

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 construction; providing an
 15 effective date.

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

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

21 401.2915 Automated external defibrillators.—It is the
 22 intent of the Legislature that an automated external
 23 defibrillator may be used by any person for the purpose of
 24 saving the life of another person in cardiac arrest. In order to
 25 achieve that goal, the Legislature intends to encourage training
 26 in lifesaving first aid and set standards for and encourage the
 27 use of automated external defibrillators.

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

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

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

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

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

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

56 (c) Any person who uses an automated external

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57 | defibrillator shall activate the emergency medical services
58 | system as soon as possible upon use of the automated external
59 | defibrillator.

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

61 | (a) Tampered with or otherwise renders an automated
62 | external defibrillator inoperative, except during such time as
63 | the automated external defibrillator is being serviced, tested,
64 | repaired, recharged, or inspected or except pursuant to court
65 | order; or

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

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

75 | Section 2. Section 768.1326, Florida Statutes, is amended
76 | to read:

77 | 768.1326 Placement of automated external defibrillators in
78 | state buildings and places of public assembly; rulemaking
79 | authority.—

80 | (1) ~~No later than January 1, 2003,~~ The State Surgeon
81 | General shall adopt rules to establish guidelines on the
82 | appropriate placement of automated external defibrillator
83 | devices in buildings or portions of buildings owned or leased by
84 | the state and in places of public assembly, and shall establish,

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

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113 (a)~~(1)~~ A reference list of appropriate training courses in
114 the use of such devices, including the role of cardiopulmonary
115 resuscitation;

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

118 (c)~~(3)~~ Manufacturer recommended maintenance and testing of
119 the devices; and

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

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

130 (2) This section may not be construed to:

131 (a) Prohibit a county or municipal government from
132 enacting, implementing, and enforcing any local ordinance that
133 expands the requirements of this section for the placement of
134 automated external defibrillators in a place of public assembly;
135 or

136 (b) Mandate the placement of any automated external
137 defibrillator in any place of public assembly.

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