

AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ Alabama

Training:

AED acquirer shall ensure expected users receive AHA, ARC, or equivalent CPR/AED training

Medical Training:

Physician or medical authority to ensure compliance with training, notification, maintenance

Notification Requirements

AED acquirer must notify emergency dispatch about AED and must ensure user activates EMS ASAP upon use.

Good Samaritan Protection

Civil immunity for person or entity who without compensation uses AED to treat person who appears to be suffering from cardiac arrest - this immunity extends to licensed physician or medical authority, trainer, and person or entity responsible for the site.

Comments

Note: AED acquirer to ensure that AED manufacturer or supplier notifies purchasers of AEDs for use in Alabama about the requirements of this act.

Legislation Detail:	Introduced:	Signed:	Effective:	Funding	Legislation
(Effective) SB 5	"Providing for the use and standards for use of [AED]s; and ... to provide immunity for use of [AED]s"	6/9/99	9/1/99	No	
SB 373 (1998)	\$3 Mil			Yes	
HB 4213	2/19/01			No	

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♥ Alaska

Training:

AHA, ARC, or other AED course approved by Department of Health & Social Services

Medical Training:

Notification Requirements

User must " activate [EMS] system by notifying appropriate [EMS] agency"

Good Samaritan Protection

Civil immunity for user if meets training and notification requirements Limited immunity for trained lay persons.

Comments

Amended AS 09.65.090.

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) HB 395	"An Act relating to civil liability resulting from the use of a defibrillator in providing emergency aid or emergency training."	5/14/98	8/12/98	No

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♥ Arizona

Training:

AED acquirer shall limit the use of AED to persons trained in CPR and AED us per Heart Saver AED course

Medical Training:

AED acquirer shall enter into agreement with Arizona licensed physician to oversee all aspects of PAD; imposes additional requirements on physician

Notification Requirements

AED acquirer must require AED user to call 911 ASAP upon use and submit report to physician within 5 days; to notify re: existence and location and of AED and name of physician

Good Samaritan Protection

Civil immunity provisions for the following if they comply with requirements of this Act: trained AED user, supervising physician, trainer, AED acquirer, site or facility owner

Comments

Home user exempt from requirements Adds article 3 to Title 36, chapter 21.2 Arizona Revised Statutes. Also See: ARS 32-1471 Arizona Good Samaritan Law and ARS 32-1401, 1421, 1454, 1455 - Defibrillation practice of medicine but exemption for emergency

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
HB 2475		5/12/99		No
HB 2535	"\$100,000/yr"	1/30/01		Yes

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♥ Arkansas

Training:

AED acquirer shall ensure expected users receive AHA, ARC, or equivalent CPR/AED training

Medical Training:

Physician or medical authority to ensure compliance with training, notification, maintenance

Notification Requirements

AED acquirer must notify emergency dispatch about AED; User must activate EMS ASAP and report use to medical authority

Good Samaritan Protection

Civil immunity for AED user without compensation; includes user, medical authority, trainer, site

Comments

Added to Title 17, Chapter 95. Also see AR Code 17-95-101 & -106 for general good samaritan provisions

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) HB 1006	"An Act To Provide For Public Access To [AED]s"		2/18/99	No
HB 1847	"\$967,500 "	2/19/01		Yes
HB 4213	"\$500,000 "	2/7/01		Yes

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♥ California

Training:

CPR and AED training required - topics specified in regulation; 4 hours minimum presented in 2 sessions; written and skills exam required; physician may issue prescription only to trained person Acquirer must ensure that expected AED users are trained in CPR and AED use in course that complies w/ EMS regulations, AHA and ARC standards

Medical Training:

User must have written prescription to use AED; prescribing physician must establish policies and procedures and has other requirements Requires involvement of licensed physician in developing program to ensure compliance with regulations

Notification Requirements

User must activate EMS upon use if required by prescribing physician and/or local EMSAED acquirer must notify EMS of location and type of AED; activation of EMS upon use; report use to physician and EMS

Good Samaritan Protection

Civil immunity for: User trained in CPR and AED use in course that complies w/ EMS regulations, AHA and ARC standards, provided not for compensation. Trainer. Physician and persons/entities responsible for site where AED located, provided requirements of bill and all regulations re: training, use, and placement are met.

Comments

Chapter 1.8 applies only to person not otherwise licensed or certified to use AEDAB 2371 introduced 2/98 would have granted civil immunity for AED user and organization - failed to pass Added Civil Code 1714.21, Health and Safety Code 1797.196 Specific maintenance requirements and checks required

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
Cal Code of Regs Title 22, Div. 9 Ch 1.8		"Training Standards for Use of [AED] by Non-Licensed or Non-Certified Personnel"		No
AB 760	2/22/01			No
(Effective) SB 911		"Emergency care: automatic external defibrillator: acquisition and liability"	7/22/99	No
AB 760	2/22/01	grants for school AED purchases		Yes

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♥ Colorado

Training:

CPR and AED training through course approved by department of public health and environment

Medical Training:

Requires involvement of Colorado licensed physician in the program at site of the AED to ensure compliance with requirements

Notification Requirements

Must notify emergency dispatch of location and type of AED; activate EMS ASAP upon use; report use to physician

Good Samaritan Protection

Provided requirements of the bill are met, civil immunity for person or entity whose primary duties do not include provision of health care who uses AED without compensation and for physician and person or entity responsible for site and AED placement. Requirements do not apply to person acting as good samaritan per section 13-21-108.

Comments

Note: also requires written plans re: training, coordination with EMS, etc.13-21-1081, CRS

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) HB 1283	"A Bill for an Act Concerning Limited Immunity For the Use of Automated External Defibrillators in Emergency Situations"		4/16/99	No

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♥ Connecticut

Training:

AED training to ARC or AHA standards required

Medical Training:

Notification Requirements

Good Samaritan Protection

Civil immunity for trained user if gratuitous and not in ordinary course of employment.HB 5642 (1/12/01) will extend immunity to police officers to preserve situation until EMS arrives.

Comments

Pub Act 98-62; general statutes section 52-557b

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) SB 318	"An Act Concerning Good Samaritan Immunity for Automatic External Defibrillator Use By a Person With Proper Training" (October 1998)	5/19/98		No
HB5642		1/12/01		No

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♥ Delaware

Training:	Medical Training:	Notification Requirements	Good Samaritan Protection	Comments
Training under direction of AHA	Yes	AED provider agency must be approved by OEMS. They have requested to be notified of any sale of AEDs in Delaware.	Delaware Code 6801 re: exemption for liability for rendering emergency care without expectation of monetary or other compensation.	Note Delaware passed HB 332 on 6/17/99 calling for the Dep't of Health & Soc Services to promulgate regulations re: AED use, coordinate a statewide effort to promote widespread use of AEDs. Also requires all law enforcement patrol vehicles to have AEDs by 1/01 subject to appropriations.

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
HB 332 of 1999				No
HB 430d of 2000				No

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♥ District Of Columbia

Training:	Medical Training:	Notification Requirements	Good Samaritan Protection	Comments
AHA or ARC training required	Yes	Yes - coordination with EMS	Immunity to user in good faith and without compensation. Extends to prescription provider, acquirer & training.	

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
Bill #B13-0735	D.C. Public Access to Automatic External Defibrillation as of 2000.			Yes

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♥ Florida

Training:

CPR and AED training required

Medical Training:

Notification Requirements

Activation of EMS service required upon AED use. Anyone possessing an AED is encouraged to register with EMS medical director.

Good Samaritan Protection

Immunity for any person who uses or attempts to use AED on victim of perceived medical emergency without objection of victim. Extends to acquirer under certain conditions. Does not extend to healthcare professionals, manufacturers or in the event of gross negligence by user.

Comments

Entitled "Cardiac Arrest Survival Act", Section 768.1325, Florida Statutes. Repeals Good Samaritan Act, Section 768.13, F.S. and amends Section 401.2915, F.S.

Act directs Department of Health to adopt rules and establish guidelines for placement of AEDs in state buildings.

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
HB1429	"Cardiac Arrest Survival Act"		10/1/01	No
(Effective) H 411	"An act relating to [AED]s; providing legislative intent that automatic external defibrillators may be used by any person; requiring persons to obtain training and activate [EMS] upon use of a defibrillator; encouraging certain persons and entities t		4/30/97	No

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♥ Georgia

Training:

Training per AHA, ARC or nationally recognized course. Maintenance and testing per manufacturer's guidelines. Oversight by physician or other authorized person to ensure compliance

Medical Training:

Notification Requirements

Notification of EMS required prior to placing AED in use; Activation of EMS required upon AED use. notification to supervisor of AED program.

Good Samaritan Protection

Civil immunity for any person who gratuitously and in good faith renders emergency care using AED without objection on person; immunity extended to acquirer, trainer and program supervisor

Comments

Amends Chapter 11 of Title 31 of the Official Georgia Code Annotated 31-11-53.2

Legislation Detail:

(Effective) SB 566

""A bill ... relating to the automatic defibrillator program, so as to provide for easier public access to automated external defibrillators...""

Introduced:

Signed:

Effective:

Funding Legislation

4/6/98

7/1/98

No

SB 51

2/24/01

4/27/01

No

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♥ Hawaii

Training:

Required: CPR and AED training administered by physician

Medical Training:

Notification Requirements

Good Samaritan Protection

Civil immunity for trained user and person who establishes AED program without expectation of remuneration

Comments

HB 2598 removed AED use from practice of medicine Also note: HB 885 introduced 2/99 would impose duty to assist person at the scene of an emergency but would provide no civil damages for failure to do so. Would grant civil immunity to person rendering care. Status: house draft 2 3/5/99.453-2 HRS and 663-1.5 HRS

Legislation Detail:		Introduced:	Signed:	Effective:	Funding Legislation
(Effective) HB 2598	""A bill for an act relating to [AED]s""Provides immunity from liability for [AED] use in emergency care situations if appropriately trained.Provides persons, including employers, immunity for establishing [AED] programs.""		7/14/98	7/14/98	No
SB 1316	funds for ambulance purchases	1/25/01			Yes
SB 1399	funds for ambulance purchases	1/25/01			Yes

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♥ Idaho

Training:

AED acquirer shall ensure that expected users receive AHA, ARC or equivalent CPR and AED training

Medical Training:

Requires involvement of a physician to ensure compliance with requirements for training, notification, device maintenance, and guidelines for use.

Notification Requirements

AED acquirer must notify emergency dispatch about AED. AED user must activate EMS ASAP and must report use of AED to prescribing physician.

Good Samaritan Protection

Immunity from civil liability for use of a defibrillator in an emergency setting.

Comments

New section 5-337 Idaho Code Chapter 351 of 1999.

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) SB 1185			3/25/99	No
<p>""An Act Relating To Use Of An [AED]...To Define an [AED], To Prescribe The Conditions For Use And To Provide Immunity To Persons Who Comply With the Requirements...""</p>				

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♥ Illinois

Training:

Basic emergency care and AED use per AHA standards Would require the Department of Public Health to adopt rules re: training programs Would require AED acquirer to ensure AED use only by trained users

Medical Training:

Notification Requirements

Would require AED acquirer to notify emergency dispatch about AED and register with EMS Would require AED user to activate EMS ASAP on use

Good Samaritan Protection

Civil immunity for user who, not for compensation, uses AED in accordance with training Would provide civil immunity for authorizing physician, individual or entity providing training; person owning occupying or managing the AED site; and a trained user Would provide civil immunity for person or entity that owns, occupies, or manages a building in which an AED is used

Comments

Added new section to good samaritan Act: 745 ILCS 49/12

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) HB 1217	"An act concerning civil immunity, amending named Acts."		8/14/98	No
SB 458	"The Automated External Defibrillator Act"	8/13/99		No
HB 1773	"An Act to amend the Good Samaritan Act"	2/18/99		No
HB 2612	"Duty To Aid Law"	2/22/99		No

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♥ Indiana

Training:

Required: AHA or equivalent AED and CPR course by national or state approved instructor; proficiency must be demonstrated

Medical Training:

Medical direction required

Notification Requirements

Person possessing AED must notify EMS or ambulance service of location of AED Upon use of AED must notify local ambulance service

Good Samaritan Protection

Note: SB 171 included immunity provisions which were inadvertently repealed by PL 1- 1998. AED user immune from liability if gratuitous and if the person fulfills the requirements of IC 16-31-6.5. Individual, business, or organization that allows an expected user to use an AED is immune from civil liability if gratuitous and if all fulfill the requirements of IC 16-31-6.5

Comments

Added IC 16-31-6.5; amended IC 34-4-12-1.5 Amended IC 34-6-2-51 and IC 34-30-12-1

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) SB 171		3/11/98	3/11/98	No
SB 40 "Technical Corrections"	Reinstated good samaritan AED provisions of SB 171 which had been repealed inadvertently Applicable Sections (67 and 74) effective retroactively to 7/1/98.	3/2/99		No

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♥ Iowa

Training:	Medical Training:	Notification Requirements	Good Samaritan Protection	Comments
CPR and AED training approved by Department of Public Health	PAD service program must have medical director	Business must establish an affiliation with an EMS service program or may apply for authorization as an independent PAD service program	Iowa Code 147A.10 (1997) provides for exemptions from liability for appropriately certified emergency medical care provider; Iowa Code 613.17 (1997) provides for civil immunity for person who renders emergency care without compensation.	Person seeking certification as a [PAD] provider must be employee or associate of the business agency applying for PAD service program authorization. The AED, protocol, training, etc. must be approved by the Department

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) Iowa Admin Code 641-132.16(147A)	"Public access defibrillation." (12/98)			No
	"This rule is intended to enhance and supplement the local EMS system with nontraditional early defibrillation groups/agencies."			

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♥ Kansas

Training:	Medical Training:	Notification Requirements	Good Samaritan Protection	Comments
An AED may be used by any qualified person: i.e. who has completed training courses in CPR and AED and demonstrated proficiency in AED use			Civil immunity for use or provision of AED provided gratuitous	added new section 18 KSA 1997 65-6144; 4/23/98

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) SB 535	"An Act ... concerning the use of [AEDs]..." (May 1998)			No

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♥ Kentucky

Training:

AHA or ARC training

Medical Training:

Prescribing physician must issue written proof of the users ability to use an AED. Before prescribing and authorizing the use of the AED, the physician shall establish policies and procedures per the requirements of the regulation

Notification Requirements

Good Samaritan Protection

Any person, who in good faith and without compensation who renders emergency care or treatment by the use of an AED shall be immune from civil liability for any personal injury as a result of the care or treatment, or as the result of any act or failure to act in providing or arranging further medical treatment. Includes Acquirer, Trainer and Medical Director.

Comments

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
HB 49	2/18/00			No

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♥ Louisiana

Training:

Anyone who possesses and AED must ensure expected users regularly receive CPR and AED training to nationally recognized standard

Medical Training:

Anyone who possesses and AED must ensure licensed physician or advanced practice RN who is authorized to prescribe is involved in program to ensure compliance with requirements for training, notification, and maintenance

Notification Requirements

Anyone who possesses and AED must: notify the bureau of EMS and local emergency services provider of location and type of AED; ensure EMS is activated ASAP on use of AED and that AED use is reported to program's physician or RN

Good Samaritan Protection

Civil immunity for any prescribing RN or physician who authorizes the purchase of the AED or who is involved in the program; trainers; purchasers, persons responsible for the site where AED located; any expected user regularly on the premises. Note: R.S. 9.2793 provides civil immunity for person who in good faith gratuitously renders care, but excludes care rendered incidental to a business relationship, e.g. employer-employee.

Comments

Added R.S. 40:1236.11 through 1236.14 Requires AED suppliers to notify customers of the requirements of this law

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) SB 100			7/2/99	No
"An Act...to establish certain requirements of any person or entity who possesses an [AED]; to provide for certain requirements of an [AED]; to provide for civil immunity for certain persons relative to the operation of an AED..."				

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AED Legislation Summary



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Maine

Training:	Medical Training:	Notification Requirements	Good Samaritan Protection	Comments
AHA or ARC training		Must notify EMS	No criminal or civil responsibility for performing AED in good faith, regardless of training.	

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
HB1069	3/5/01	6/6/01		No

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AED Legislation Summary



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♥ Maryland

Training:	Medical Training:	Notification Requirements	Good Samaritan Protection	Comments
Training as required by the EMS board	Must have a sponsoring physician licensed to practice medicine under Maryland Law and who meets the qualifications established by the EMS board	AED program must be registered with EMS, must notify EMS/911 ASAP upon use of AED; must report use of AED to EMS	Civil immunity for: (1) trained and authorized person who uses AED provided without compensation, per the requirements of this Act, at an authorized facility, and provided the AED was obtained by a physician's prescription; (2) for facility provided has met requirements under this act and possesses valid certificate; and (3) for sponsoring physician of an authorized facility	Note: Except for an AED obtained by prescription to a known patient, an individual may not use an AED unless it is through an authorized facility; authorized facility must have a certificate issued by the EMS board. EMS board is required to implement regulations to implement this Act by 12/31/99 Ann. Code Md. Article - Education 13-501, 13-517

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation	
(Effective) SB 294 "Emergency Medical Services - [AED] Program"	"... to authorize certain facilities to make [AED] available; requiring certain facilities to have a certain certificate before they may make [AED] available;...requiring ... training;... authorizing the EMS board to set certain fees;... providing im		4/27/99	10/1/99	No

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AED Legislation Summary



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♥ Massachusetts

Training:

Required: CPR/AED training to standards of AHA or ARC

Medical Training:

Notification Requirements

Good Samaritan Protection

Immunity for person using AED per training if without compensation and other than in the course of regular professional or business activity. Also Note: Ch 111 section 201: Police may be trained in AED use; training & equipment to Department standards. Ch 111C section 14: immunity for police rendering emergency care. Ch. 142 defines "AED provider".

Comments

General Laws of MA Ch 112: Section 12V.

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) SB 2164			8/26/98	No
	"Exemption of certain trained individuals rendering emergency [CPR] or defibrillation from civil liability." Chapter 142			
SB 882	would "[limit] liability from the use of AEDs"	1/6/99		No
SD (Senate Docket) 1210	relates to the limiting of defibrillation liability	12/8/98		No
SB 2327	introduced refers to training.	12/21/00		No
HB1611	requires 3 AEDs in State Bldg; 6 users trained.	1/3/01		No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ Michigan

Training:	Medical Training:	Notification Requirements	Good Samaritan Protection	Comments
			Civil immunity for AED user who has no duty to render emergency services; physician who provides medical authorization for use of the AED; trainer; owner, occupier or manager of premises where AED is located or used----- Physician's Assistants will be granted immunity	Amended section 4 (MCL 691.1504)

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) HB 4420	"An act to relieve certain persons from civil liability when rendering emergency care..."		11/15/99	No
SB 184		2/8/01		No

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AED Legislation Summary



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♥ Minnesota

Training:	Medical Training:	Notification Requirements	Good Samaritan Protection	Comments
			Civil immunity for person (including corporation, volunteer service, or other entity) providing or using an AED without compensation or expectation of compensation. Does not apply to person rendering care with expectation of compensation and during course of regular employment.	Amended MN statutes 1996, section 604A.01, subdivision 2.\$450,000 for distribution to Law Enforcement per S3345 of 1998HB 1044 \$1,000,000 for grants 2/22/01

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) SF 2861	"[AED] use civil liability immunity provided."	3/23/98	8/1/98	No
S 3345 of 1998/ HB 1044	2/22/01			No

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AED Legislation Summary



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♥ Mississippi

Training:	Medical Training:	Notification Requirements	Good Samaritan Protection	Comments
CPR and AED training to AHA, ARC, NSC, or other nationally recognized course.	Mississippi licensed physician must exercise medical control authority over the person using the AED to ensure compliance with requirements	Upon use, must activate EMS ASAP; must report use to medical director	Civil immunity for AED user who complies with requirements, with or without compensation; Civil immunity for medical director and trainer	MS Code 73-25-37

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) HB 954	"An Act to authorize any person to use an [AED] ... if they meet the requirements of this act; to require persons who use [AED]s to obtain appropriate training and to activate [EMS] upon use of the defibrillator; ... to provide immunity from civil liability	3/30/99	7/1/99	No
SB 2085	refer to appropriation	1/3/01		Yes
SB 2092	refer to appropriation	1/3/01		Yes

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AED Legislation Summary



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♥ Missouri

Training:	Medical Training:	Notification Requirements	Good Samaritan Protection	Comments
Required: training to AHA/ARC or equivalent national course in CPR and AED	Physician must provide medical protocol	AED acquirer must notify EMS or ambulance dispatch center of location. User must activate EMS ASAP upon use of AED.	Civil immunity for use or provision of AED when gratuitous, medically appropriate, and when user is appropriately trained	HB 1668 authorizes local governments to "establish a program to allow the use of AEDs by any person..." It sets forth the minimum requirements of those programs. (First Responders who provide care in association with a EMS agency are trained to DOT levels.) MO Rev Statutes 190.375, 192-100 MO Rev Statutes 537.037 8/28/97: civil immunity For first aid within scope of training

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) HB 1668	"An Act...relating to first responder programs..."	6/18/98	8/28/98	No
HB 749	establishes an AED Advisory Committee	2/12/01		Yes

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ Montana

Training:

Expected AED users must have AED and CPR training approved by department.

Medical Training:

Physician or designee must supervise AED program to ensure compliance with written plan and must review each AED use.

Notification Requirements

Must notify EMS upon use and report to supervising physician or designee; Must notify all licensed EMS and any emergency dispatch location of AED and must provide copy of plan

Good Samaritan Protection

An individual who uses AED in compliance with this Act and any department rules is immune from civil liability for personal injury; immunity extends to supervising physician and designee identified in the plan, entity responsible for AED program identified in the plan, and individual providing training.

Comments

Notes: In order for an entity to allow use of an AED must establish a program and have a written plan that complies with the detailed requirements in the Act and any departmental rules. This Act does not apply to the use of an AED by a patient's caretaker if the use has been prescribed by a physician. Neither does it apply to use by health care professional whose scope of practice includes use of AED. 37-3-103, MCA

Legislation Detail:

Introduced:

Signed:

Effective:

Funding Legislation

(Effective) HB 126

"Provides for the use of [AED]s; provides that use of an AED is not prohibited and a license is not required by statutes prohibiting the practice of medicine without a license; requires the preparation of an AED program plan..."

4/19/99

7/1/99

No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ Nebraska

Training:	Medical Training:	Notification Requirements	Good Samaritan Protection	Comments
No person other than a health care professional shall use an AED unless has received training as established by the State Department of Health and Human Services*			Civil immunity for AED user other than health care professional provided training and device maintenance requirements are met	*Note: LB 498 gives the department the power to establish criteria for deployment and use of AEDs 71-5178, Revised Stat Supp 1998

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) LB 498	"A bill for an Act ... to provide for the use of [AED]s; ... to provide for immunity from liability; to provide for rules and regulations..."	3/30/99	3/30/99	No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ Nevada

Training:	Medical Training:	Notification Requirements	Good Samaritan Protection	Comments
Required: course in CPR and AED use in accordance with AHA or ARC standards			Civil immunity provision for: AED user provided gratuitous, in good faith and in accordance with training person or entity providing training under this act business or organization that has placed an AED on premises providing complies with all regs governing use and placement of AEDs, ensures that only persons qualified under this act use the AED, establishes and maintains a program to ensure with compliance, etc.	"Gratuitously" specifically defined by this Act as meaning "the person receiving care or assistance is not required or expected to pay..." Amended NRS 618.384 and 41.500

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) AB 147	"An Act ... requiring the administrator of the division of industrial relations of the department of business and industry to encourage employers to hire persons trained to render emergency medical care involving the use of an [AED], providing thatce			No
(Effective) AB 409	"AN ACT ... extending limited immunity for liability regarding the use of [AED]s and related training;..."	5/20/99	10/1/99	No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ New Hampshire

Training:	Medical Training:	Notification Requirements	Good Samaritan Protection	Comments
AED acquirer shall expected users to receive CRP and AED training			Civil immunity for user, provided without compensation; Civil immunity for any person, organization, corp. that acquires and maintains an AED.	RSA 151B

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) SB 67	An Act limiting liability resulting from the use of AED	7/16/99	7/16/99	No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ New Jersey

Training:

A person shall not use a defibrillator unless he holds a current certificate in CPR and defibrillator use from AHA, ARC or other program recognized by Department of Health; AED acquirer must ensure training prior to defibrillator use

Medical Training:

Prior to purchasing the AED the AED purchaser must provide prescribing physician with documentation that protocol is in place which satisfies training, maintenance and notification requirements

Notification Requirements

Acquirer must notify appropriate EMS provider of type and location of AED User shall request emergency medical assistance as soon as practicable

Good Samaritan Protection

Civil immunity for acquirer, provider, user, supervising licensed physician, prescribing licensed physician, trainer, or supervisor who complies with the Act

Comments

Title 2A NJS

Legislation Detail:		Introduced:	Signed:	Effective:	Funding Legislation
(Effective) AB2321	"Establishes requirements and immunity from civilliability for certain persons who use defibrillators"		3/8/99	3/8/99	No
SB 2170	\$1.2 Million appropriation for high school purchases	2/26/01			Yes
AB 2911	Grant program	1/18/01			Yes
AB 3124	Tax credit for half of purchase price to businesses	1/10/01			Yes

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ New Mexico

Training:

AED acquirer shall ensure that the targeted responder receives training in CPR and AED use by state approved course*

Medical Training:

AED acquirer shall ensure that there is a physician medical director to oversee all aspects of the AED program*

Notification Requirements

AED program must be registered with the state*Local EMS/911 must be notified of the AED program*User must activate EMS ASAP upon AED use and report use of AED to the medical director*

Good Samaritan Protection

Civil immunity provisions for supervisory physician, trainer, AED acquirer, AED site owner, and trained targeted operator, operating pursuant to the Act.

Comments

* The "Bureau" will adopt rules for implementing the cardiac arrest response act.Note: HB 375 includes specific exemption for AED prescribed for use by a patient's caregiver - this person need not function in an approved AED program.24-10B-4 NMSA 1978

Legislation Detail:

(Effective) HB 375

Introduced:

"An Act relating to [AED]s; enacting the cardiac arrest response act; providing certain requirements for entities establishing a defibrillation program; requiring training ...; requiring activation of [EMS]...; providing immunity from liability for c

Signed:

4/1/99

Effective:

7/1/99

Funding Legislation

No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ New York

Training:

Required: AED training course approved by state EMS council or state approved national organization (requirement does not apply to person acting per lawful prescription)

Medical Training:

"Collaborative agreement" between AED owner/operator and emergency health care provider must include practice protocols, policies and procedures

Notification Requirements

"Collaborative agreement" must be filed with the Department and with the appropriate regional council prior to operating the AED; owner/operator must notify regional council about the AED; every AED use must be immediately reported to the appropriate emergency dispatch and shall promptly notify the emergency health care provider

Good Samaritan Protection

Immunity provision for AED users (other than those health care providers specifically identified) is covered by existing Section 3000-a(1) re: a person who renders first aid voluntarily and without expectation of compensation 3000-a(2) Person or entity that purchases or makes available an AED and the emergency health care provider under a collaborative agreement shall not be liable for the use of the AED. Note - does not limit liability for their own ordinary negligence, only for that of the u

Comments

Also required: AED maintenance to manufacturer and government standards; intro. 6/11/97; New section 3000-b of Article 30 (EMS)

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) SB 5477	"[AED]s: Public Access Providers."	8/5/98	8/5/98	No

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AED Legislation Summary



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♥ North Carolina

Training:	Medical Training:	Notification Requirements	Good Samaritan Protection	Comments
AHA training			Immunity for AED users, trainers, owners and physicians who write prescriptions for AED purchases.	

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) S1629		7/14/00	10/11/00	No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ North Dakota

Training:

AED acquirer shall ensure every expected AED user is trained to AHA, ARC or equivalent course in CPR and AED use.

Medical Training:

AED acquirer "shall consider" recommendations of a licensed physician in establishing the requirements of HB 1242

Notification Requirements

AED acquirer must notify the department of health about the AED. Must establish a use protocol that requires the user to contact health care / EMS provider ASAP on use of AED

Good Samaritan Protection

Civil immunity for person who without compensation uses AED; also extends to licensed physician, trainer, and person responsible for site where AED is located provided the training, notification, device maintenance, and other requirements of the bill are met.

Comments

Chapter 300 of 1999

Legislation Detail:

Introduced:

Signed:

Effective:

Funding Legislation

(Effective) HB 1242

"AN ACT to provide [AED] site requirements and civil liability immunity for the use of an [AED].

3/25/99

8/1/99

No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ Ohio

Training:

Person who possesses an AED must require all expected AED users to complete AED and CPR course offered or approved by AHA or other nationally recognized organization

Medical Training:

Person who possesses an AED must consult with a physician regarding training and device maintenance and testing requirements

Notification Requirements

May notify EMS of AED location EMS shall be activated ASAP upon AED use

Good Samaritan Protection

Civil immunity for trainer and for physician providing a prescription for or consulting regarding AED; Civil and criminal immunity for user provided attempts to activate EMS, regardless whether user has received training

Comments

Introduced 3/9/98 Added sections 2305.235 and 370.85 of the Revised Code.

Legislation Detail:

(Effective) HB 717

"Automated external defibrillation - immunity"

Introduced:

Signed:

12/17/98

Effective:

12/17/98

Funding Legislation

No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ Oklahoma

Training:	Medical Training:	Notification Requirements	Good Samaritan Protection	Comments
CPR and AED training course of at least 4 hours; training providers and instructors shall be approved			Immunity from civil liability for personal injury for: trained user who uses AED without expectation of compensation, and, person or entity which owns or controls AED provided requirements (e.g. training) are met.	OK Statues Section 5A of Title 76.

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) HB 1190	"An Act relating to emergency medical treatment; providing immunity from civil liability for certain qualified persons with certain exceptions; ...[and for] certain qualified entities with certain exceptions;..."	4/16/99	11/1/99	No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ Oregon

Training:

Immunity provisions only apply if person was trained in AED use and CPR to state approved course

Medical Training:

Immunity provisions only apply if AED acquirer has sought medical direction from a licensed physician

Notification Requirements

AED user must notify 911 equivalent upon use. AED acquirer must notify local EMS provider of location of the AED

Good Samaritan Protection

Civil immunity provisions for person acquiring and maintaining an AED, AED user, AED and CPR instructor, and physician medical director, and any person that owns or exercises control over the property where the AED is used.

Comments

Chapter 220, 1999 Laws

Legislation Detail:

Introduced:

Signed:

Effective:

Funding Legislation

SB 313

Signed

No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ Pennsylvania

Training:

AED Acquirer must ensure expected users trained to AHA, ARC or equivalent AED course approved by the Department of Health

Medical Training:

Notification Requirements

AED acquirer must instruct user to activate EMS upon use of AED and make data available on request

Good Samaritan Protection

Civil immunity for user, trained or not; Civil immunity for AED acquirer if complies with training, device maintenance / testing, and other requirements set forth in the Act.

Comments

Added 42 P.A.C.S. Section 8331.2

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) HB 1897	"An Act ... Providing For Good Samaritan Civil Immunity for Use of an [AED]"	12/15/98	2/15/99	No
SB 459	\$1.5 Million for grants for school P.E.D purchases	2/19/01		Yes
SB 781	"\$5 Million to veterans, senior centers, day cares"	2/16/01		Yes

NOTE: This is a brief comparison of state AED laws. There are common provisions that are not included here, e.g. device testing and maintenance requirements, requirements that AED use be in good faith, and immunity exceptions for acts of gross negligence or willful or wanton misconduct. There are other details that vary by state and that may be important to an evaluation of liability. This material has been prepared for informational purposes only and is not intended to be legal advice. It has been compiled from a variety of sources, including non-government internet sites, and may not be accurate or complete. You should obtain the advice of legal counsel engaged by you and licensed to practice law in the state in question.

AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ Rhode Island

Training:

Training in accordance with standards promulgated by AHA or ARC

Medical Training:

Notification Requirements

Good Samaritan Protection

Civil immunity for trained AED user, who gratuitously renders emergency care, whether acting in official capacity or as private volunteer-----
Provides civil immunity to persons providing training in CPR and AED use to AHA or ARC standards, and to physicians providing medical direction for AED programs

Comments

Amends Section 9-1-34 General Laws of Rhode Island

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
Section 9-1-34 General Laws of Rhode Island	In effect			No
(Effective) SB 879		6/18/99	6/18/99	No
S 239	Rhode Island funds mandates distribution of AED + 0 every term city and college in R.I			Yes

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ South Carolina

Training:

AED acquirer shall require designated AED users to have current training in CPR and AED use by AHA, ARC, or NSC

Medical Training:

AED acquirer must employ or obtain a physician, surgeon, PA, nurse or nurse practitioner to serve as AED liaison and approve AED program

Notification Requirements

AED protocol must include provision that user must notify EMS/911 upon use; use must notify AED; AED acquirer must report any clinical use of the AED to the AED liaison

Good Samaritan Protection

Civil immunity provisions for user or entity acting gratuitously; for designated AED users meeting and acting per training requirements; for AED acquirer and AED liaison meeting requirements of the Act; and for the prescribing physician.

Comments

Provisions of this Act do not apply to EMS, physicians offices, or health care facilities. Adds new Chapter 76 to Title 44, Code of Laws of South Carolina.

Legislation Detail:

(Effective) SB 728

" "The South Carolina[AED] act." "... requires persons or entities that acquire an [AED] to comply with certain training, testing, and use procedures and [provides] immunity from civil liability when in compliance." "

Introduced:

Signed:

6/1/99

Effective:

6/1/99

Funding Legislation

No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ South Dakota

Training:

AED training referred to but not specifically required by SB 83

Medical Training:

Person who obtains an AED must involve a physician to authorize in writing AED placement and compliance with the training, notification, and maintenance requirements

Notification Requirements

AED acquirer shall notify emergency communication dispatch center of location and type of AED; must report any AED use too the physician; must activate EMS system on use of AED

Good Samaritan Protection

Civil immunity for AED acquirer only if maintenance/testing, physician involvement requirements are met and if activates EMS on use of AED and reports emergency use of AED to physician; Civil immunity for trainer and for physician who provides services stated in this Act Note: 20-9-4.1 provides civil immunity to any person for good faith care during an emergency

Comments

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
SB 83	"An Act to provide immunity from civil liability for the placement and use of [AEDs]"	2/25/00		No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ Tennessee

Training:

AED acquirer shall ensure that expected users are trained to AHA or equivalent national course - AED and CPR-----Entity shall ensure that expected AED users receive CPR and AED training approved by department of health

Medical Training:

-----Department of health shall adopt rules specifying the requirements for medical supervision of an AED program

Notification Requirements

User must activate EMS upon AED use AED acquirer encouraged to register AED with emergency dispatch center----- Entity must notify appropriate emergency dispatch about the AED program and location of AED. Entity shall require that each time an AED is used EMS is summoned ASAP and the AED use is reported to the supervising physician

Good Samaritan Protection

-----Civil immunity provision for entity responsible for AED program if applicable provisions of Bill, rules and written AED plan have been met by the entity and the AED user. Trainer in approved AED program shall be held harmless by his or her employer for damages caused by negligent training.

Comments

Amended T.C.A. 63-6-218 and Title 68 Chapter 140 See 63-6-218 Good Samaritan Law re: civil immunity for AED user -----Note: Entity must establish program including written plan as outlined in the act and as specified by the department of health. Note: This act shall not apply where there is a duty to provide care. Amends TCA 63-6-218(b)(1) and (2)

Legislation Detail:

Introduced:

Signed:

Effective:

Funding Legislation

(Effective) HB 2970

"An Act...relative to [AED]s"

5/11/98

5/11/98

No

HB 1218 (HB 1158)

""[Extends] civil liability immunity provided under Good Samaritan Law to use of [AED]s, providing training and testing requirements are met""

6/17/99

No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ Texas

Training:

AED acquirer shall ensure that each user receives Texas approved CPR and AED training per rules to be established by the Department of Health

Medical Training:

Licensed physician must be involved in the training program to ensure compliance; AED acquirer shall ensure AED is delivered by or on the prescription issued in the course of his practice

Notification Requirements

AED acquirer shall notify local EMS provider of location and type of AED; AED user shall promptly notify EMS provider upon use of AED

Good Samaritan Protection

Civil immunity provision for prescribing physician, person/entity providing training; and person/entity acquiring AED provided in accordance with requirements of this chapter - AED acquirer who negligently fails to comply is liable for civil damages caused by such negligence;

Comments

Adds Chapter 779 to Subtitle B, Title 9 Health and Safety Code; amends Section 74.001(a) Civil Practice and Remedies Code

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) HB 580	An Act relating to [AED]s	6/19/99	9/1/99	No
SB 122	would provide immunity for AED user et al. (Passed Senate - To House 4/12/99; House committee on Public Health reported favorably 4/28/99)	1/12/99		No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ Utah

Training:

Section 26-8-7.5: a person who has received instruction in CPR and use of a fully automated external defibrillator conducted in accordance with guidelines of the AHA may use a fully automated defibrillator without a license, certificate, etc.

Medical Training:

Notification Requirements

Good Samaritan Protection

Contains immunity provisions for licensed physician or RN who provides emergency medical instructions and for person who is permitted to use a fully automated external defibrillator because of section 26-8-7.5, provided use of defibrillator is gratuitous and provided person appears to be in cardiac arrest SB 86 – liability extended to laypersons effective 5/1/2000

Comments

HB 50 is new Chapter 285 of 1999SB 86 signed as Chapter 62 of 2000 effective date 5/1/2000

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
HB 50	"An Act relating to health; extending immunity to a trained person who uses a fully automated external defibrillator in an emergency situation..." (emphasis added)	3/19/99		No
(Effective) SB 86	signed as Chapter 62 of 2000		5/1/00	No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ Vermont

Training:

AED/CPR training in ARC, AHA or department approved course

Medical Training:

Person who owns/leases AED must "maintain relationship with physician to provide consultation

Notification Requirements

Person using AED must call 911
Person who owns/leases AED must notify the department

Good Samaritan Protection

Civil immunity for any person who renders emergency care, acquires an AED, or who is a licensed physician providing technical assistance to a person acquiring an AED provided has complied with the requirements of this legislation. (Excludes health care provider as defined in section 9432(8))

Comments

18 V.S.A. sect. 9079432(8): "Health care provider" means a person, partnership, corporation, facility or institution, licensed or certified or authorized by law to provide professional health care service in this state to an individual during that individual's medical care, treatment or confinement.

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
S.283	"An Act relating to the use of heart defibrillator machines with appropriate training"	5/17/00		No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ Virginia

Training:

Board of Health approved course in AED and CPR

Medical Training:

Physician required to supervise AED program as outlined in section 32.1-111.14:1.

Notification Requirements

Any AED acquirer, other than EMS or health care provider whose scope of practice encompasses such services, is required to register with the Board of Health.

Good Samaritan Protection

Immunity for person who uses AED (without compensation - see bill for definition) and who has completed State CPR and AED training approved by the Board of Health. Civil immunity for any person who provides AED services at the scene of an emergency in compliance with section 32.1-111.14:1. HB 1049 clarifies and expands immunity.

Comments

Code of VA 8.01-225.32.1-111

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) HB 2097	"An Act ... relating to the use of [AED]s."	4/14/99	7/1/99	No
(Effective) HB 1049 of 2000	Enacted as Chapter 928.		7/1/00	No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ Washington

Training:	Medical Training:	Notification Requirements	Good Samaritan Protection	Comments
Instruction in defibrillator use and CPR by a state approved course	Required: prescription and medical direction by physician	AED acquirer shall notify local EMS of AED existence and location. Upon AED use user shall call 911 or equivalent and shall make follow up data available.	Civil immunity for AED user and anyone else providing services per this section. Note: The training, maintenance, medical direction, and notification requirements of this section do not apply to individual using an AED as good samaritan under RCW 4.24.300. (RCW 4.24.300 does not apply to persons rendering care during course of employment.)	RCW 70.54

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
(Effective) HB 2998	"Limited Immunity For Use of Semiautomatic External Defibrillators"	3/25/98	6/11/98	No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ West Virginia

Training:	Medical Training:	Notification Requirements	Good Samaritan Protection	Comments
Training in CPR, AED, and advanced directives from AHA, ARC, any other nationally recognized or OEMS approved training program	Duly licensed physician to serve as medical director re: training, coordinating with EMS, deployment strategies, review each use of AED	Entity providing AED program shall register with OEMS per requirements outlined in 16-4C; shall notify local dispatch of AED program, User shall activate EMS upon use of AED, and shall report use of AED to medical director and per OEMS guidelines	Person not liable for civil damages provided complies with Section 3 and provided renders emergency care gratuitously and other than in the ordinary course of the person's employment or profession.	New Section 16-4D-1 through -4 of WVC, 1931.

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
HB 2269	"Established criteria for entities providing early defibrillation program, including training, physician involvement, notification of EMS about AED program, activating EMS when AED is used, and providing limitation of liability for compliance with th	4/1/99		No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ Wisconsin

Training:

User must be trained in a course for which a physician serves as medical director and that is approved by the Department of Health & Family Services

Medical Training:

Requires physician as medical director for training course

Notification Requirements

AED acquirer must provide written notification to nearest EMS re: type, location, intended usage area of AED

Good Samaritan Protection

Civil immunity for: User who meets training requirements; Physician medical director to the training course; Person who provides the AED under this law. Excludes health care professional who renders emergency care for compensation and within the scope of his or her usual and customary employment. AB 251 defines first responders and training requirements.

Comments

Legislation Detail:	Introduced:	Signed:	Effective:	Funding Legislation
AB 239	"An Act... relating to; limitations on and requirements for use of semiautomatic defibrillators by individuals other than emergency medical technicians and first responders - defibrillation, providing civil immunity for the use..."	7/28/99		No
(Effective) AB 251 of 2000	November 2000	4/13/00		No

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AED Legislation Summary



♥ = States which have passed "expanded access" AED Laws.

♥ Wyoming

Training:

AED acquirer shall ensure that expected users receive training in CPR and AED use by AHA, ARC or other nationally or Wyoming department of health recognized course; refresher training every two years

Medical Training:

"Involvement of a licensed physician" required to ensure compliance with training, notification, and device maintenance requirements

Notification Requirements

AED acquirer must notify emergency communications center and local ambulance service of existence, location, and type of AED Any use of AED must be reported to the licensed physician

Good Samaritan Protection

Immunity from civil liability for personal injury for (a) trained person who uses AED without compensation and (b) for prescribing physician, training provider and person responsible for site where AED is located if complies with requirements of this act

Comments

Introduced 1/15/99; Created new W.S. 35-25-101 through 103.

Legislation Detail:

(Effective) HB 178

Introduced:

"An Act...providing for the use of [AED]s as specified; providing immunity as specified..."

Signed:

3/3/99

Effective:

7/1/99

Funding Legislation

No

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