

By the Committee on Health Regulation; and Senator Altman

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1 A bill to be entitled

2 An act relating to automated external defibrillators;  
3 amending s. 401.2915, F.S.; requiring certain entities  
4 to notify local emergency services medical directors  
5 of the locations of automated external defibrillators;  
6 requiring local emergency medical services medical  
7 directors to maintain registries of certain automated  
8 external defibrillator locations; amending s.  
9 768.1326, F.S.; directing the State Surgeon General,  
10 with the assistance of the Department of Management  
11 Services, to adopt rules to establish guidelines for  
12 the appropriate placement and deployment of automated  
13 external defibrillators in places of public assembly;  
14 providing a definition; providing exceptions;  
15 providing for construction; providing an effective  
16 date.

17  
18 Be It Enacted by the Legislature of the State of Florida:

19  
20 Section 1. Section 401.2915, Florida Statutes, is amended  
21 to read:

22 401.2915 Automated external defibrillators.—It is the  
23 intent of the Legislature that an automated external  
24 defibrillator may be used by any person for the purpose of  
25 saving the life of another person in cardiac arrest. In order to  
26 achieve that goal, the Legislature intends to encourage training  
27 in lifesaving first aid and set standards for and encourage the  
28 use of automated external defibrillators.

29 (1) As used in this section, the term:

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30 (a) "Automated external defibrillator" means a device as  
31 defined in s. 768.1325(2)(b).

32 (b) "Defibrillation" means the administration of a  
33 controlled electrical charge to the heart to restore a viable  
34 cardiac rhythm.

35 (2) In order to promote public health and safety:

36 (a) All persons who use an automated external defibrillator  
37 are encouraged to obtain appropriate training, to include  
38 completion of a course in cardiopulmonary resuscitation or  
39 successful completion of a basic first aid course that includes  
40 cardiopulmonary resuscitation training, and demonstrated  
41 proficiency in the use of an automated external defibrillator.

42 (b) Any person or entity in possession of an automated  
43 external defibrillator is encouraged to notify the local  
44 emergency medical services medical director of the location of  
45 the automated external defibrillator. The owner, operator, or  
46 administrator responsible for a place of public assembly, as  
47 defined in s. 768.1326, shall notify the local emergency medical  
48 services medical director of the location of the automated  
49 external defibrillator. The state agency responsible for a  
50 building or portion of a building owned or leased by the state  
51 shall notify the local emergency medical services medical  
52 director of the location of the automated external  
53 defibrillator. The local emergency medical services medical  
54 director shall maintain a registry of these automated external  
55 defibrillator locations.

56 (c) Any person who uses an automated external defibrillator  
57 shall activate the emergency medical services system as soon as  
58 possible upon use of the automated external defibrillator.

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59 (3) Any person who intentionally or willfully:

60 (a) Tamper with or otherwise renders an automated external  
61 defibrillator inoperative, except during such time as the  
62 automated external defibrillator is being serviced, tested,  
63 repaired, recharged, or inspected or except pursuant to court  
64 order; or

65 (b) Obliterates the serial number on an automated external  
66 defibrillator for purposes of falsifying service records,  
67  
68 commits a misdemeanor of the first degree, punishable as  
69 provided in s. 775.082 or s. 775.083. Paragraph (a) does not  
70 apply to the owner of the automated external defibrillator or  
71 the owner's authorized representative or agent.

72 (4) Each local and state law enforcement vehicle may carry  
73 an automated external defibrillator.

74 Section 2. Section 768.1326, Florida Statutes, is amended  
75 to read:

76 768.1326 Placement of automated external defibrillators in  
77 state buildings and places of public assembly; rulemaking  
78 authority.—

79 (1) ~~No later than January 1, 2003,~~ The State Surgeon  
80 General shall adopt rules to establish guidelines on the  
81 appropriate placement of automated external defibrillator  
82 devices in buildings or portions of buildings owned or leased by  
83 the state and in places of public assembly, and shall establish,  
84 by rule, recommendations on procedures for the deployment of  
85 automated external defibrillator devices in such buildings and  
86 places of public assembly in accordance with the guidelines. The  
87 Secretary of Management Services shall assist the State Surgeon

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88 General in the development of the guidelines. The guidelines for  
89 the placement of the automated external defibrillators shall  
90 take into account the typical number of employees and visitors  
91 in the building or place of public assembly ~~buildings~~, the  
92 extent of the need for security measures regarding the building  
93 or place of public assembly ~~buildings~~, special circumstances in  
94 the building or a portion of the building ~~buildings or portions~~  
95 ~~of buildings~~ such as high electrical voltages or extreme heat or  
96 cold, and such other factors as the State Surgeon General and  
97 Secretary of Management Services determine to be appropriate.  
98 For purposes of this section, the term "place of public  
99 assembly" means a location with a seating capacity of at least  
100 1,000 people and includes, but is not limited to, any stadium,  
101 ballpark, gymnasium, field house, arena, civic center, or  
102 similar facility used for the conduct of sporting events and any  
103 concert hall, recital hall, theater, indoor or outdoor  
104 amphitheatre, or other auditorium used for the presentation of  
105 musical performances or concerts. The term does not include any  
106 church, synagogue, or other not-for-profit religious  
107 organization or any public association or public library. The  
108 State Surgeon General's recommendations for deployment of  
109 automated external defibrillators in buildings or portions of  
110 buildings owned or leased by the state or in places of public  
111 assembly shall include:

112       (a)~~(1)~~ A reference list of appropriate training courses in  
113 the use of such devices, including the role of cardiopulmonary  
114 resuscitation;

115       (b)~~(2)~~ The extent to which such devices may be used by  
116 laypersons;

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117 (c)~~(3)~~ Manufacturer recommended maintenance and testing of  
118 the devices; and

119 (d)~~(4)~~ Coordination with local emergency medical services  
120 systems regarding registration of automated external  
121 defibrillators and documentation of the incidents of use of the  
122 devices.

123

124 In formulating these guidelines and recommendations, the State  
125 Surgeon General may consult with all appropriate public and  
126 private entities, including national and local public health  
127 organizations that seek to improve the survival rates of  
128 individuals who experience cardiac arrest.

129 (2) This section may not be construed to:

130 (a) Prohibit a county or municipal government from  
131 enacting, implementing, and enforcing any local ordinance that  
132 expands the requirements of this section for the placement of  
133 automated external defibrillators in a place of public assembly;  
134 or

135 (b) Mandate the placement of any automated external  
136 defibrillator in any place of public assembly.

137 Section 3. This act shall take effect July 1, 2010.