

**First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 09-0178.01 Richard Sweetman

SENATE BILL 09-010

SENATE SPONSORSHIP

Spence,

HOUSE SPONSORSHIP

(None),

Senate Committees
Health and Human Services

House Committees

A BILL FOR AN ACT

101 **CONCERNING ENCOURAGING THE USE OF AUTOMATED EXTERNAL**
102 **DEFIBRILLATORS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Eliminates certain staffing and reporting requirements of a person or entity that acquires an automated external defibrillator (AED). Provides to a person or entity who, in good faith and without compensation, renders emergency care or treatment by the use of an AED immunity from liability for any civil damages for acts or omissions made in good faith as a result of such care or treatment, regardless of whether the person or entity that acquired the AED has satisfied statutory

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

requirements and other provisions of law.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** The introductory portion to 13-21-108.1 (3) (a) and
3 13-21-108.1 (3) (a) (III), (3) (a) (IV), (3) (a) (V), (4) (b), and (4) (c),
4 Colorado Revised Statutes, are amended to read:

5 **13-21-108.1. Persons rendering emergency assistance through**
6 **the use of automated external defibrillators - limited immunity.**

7 (3) (a) In order to ensure public health and safety, a person or entity who
8 acquires an AED shall IS ENCOURAGED TO ensure that:

9 (III) ~~There is involvement of a licensed physician in the program~~
10 ~~at the site of the AED to ensure compliance with requirements for~~
11 ~~training, notification, and maintenance;~~

12 (IV) ~~There are~~ Written plans ARE in place concerning the
13 placement of AEDs, training of personnel, pre-planned coordination with
14 the emergency medical services system, medical oversight, AED
15 maintenance, identification of personnel authorized to use AEDs, and
16 reporting of AED utilization, which written plans have been reviewed and
17 approved by a licensed physician; AND

18 (V) Any person who renders emergency care or treatment to a
19 person in cardiac arrest by using an AED activates the emergency medical
20 services system as soon as possible. ~~and reports any clinical use of the~~
21 ~~AED to the licensed physician affiliated with the program.~~

22 (4) (b) The immunity provided in paragraph (a) of this subsection
23 (4) extends to the licensed physician who is ~~involved with AED site~~
24 ~~placement~~ REVIEWED AND APPROVED THE WRITTEN PLANS DESCRIBED IN
25 SUBPARAGRAPH (IV) OF PARAGRAPH (a) OF SUBSECTION (3) OF THIS

1 SECTION, the person or entity who provides the CPR and AED site
2 placement, and the person or entity responsible for the site where the
3 AED is located.

4 (c) The immunity provided in this subsection (4) applies ~~only if~~
5 REGARDLESS OF WHETHER the requirements of subsection (3) of this
6 section are met.

7 **SECTION 2.** 22-1-125 (5), Colorado Revised Statutes, is
8 amended to read:

9 **22-1-125. Automated external defibrillators in public schools.**

10 (5) To ensure public health and safety, a school district that acquires an
11 automated external defibrillator shall meet the ~~training, maintenance,~~
12 ~~inspection, and physician involvement~~ requirements set forth in section
13 13-21-108.1 (3), C.R.S., and shall reference the requirements of that
14 section in the school district's safety, readiness, and incident management
15 plan pursuant to section 22-32-109.1 (4) (d).

16 **SECTION 3. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, and safety.