

By Senator Altman

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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.; encouraging a person or
4 entity to notify the local public safety answering
5 point regarding the location of the defibrillator in
6 its possession; authorizing public safety
7 telecommunicators to contact owners of defibrillators
8 under certain circumstances involving coronary
9 emergency calls; requiring certain entities to notify
10 local emergency services medical directors of the
11 locations of automated external defibrillators;
12 requiring local emergency medical services medical
13 directors to maintain registries of certain automated
14 external defibrillator locations; amending s.
15 768.1326, F.S.; directing the State Surgeon General,
16 with the assistance of the Department of Management
17 Services, to adopt rules to establish guidelines for
18 the appropriate placement and deployment of automated
19 external defibrillators in places of public assembly;
20 providing a definition; providing exceptions;
21 clarifying the scope of the requirements of the act;
22 amending s. 1006.165, F.S.; requiring the placement of
23 an automated external defibrillator in each public
24 school in this state; requiring training of certain
25 persons; requiring registration of such devices with
26 local emergency medical services medical directors;
27 providing an effective date.

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

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

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

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

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

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

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

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

(b) A ~~Any~~ person or entity in possession of an automated external defibrillator is encouraged to notify the local emergency medical services medical director or the local public safety answering point, as defined in s. 365.172(3) (a), of the location of the automated external defibrillator. The owner, operator, or administrator responsible for a place of public

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59 assembly, as defined in s. 768.1326, shall notify the local
60 emergency medical services medical director of the location of
61 any automated external defibrillators. The state agency
62 responsible for a building or portion of a building owned or
63 leased by the state shall notify the local emergency medical
64 services medical director of the location of any automated
65 external defibrillators. The local emergency medical services
66 medical director shall maintain a registry of these automated
67 external defibrillator locations.

68 (c) A ~~Any~~ person who uses an automated external
69 defibrillator shall activate the emergency medical services
70 system as soon as possible upon use of the automated external
71 defibrillator.

72 (d) Notwithstanding s. 365.171(12), a 911 public safety
73 telecommunicator, as defined in s. 401.465, may contact any
74 private person or entity who owns an automated external
75 defibrillator and has notified the local emergency medical
76 services medical director or public safety answering point of
77 such ownership if a confirmed coronary emergency call is taking
78 place and the location of the coronary emergency is within a
79 reasonable distance from the location of the defibrillator and
80 may provide the location of the coronary emergency to that
81 person or entity.

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

83 (a) Tamper with or otherwise renders an automated external
84 defibrillator inoperative, except during such time as the
85 automated external defibrillator is being serviced, tested,
86 repaired, recharged, or inspected or except pursuant to court
87 order; or

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

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

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

97 Section 2. Section 768.1326, Florida Statutes, is amended
98 to read:

99 768.1326 Placement of automated external defibrillators in
100 state buildings and places of public assembly; rulemaking
101 authority.-

102 (1) ~~No later than January 1, 2003,~~ The State Surgeon
103 General shall adopt rules to establish guidelines on the
104 appropriate placement of automated external defibrillator
105 devices in buildings or portions of buildings owned or leased by
106 the state and places of public assembly, and shall establish, by
107 rule, recommendations on procedures for the deployment of
108 automated external defibrillator devices in such buildings and
109 places of public assembly in accordance with the guidelines. The
110 Secretary of Management Services shall assist the State Surgeon
111 General in the development of the guidelines. The guidelines for
112 the placement of the automated external defibrillators shall
113 take into account the typical number of employees and visitors
114 in the building or place of public assembly ~~buildings~~, the
115 extent of the need for security measures regarding the building
116 or place of public assembly ~~buildings~~, special circumstances in

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117 the building or a portion of the building ~~buildings or portions~~
118 ~~of buildings~~ such as high electrical voltages or extreme heat or
119 cold, and such other factors as the State Surgeon General and
120 Secretary of Management Services determine to be appropriate. As
121 used in this section, the term "place of public assembly" means
122 an educational facility used as an emergency shelter or a
123 location that has a seating capacity of at least 1,000 people
124 and includes, but is not limited to, any stadium, ballpark,
125 gymnasium, field house, arena, civic center, or similar facility
126 used for the conduct of sporting events and any concert hall,
127 recital hall, theater, indoor or outdoor amphitheatre, or other
128 auditorium used for the presentation of musical performances or
129 concerts. The term does not include any church, synagogue, or
130 other not-for-profit religious organization or any public
131 association or public library. The State Surgeon General's
132 recommendations for deployment of automated external
133 defibrillators in buildings or portions of buildings owned or
134 leased by the state or in places of public assembly shall
135 include:

136 (a) ~~(1)~~ A reference list of appropriate training courses in
137 the use of such devices, including the role of cardiopulmonary
138 resuscitation;

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

141 (c) ~~(3)~~ Manufacturer recommended maintenance and testing of
142 the devices; and

143 (d) ~~(4)~~ Coordination with local emergency medical services
144 systems regarding registration of automated external
145 defibrillators and documentation of the incidents of use of the

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146 devices.

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148 In formulating these guidelines and recommendations, the State
149 Surgeon General may consult with all appropriate public and
150 private entities, including national and local public health
151 organizations that seek to improve the survival rates of
152 individuals who experience cardiac arrest.

153 (2) This section does not:

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

158 (b) Mandate the placement of any automated external
159 defibrillator in any place of public assembly; or

160 (c) Authorize the adoption of rules, guidelines, or
161 recommendations that would establish any legal standard of care
162 in civil actions.

163 Section 3. Section 1006.165, Florida Statutes, is amended
164 to read:

165 1006.165 Automated external defibrillator; user training.-

166 (1) Each public school in this state ~~that is a member of~~
167 ~~the Florida High School Athletic Association~~ must have an
168 operational automated external defibrillator on the school
169 grounds. Public and private partnerships are encouraged to cover
170 the cost associated with the purchase and placement of the
171 defibrillator and training in the use of the defibrillator.

172 (2) Each school must ensure that all employees or
173 volunteers who are reasonably expected to use the device obtain
174 appropriate training, including completion of a course in

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175 cardiopulmonary resuscitation or a basic first aid course that
176 includes cardiopulmonary resuscitation training, and
177 demonstrated proficiency in the use of an automated external
178 defibrillator.

179 (3) The location of each automated external defibrillator
180 must be registered with a local emergency medical services
181 medical director.

182 (4) The use of automated external defibrillators by
183 employees and volunteers is covered under ss. 768.13 and
184 768.1325.

185 Section 4. This act shall take effect July 1, 2012.