

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

1 ENGROSSED

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4 A BILL
5 TO BE ENTITLED
6 AN ACT
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8 Relating to heart defibrillators; to amend Section
9 6-5-332.3, Code of Alabama 1975; to encourage potential users
10 of AEDs to successfully complete appropriate training on the
11 use of AEDs; to require manufacturers of AEDs to provide
12 in-service training on the use and operation of AEDs.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

16 "§6-5-332.3.

17 ~~"(a) The Legislature of the State of Alabama finds~~
18 ~~the following:~~

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

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

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

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

8 ~~"(1) Has received approval of its pre-market~~
9 ~~notification filed pursuant to Section 360 (k), Title 21 of~~
10 ~~the United States Code from the United States Food and Drug~~
11 ~~Administration~~ Is commercially distributed in accordance with
12 the Federal Food, Drug and Cosmetic Act (21 U.S.C. Section
13 301, et seq.).

14 "(2) Is capable of recognizing the presence or
15 absence of ventricular fibrillation or rapid ventricular
16 tachycardia and is capable of determining, without
17 intervention by an operator, whether defibrillation should be
18 performed.

19 "(3) Upon determining that defibrillation should be
20 performed, semiautomatically or automatically charges and
21 ~~requests delivery of~~ delivers an electrical impulse through
22 the chest wall and to an individual's heart.

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

25 "(1) That expected defibrillator users ~~receive~~
26 ~~appropriate training in an American Heart Association,~~
27 ~~American Red Cross, or other nationally recognized~~

1 ~~cardiopulmonary resuscitation (CPR) course and AED, or an~~
2 ~~equivalent nationally recognized course~~ are encouraged to
3 successfully complete a course in automated external
4 defibrillation and cardiopulmonary resuscitation (CPR) that is
5 offered or approved by a nationally recognized organization
6 and includes instruction on psychomotor skills and national
7 evidence-based emergency cardiovascular guidelines that are
8 current.

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

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

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

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

23 "(c) Each manufacturer shall provide in-service
24 training materials on the AED use and operation to each person
25 or entity who acquires the AED.

26 ~~"(e) (d)~~ 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~~ distributor of the AED if any change
3 of ownership of the AED occurs.

4 "~~(f)~~ (e) This section shall not apply to an
5 individual using an AED in an emergency setting if that
6 individual is acting as a good samaritan pursuant to Section
7 6-5-332."

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

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Health 11-MAR-15

Read for the second time and placed
on the calendar 1 amendment 18-MAR-15

Read for the third time and passed
as amended..... 31-MAR-15

Yeas 97, Nays 0, Abstains 0

Jeff Woodard
Clerk