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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; clarifying the scope of the requirements of
15 the act; amending s. 1006.165, F.S.; requiring the
16 placement of an automated external defibrillator in each
17 public school in this state; requiring training of certain
18 persons; requiring registration of such devices with local
19 emergency medical services medical directors; providing an
20 effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:

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24 Section 1. Section 401.2915, Florida Statutes, is amended
25 to read:

26 401.2915 Automated external defibrillators.—It is the
27 intent of the Legislature that an automated external
28 defibrillator may be used by a ~~any~~ person for the purpose of

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29 | saving the life of another person in cardiac arrest. In order to
 30 | achieve that goal, the Legislature intends to encourage training
 31 | in lifesaving first aid and set standards for and encourage the
 32 | use of automated external defibrillators.

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

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

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

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

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

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

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57 director of the location of the automated external
58 defibrillator. The local emergency medical services medical
59 director shall maintain a registry of these automated external
60 defibrillator locations.

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

65 (3) A ~~Any~~ person who intentionally or willfully:

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

71 (b) Obliterates the serial number on an automated external
72 defibrillator for purposes of falsifying service records,

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74 commits a misdemeanor of the first degree, punishable as
75 provided in s. 775.082 or s. 775.083. Paragraph (a) does not
76 apply to the owner of the automated external defibrillator or
77 the owner's authorized representative or agent.

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

80 Section 2. Section 768.1326, Florida Statutes, is amended
81 to read:

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

85 (1) ~~No later than January 1, 2003,~~ The State Surgeon
 86 General shall adopt rules to establish guidelines on the
 87 appropriate placement of automated external defibrillator
 88 devices in buildings or portions of buildings owned or leased by
 89 the state and places of public assembly, and shall establish, by
 90 rule, recommendations on procedures for the deployment of
 91 automated external defibrillator devices in such buildings and
 92 places of public assembly in accordance with the guidelines. The
 93 Secretary of Management Services shall assist the State Surgeon
 94 General in the development of the guidelines. The guidelines for
 95 the placement of the automated external defibrillators shall
 96 take into account the typical number of employees and visitors
 97 in the building or place of public assembly ~~buildings~~, the
 98 extent of the need for security measures regarding the building
 99 or place of public assembly ~~buildings~~, special circumstances in
 100 the building or a portion of the building ~~buildings or portions~~
 101 ~~of buildings~~ such as high electrical voltages or extreme heat or
 102 cold, and such other factors as the State Surgeon General and
 103 Secretary of Management Services determine to be appropriate. As
 104 used in this section, the term "place of public assembly" means
 105 an educational facility used as an emergency shelter or a
 106 location that has a seating capacity of at least 1,000 people
 107 and includes, but is not limited to, any stadium, ballpark,
 108 gymnasium, field house, arena, civic center, or similar facility
 109 used for the conduct of sporting events and any concert hall,
 110 recital hall, theater, indoor or outdoor amphitheatre, or other
 111 auditorium used for the presentation of musical performances or
 112 concerts. The term does not include any church, synagogue, or

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113 other not-for-profit religious organization or any public
114 association or public library. The State Surgeon General's
115 recommendations for deployment of automated external
116 defibrillators in buildings or portions of buildings owned or
117 leased by the state or in places of public assembly shall
118 include:

119 (a)~~(1)~~ A reference list of appropriate training courses in
120 the use of such devices, including the role of cardiopulmonary
121 resuscitation;

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

124 (c)~~(3)~~ Manufacturer recommended maintenance and testing of
125 the devices; and

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

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

136 (2) This section does not:

137 (a) Prohibit a county or municipal government from
138 enacting, implementing, and enforcing any local ordinance that
139 expands the requirements of this section for the placement of
140 automated external defibrillators in a place of public assembly;

- 141 (b) Mandate the placement of any automated external
 142 defibrillator in any place of public assembly; or
 143 (c) Authorize the adoption of rules, guidelines, or
 144 recommendations that would establish any legal standard of care
 145 in civil actions.

146 Section 3. Section 1006.165, Florida Statutes, is amended
 147 to read:

148 1006.165 Automated external defibrillator; user training.-

149 (1) Each public school in this state ~~that is a member of~~
 150 ~~the Florida High School Athletic Association~~ must have an
 151 operational automated external defibrillator on the school
 152 grounds. Public and private partnerships are encouraged to cover
 153 the cost associated with the purchase and placement of the
 154 defibrillator and training in the use of the defibrillator.

155 (2) Each school must ensure that all employees or
 156 volunteers who are reasonably expected to use the device obtain
 157 appropriate training, including completion of a course in
 158 cardiopulmonary resuscitation or a basic first aid course that
 159 includes cardiopulmonary resuscitation training, and
 160 demonstrated proficiency in the use of an automated external
 161 defibrillator.

162 (3) The location of each automated external defibrillator
 163 must be registered with a local emergency medical services
 164 medical director.

165 (4) The use of automated external defibrillators by
 166 employees and volunteers is covered under ss. 768.13 and
 167 768.1325.

168 Section 4. This act shall take effect July 1, 2011.