

ENROLLED
CS/CS/HB 945

2010 Legislature

1 A bill to be entitled
2 An act relating to automated external defibrillators in
3 assisted living facilities; amending s. 429.255, F.S.;
4 requiring certain assisted living facilities to possess a
5 functioning automated external defibrillator; encouraging
6 an assisted living facility to register the location of
7 the automated external defibrillator with a local
8 emergency medical services medical director; providing
9 immunity from liability under the Good Samaritan Act and
10 the Cardiac Arrest Survival Act; authorizing the
11 Department of Elderly Affairs to adopt rules relating to
12 the use of automated external defibrillators; providing
13 appropriations; providing effective dates.

14
15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Effective July 1, 2011, present subsection (3)
18 of section 429.255, Florida Statutes, is renumbered as
19 subsection (4) and amended, and new subsections (3) and (5) are
20 added to that section, to read:

21 429.255 Use of personnel; emergency care.—

22 (3) (a) An assisted living facility licensed under this
23 part with 17 or more beds shall have on the premises at all
24 times a functioning automated external defibrillator as defined
25 in s. 768.1325(2) (b) .

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

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

31 (4)(3) Facility staff may withhold or withdraw
32 cardiopulmonary resuscitation or the use of an automated
33 external defibrillator if presented with an order not to
34 resuscitate executed pursuant to s. 401.45. The department shall
35 adopt rules providing for the implementation of such orders.
36 Facility staff and facilities shall not be subject to criminal
37 prosecution or civil liability, nor be considered to have
38 engaged in negligent or unprofessional conduct, for withholding
39 or withdrawing cardiopulmonary resuscitation or use of an
40 automated external defibrillator pursuant to such an order and
41 rules adopted by the department. The absence of an order to
42 resuscitate executed pursuant to s. 401.45 does not preclude a
43 physician from withholding or withdrawing cardiopulmonary
44 resuscitation or use of an automated external defibrillator as
45 otherwise permitted by law.

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

49 Section 2. The sum of \$22,447 in recurring funds and
50 \$11,200 in nonrecurring funds from the General Revenue Fund and
51 two full-time equivalent positions with associated salary rate
52 of 70,229 is appropriated to the Agency for Health Care
53 Administration for the 2010-2011 fiscal year to implement the
54 provisions of this act. An additional \$113,030 in recurring
55 funds from the General Revenue Fund is appropriated to the

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56 | Agency for Health Care Administration for the 2011-2012 fiscal
57 | year for the same purpose.

58 | Section 3. Except as otherwise expressly provided in this
59 | act, this act shall take effect July 1, 2010.