



504106

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2010	.	
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The Committee on Health Regulation (Bennett) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Present subsection (3) of section 429.255, Florida Statutes, is renumbered as subsection (4) and amended, and new subsections (3) and (5) are added to that section, to read:

429.255 Use of personnel; emergency care.—

(3) (a) An assisted living facility licensed under this part with 17 or more beds shall have on the premises at all times a functioning automated external defibrillator as defined in s.



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13 768.1325(2)(b).

14 (b) The facility is encouraged to register the location of
15 each automated external defibrillator with a local emergency
16 medical services medical director.

17 (c) The provisions of ss. 768.13 and 768.1325 apply to
18 automated external defibrillators within the facility.

19 (4)~~(3)~~ Facility staff may withhold or withdraw
20 cardiopulmonary resuscitation or the use of an automated
21 external defibrillator if presented with an order not to
22 resuscitate executed pursuant to s. 401.45. The department shall
23 adopt rules providing for the implementation of such orders.
24 Facility staff and facilities shall not be subject to criminal
25 prosecution or civil liability, nor be considered to have
26 engaged in negligent or unprofessional conduct, for withholding
27 or withdrawing cardiopulmonary resuscitation or use of an
28 automated external defibrillator pursuant to such an order and
29 rules adopted by the department. The absence of an order to
30 resuscitate executed pursuant to s. 401.45 does not preclude a
31 physician from withholding or withdrawing cardiopulmonary
32 resuscitation or use of an automated external defibrillator as
33 otherwise permitted by law.

34 (5) The Department of Elderly Affairs may adopt rules to
35 implement the provisions of this section relating to use of an
36 automated external defibrillator.

37 Section 2. This act shall take effect July 1, 2010.

38
39 ===== T I T L E A M E N D M E N T =====

40 And the title is amended as follows:

41 Delete everything before the enacting clause



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42 and insert:

43 A bill to be entitled
44 An act relating to automated external defibrillators
45 in assisted living facilities; amending s. 429.255,
46 F.S.; requiring certain assisted living facilities to
47 possess a functioning automated external
48 defibrillator; encouraging an assisted living facility
49 to register the location of the automated external
50 defibrillator with a local emergency medical services
51 medical director; providing immunity from liability
52 under the Good Samaritan Act and the Cardiac Arrest
53 Survival Act; authorizing the Department of Elderly
54 Affairs to adopt rules relating to the use of
55 automated external defibrillators; providing an
56 effective date.