 (b) (c) Provide appropriate training in the use of the device to an employee or agent of the person who makes the 45 46 device available acquirer when the employee or agent was the 47 person who used the device on the victim, except that such requirement of training does not apply if: 48 49 1. The device is equipped with audible, visual, or written 50 instructions on its use, including the posting of visual or written instructions on or adjacent to the device. 51 52 2.1. The employee or agent was not an employee or agent 53 who would have been reasonably expected to use the device; or 54 3.2. The period of time elapsing between the engagement of 55 the person as an employee or agent and the occurrence of the 56 harm, or between the acquisition of the device and the 57 occurrence of the harm in any case in which the device was acquired after engagement of the employee or agent, was not a 58 reasonably sufficient period in which to provide the training. 59 60 61 Redesignate subsequent sections. 62 63 64 And the title is amended as follows: 65 Delete line(s) 7 through 8 and insert: 66 67 medical services medical director; amending s. 768.1325, F.S.; revising requirements for civil immunity for use or attempted 68 69 use of a defibrillator on a victim of a perceived medical 70 emergency; providing an effective date. 71 72 Page 3 of 4

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