HB246
165375-5
By Representative Weaver
RFD: Health
First Read: 11-MAR-15
ENROLLED. An Act,

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§6-5-332.3.

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

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

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

"(b) It is the intent of the Legislature that an automated external defibrillator may be used for the purpose of saving the life of another person in cardiac arrest."
"(a) As used in Section 6-5-332, the term "automated external defibrillator" or "AED" means a medical device heart monitor and defibrillator that meets all of the following specifications:

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

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

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

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

"(1) That expected defibrillator users receive appropriate training in an American Heart Association, American Red Cross, or other nationally recognized cardiopulmonary resuscitation (CPR) course and AED, or an
equivalent nationally-recognized course are encouraged to
successfully complete a course in automated external
defibrillation and cardiopulmonary resuscitation (CPR) that is
offered or approved by a nationally recognized organization
and includes instruction on psychomotor skills and national
evidence-based emergency cardiovascular guidelines that are
current.

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

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

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

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

"(c) Each manufacturer shall provide in-service
training materials on the AED use and operation to each person
or entity who acquires the AED.
"(d) A person or entity who acquires an automated external defibrillator shall notify the local emergency communications center or dispatch center of the existing location and type of AED distributor of the AED if any change of ownership of the AED occurs.

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

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

Kay Ivey
President and Presiding Officer of the Senate

House of Representatives
I hereby certify that the within Act originated in and was passed by the House 31-MAR-15, as amended.

Jeff Woodard
Clerk

Senate 05-MAY-15 Passed

APPROVED May 11, 2015
TIME 8:15 AM

Alabama Secretary Of State
Act Num....: 2015-161
Bill Num....: H-246
Recv'd 05/11/15 02:06pmSLF
I HEREBY CERTIFY THAT THE RESOLUTION AS REQUIRED IN SECTION C OF ACT NO. 81-889 WAS ADOPTED AND IS ATTACHED TO THE BILL, H.B. 246

YEAS 95, NAYS 0

JEFF WOODARD, Clerk


JEFF WOODARD, Clerk

CONFERENCE COMMITTEE

House Conferees ________________________________

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I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 246

YEAS 28, NAYS 0

PATRICK HARRIS, Secretary