

1 HB755  
2 141843-1  
3 By Representative Boothe  
4 RFD: Agriculture and Forestry  
5 First Read: 26-APR-12

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8 SYNOPSIS: Under existing law, the specification of an  
9 automated external defibrillator includes a  
10 defibrillator that requests delivery of an  
11 electrical impulse.

12 This bill would revise the specification of  
13 an automated external defibrillator by removing the  
14 requirement that a defibrillator requests delivery  
15 of an electrical impulse.

16  
17 A BILL  
18 TO BE ENTITLED  
19 AN ACT  
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21 To amend Section 6-5-332.3, Code of Alabama 1975,  
22 relating to an automated external defibrillator; to remove the  
23 requirement that a defibrillator requests delivery of an  
24 electrical impulse.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. Section 6-5-332.3, Code of Alabama 1975,  
27 is amended to read as follows:

1           "§6-5-332.3.

2           "(a) The Legislature of the State of Alabama finds  
3 the following:

4           "(1) Early defibrillation may sustain the life and  
5 temporarily stabilize a person in cardiac arrest, thus helping  
6 to preserve the Alabama family.

7           "(2) The American Heart Association estimates that  
8 more than 350,000 Americans die each year from out of hospital  
9 sudden cardiac arrest, and 20,000 deaths may be prevented each  
10 year if automated external defibrillators were more widely  
11 available.

12           "(b) It is the intent of the Legislature that an  
13 automated external defibrillator may be used for the purpose  
14 of saving the life of another person in cardiac arrest.

15           "(c) As used in Section 6-5-332, the term "automated  
16 external defibrillator" or "AED" means a medical device heart  
17 monitor and defibrillator that meets all of the following  
18 specifications:

19           "(1) Has received approval of its pre-market  
20 notification filed pursuant to Section 360 (k), Title 21 of  
21 the United States Code from the United States Food and Drug  
22 Administration.

23           "(2) Is capable of recognizing the presence or  
24 absence of ventricular fibrillation or rapid ventricular  
25 tachycardia and is capable of determining, without  
26 intervention by an operator, whether defibrillation should be  
27 performed.

1           "(3) Upon determining that defibrillation should be  
2 performed, automatically charges ~~and requests delivery of~~ an  
3 electrical impulse through the chest wall and to an  
4 individual's heart.

5           "(d) A person or entity that acquires an AED shall  
6 ensure all of the following:

7           "(1) That expected defibrillator users receive  
8 appropriate training in an American Heart Association,  
9 American Red Cross, or other nationally recognized  
10 cardiopulmonary resuscitation (CPR) course and AED, or an  
11 equivalent nationally recognized course.

12           "(2) That the defibrillator is maintained and tested  
13 according to the manufacturer's operational guidelines.

14           "(3) That there is involvement of a licensed  
15 physician or medical authority in the site's AED program to  
16 ensure compliance with training, notification, and  
17 maintenance.

18           "(4) That any person who renders emergency care or  
19 treatment of a person in cardiac arrest by using an AED  
20 activates the emergency medical services system as soon as  
21 possible.

22           "(5) That each manufacturer, wholesale supplier, or  
23 retailer of an AED notifies purchasers of AED's intended for  
24 use in the State of Alabama of the requirements of this  
25 section.

26           "(e) A person or entity who acquires an automated  
27 external defibrillator shall notify the local emergency

1       communications center or dispatch center of the existing  
2       location and type of AED.

3               "(f) This section shall not apply to an individual  
4       using an AED in an emergency setting if that individual is  
5       acting as a good samaritan pursuant to Section 6-5-332."

6               Section 2. This act shall become effective on the  
7       first day of the third month following its passage and  
8       approval by the Governor, or its otherwise becoming law.