

HB 1355

2010

1                   A bill to be entitled  
2           An act relating to automated external defibrillators;  
3           amending s. 401.2915, F.S.; requiring certain entities to  
4           notify local emergency services medical directors of the  
5           locations of automated external defibrillators; requiring  
6           local emergency medical services medical directors to  
7           maintain registries of certain automated external  
8           defibrillator locations; amending s. 768.1326, F.S.;  
9           directing the State Surgeon General, with the assistance  
10          of the Department of Management Services, to adopt rules  
11          to establish guidelines for the appropriate placement and  
12          deployment of automated external defibrillators in places  
13          of public assembly; providing a definition; providing  
14          exceptions; providing for training and maintenance;  
15          providing for immunity from liability under the Good  
16          Samaritan Act and the Cardiac Arrest Survival Act;  
17          providing for application to local ordinances; providing  
18          an effective date.

19  
20   Be It Enacted by the Legislature of the State of Florida:

21  
22          Section 1.   Section 401.2915, Florida Statutes, is amended  
23          to read:

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

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

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

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

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

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

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

45 | (b) Any person or entity in possession of an automated  
 46 | external defibrillator is encouraged to notify the local  
 47 | emergency medical services medical director of the location of  
 48 | the automated external defibrillator. The owner, operator, or  
 49 | administrator responsible for a place of public assembly, as  
 50 | defined in s. 768.1326, shall notify the local emergency medical  
 51 | services medical director of the location of the automated  
 52 | external defibrillator. The state agency responsible for a  
 53 | building or portion of a building owned or leased by the state  
 54 | shall notify the local emergency medical services medical  
 55 | director of the location of the automated external  
 56 | defibrillator. The local emergency medical services medical

HB 1355

2010

57 director shall maintain a registry of these automated external  
58 defibrillator locations.

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

63 (3) Any person who intentionally or willfully:

64 (a) Tamper with or otherwise renders an automated  
65 external defibrillator inoperative, except during such time as  
66 the automated external defibrillator is being serviced, tested,  
67 repaired, recharged, or inspected or except pursuant to court  
68 order; or

69 (b) Obliterates the serial number on an automated external  
70 defibrillator for purposes of falsifying service records,  
71  
72 commits a misdemeanor of the first degree, punishable as  
73 provided in s. 775.082 or s. 775.083. Paragraph (a) does not  
74 apply to the owner of the automated external defibrillator or  
75 the owner's authorized representative or agent.

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

78 Section 2. Section 768.1326, Florida Statutes, is amended  
79 to read:

80 768.1326 Placement of automated external defibrillators in  
81 state buildings and places of public assembly; rulemaking  
82 authority.—

83 (1) ~~No later than January 1, 2003,~~ The State Surgeon  
84 General shall adopt rules to establish guidelines on the

HB 1355

2010

85 appropriate placement of automated external defibrillator  
86 devices in buildings or portions of buildings owned or leased by  
87 the state and in places of public assembly, and shall establish,  
88 by rule, recommendations on procedures for the deployment of  
89 automated external defibrillator devices in such buildings and  
90 places of public assembly in accordance with the guidelines. The  
91 Secretary of Management Services shall assist the State Surgeon  
92 General in the development of the guidelines. The guidelines for  
93 the placement of the automated external defibrillators shall  
94 take into account the typical number of employees and visitors  
95 in the building or place of public assembly ~~buildings~~, the  
96 extent of the need for security measures regarding the building  
97 or place of public assembly ~~buildings~~, special circumstances in  
98 the building or a portion of the building ~~buildings or portions~~  
99 ~~of buildings~~ such as high electrical voltages or extreme heat or  
100 cold, and such other factors as the State Surgeon General and  
101 Secretary of Management Services determine to be appropriate.  
102 For purposes of this section, the term "place of public  
103 assembly" means a location with a seating capacity of at least  
104 1,000 people and includes, but is not limited to, any stadium,  
105 ballpark, gymnasium, field house, arena, civic center, or  
106 similar facility used for the conduct of sporting events and any  
107 concert hall, recital hall, theater, indoor or outdoor  
108 amphitheatre, or other auditorium used for the presentation of  
109 musical performances or concerts. The term does not include any  
110 church, synagogue, or other not-for-profit religious  
111 organization or any public association or public library. The  
112 State Surgeon General's recommendations for deployment of

HB 1355

2010

113 automated external defibrillators in buildings or portions of  
114 buildings owned or leased by the state or in places of public  
115 assembly shall include:

116 (a)~~(1)~~ A reference list of appropriate training courses in  
117 the use of such devices, including the role of cardiopulmonary  
118 resuscitation;

119 (b)~~(2)~~ The extent to which such devices may be used by  
120 laypersons;

121 (c)~~(3)~~ Manufacturer recommended maintenance and testing of  
122 the devices; and

123 (d)~~(4)~~ Coordination with local emergency medical services  
124 systems regarding registration of automated external  
125 defibrillators and documentation of the incidents of use of the  
126 devices.

127  
128 In formulating these guidelines and recommendations, the State  
129 Surgeon General may consult with all appropriate public and  
130 private entities, including national and local public health  
131 organizations that seek to improve the survival rates of  
132 individuals who experience cardiac arrest.

133 (2) Whenever a place of public assembly is used for  
134 publicly or privately sponsored events or activities, the  
135 owners, operators, or administrators responsible for the place  
136 of public assembly shall require the presence of at least one  
137 employee or volunteer who is trained in accordance with s.  
138 401.2915 in the operation and use of an automated external  
139 defibrillator.

HB 1355

2010

140       (3) The use of an automated external defibrillator by an  
141 employee or a volunteer under this section is covered under ss.  
142 768.13 and 768.1325.

143       (4) This section may not be construed to prohibit a county  
144 or municipal government from enacting, implementing, and  
145 enforcing any local ordinance that expands the requirements of  
146 this section for the placement of automated external  
147 defibrillators in a place of public assembly.

148       Section 3. This act shall take effect July 1, 2010.