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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.
28

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

30
 31 Section 1. Section 401.2915, Florida Statutes, is amended
 32 to read:

33 401.2915 Automated external defibrillators.—It is the
 34 intent of the Legislature that an automated external
 35 defibrillator may be used by a ~~any~~ person for the purpose of
 36 saving the life of another person in cardiac arrest. In order to
 37 achieve that goal, the Legislature intends to encourage training
 38 in lifesaving first aid and set standards for and encourage the
 39 use of automated external defibrillators.

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

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

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

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

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

54 (b) A ~~Any~~ person or entity in possession of an automated
 55 external defibrillator is encouraged to notify the local
 56 emergency medical services medical director or the local public

57 safety answering point, as defined in s. 365.172(3)(a), of the
 58 location of the automated external defibrillator. The owner,
 59 operator, or administrator responsible for a place of public
 60 assembly, as defined in s. 768.1326, shall notify the local
 61 emergency medical services medical director of the location of
 62 any automated external defibrillators. The state agency
 63 responsible for a building or portion of a building owned or
 64 leased by the state shall notify the local emergency medical
 65 services medical director of the location of any automated
 66 external defibrillators. The local emergency medical services
 67 medical director shall maintain a registry of these automated
 68 external defibrillator locations.

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

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

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

84 (a) Tamper with or otherwise renders an automated

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85 external defibrillator inoperative, except during such time as
86 the automated external defibrillator is being serviced, tested,
87 repaired, recharged, or inspected or except pursuant to court
88 order; or

89 (b) Obliterates the serial number on an automated external
90 defibrillator for purposes of falsifying service records,
91
92 commits a misdemeanor of the first degree, punishable as
93 provided in s. 775.082 or s. 775.083. Paragraph (a) does not
94 apply to the owner of the automated external defibrillator or
95 the owner's authorized representative or agent.

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

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

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

103 (1) ~~No later than January 1, 2003,~~ The State Surgeon
104 General shall adopt rules to establish guidelines on the
105 appropriate placement of automated external defibrillator
106 devices in buildings or portions of buildings owned or leased by
107 the state and places of public assembly, and shall establish, by
108 rule, recommendations on procedures for the deployment of
109 automated external defibrillator devices in such buildings and
110 places of public assembly in accordance with the guidelines. The
111 Secretary of Management Services shall assist the State Surgeon
112 General in the development of the guidelines. The guidelines for

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

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

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

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141 laypersons;

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

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

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

154 (2) This section does not:

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

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

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

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

166 1006.165 Automated external defibrillator; user training.-

167 (1) Each public school in this state ~~that is a member of~~
 168 ~~the Florida High School Athletic Association~~ must have an

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169 operational automated external defibrillator on the school
170 grounds. Public and private partnerships are encouraged to cover
171 the cost associated with the purchase and placement of the
172 defibrillator and training in the use of the defibrillator.

173 (2) Each school must ensure that all employees or
174 volunteers who are reasonably expected to use the device obtain
175 appropriate training, including completion of a course in
176 cardiopulmonary resuscitation or a basic first aid course that
177 includes cardiopulmonary resuscitation training, and
178 demonstrated proficiency in the use of an automated external
179 defibrillator.

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

183 (4) The use of automated external defibrillators by
184 employees and volunteers is covered under ss. 768.13 and
185 768.1325.

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