

1 HB246
2 165375-2
3 By Representative Weaver
4 RFD: Health
5 First Read: 11-MAR-15

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8 SYNOPSIS: Under existing law, owners of an automated
9 external defibrillator (heart defibrillators or
10 AED) must meet certain training and notification
11 requirements.

12 This bill would no longer require a
13 physician's involvement in having an AED on site.

14 This bill would no longer require a person
15 who uses an AED to contact medical services as soon
16 as possible when using an AED.

17 This bill would encourage potential users of
18 AEDs to successfully complete appropriate training
19 on the use of AEDs.

20 This bill would require manufacturers of
21 AEDs to provide in-service training on the use and
22 operation of AEDs.

23
24 A BILL
25 TO BE ENTITLED
26 AN ACT
27

1 Relating to heart defibrillators; to amend Section
2 6-5-332.3, Code of Alabama 1975; to encourage potential users
3 of AEDs to successfully complete appropriate training on the
4 use of AEDs; to require manufacturers of AEDs to provide
5 in-service training on the use and operation of AEDs.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

9 "§6-5-332.3.

10 ~~"(a) The Legislature of the State of Alabama finds~~
11 ~~the following:~~

12 ~~"(1) Early defibrillation may sustain the life and~~
13 ~~temporarily stabilize a person in cardiac arrest, thus helping~~
14 ~~to preserve the Alabama family.~~

15 ~~"(2) The American Heart Association estimates that~~
16 ~~more than 350,000 Americans die each year from out of hospital~~
17 ~~sudden cardiac arrest, and 20,000 deaths may be prevented each~~
18 ~~year if automated external defibrillators were more widely~~
19 ~~available.~~

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

23 ~~"(c) (a)~~ As used in Section 6-5-332, the term
24 "automated external defibrillator" or "AED" means a medical
25 device heart monitor and defibrillator that meets all of the
26 following specifications:

1 ~~"(1) Has received approval of its pre-market~~
2 ~~notification filed pursuant to Section 360 (k), Title 21 of~~
3 ~~the United States Code from the United States Food and Drug~~
4 ~~Administration~~ Is commercially distributed in accordance with
5 the Federal Food, Drug and Cosmetic Act (21 U.S.C. Section
6 301, et seq.).

7 "(2) Is capable of recognizing the presence or
8 absence of ventricular fibrillation or rapid ventricular
9 tachycardia and is capable of determining, without
10 intervention by an operator, whether defibrillation should be
11 performed.

12 "(3) Upon determining that defibrillation should be
13 performed, semiautomatically or automatically charges and
14 requests delivery of an electrical impulse through the chest
15 wall and to an individual's heart.

16 "~~(d)~~ (b) A person or entity that acquires an AED
17 shall ensure all of the following:

18 "(1) That expected defibrillator users ~~receive~~
19 ~~appropriate training in an American Heart Association,~~
20 ~~American Red Cross, or other nationally recognized~~
21 ~~cardiopulmonary resuscitation (CPR) course and AED, or an~~
22 ~~equivalent nationally recognized course~~ are encouraged to
23 successfully complete a course in automated external
24 defibrillation and cardiopulmonary resuscitation (CPR) that is
25 offered or approved by a nationally recognized organization
26 and includes instruction on psychomotor skills and national

1 evidence-based emergency cardiovascular guidelines that are
2 current.

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

5 ~~"(3) That there is involvement of a licensed~~
6 ~~physician or medical authority in the site's AED program to~~
7 ~~ensure compliance with training, notification, and~~
8 ~~maintenance.~~

9 ~~"(4) That any person who renders emergency care or~~
10 ~~treatment of a person in cardiac arrest by using an AED~~
11 ~~activates the emergency medical services system as soon as~~
12 ~~possible.~~

13 ~~"(5) That each manufacturer, wholesale supplier, or~~
14 ~~retailer of an AED notifies purchasers of AED's intended for~~
15 ~~use in the State of Alabama of the requirements of this~~
16 ~~section.~~

17 "(c) Each manufacturer shall provide in-service
18 training on the AED use and operation to each person or entity
19 who acquires the AED.

20 ~~"(e)(d)~~ A person or entity who acquires an automated
21 external defibrillator shall notify the ~~local emergency~~
22 ~~communications center or dispatch center of the existing~~
23 ~~location and type of AED~~ distributor of the AED if any change
24 of ownership of the AED occurs.

25 ~~"(f)(e)~~ This section shall not apply to an
26 individual using an AED in an emergency setting if that

1 individual is acting as a good samaritan pursuant to Section 6-5-332."

2 Section 2. This act shall become effective on the

3 first day of the third month following its passage and

4 approval by the Governor, or its otherwise becoming law.