

1 HB246
2 165375-5
3 By Representative Weaver
4 RFD: Health
5 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.~~

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

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

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

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

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

22 "(1) That expected defibrillator users ~~receive~~
23 ~~appropriate training in an American Heart Association,~~
24 ~~American Red Cross, or other nationally recognized~~
25 ~~cardiopulmonary resuscitation (CPR) course and AED, or an~~

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

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

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

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

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

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

1 "~~(e)~~(d) A person or entity who acquires an automated
2 external defibrillator shall notify the ~~local emergency~~
3 ~~communications center or dispatch center of the existing~~
4 ~~location and type of AED~~ distributor of the AED if any change
5 of ownership of the AED occurs.

6 "~~(f)~~(e) This section shall not apply to an
7 individual using an AED in an emergency setting if that
8 individual is acting as a good samaritan pursuant to Section
9 6-5-332."

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

[Signature]

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

Robert Bentley

GOVERNOR

Alabama Secretary Of State

Act Num.....: 2015-161
Bill Num....: H-246

Recv'd 05/11/15 02:06pmSLF

SPONSORS

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

I HEREBY CERTIFY THAT THE
NOTICE & PROOF IS ATTACHED
TO THE BILL, H.B. _____
AS REQUIRED IN THE GENERAL
ACTS OF ALABAMA, 1975 ACT NO.
919.

JEFF WOODARD, Clerk

CONFERENCE COMMITTEE

House Conferees _____

DATE: 3-31 2015

RD 1 RFD H L T H

This Bill was referred to the Standing
Committee of the Senate on Health
and was acted upon by such Committee in
session and is by order of the Committee
returned therefrom with a favorable report
w/amend(s) _____ w/sub _____ by a vote of
yeas 9 nays 0 abstain 0
this 28 day of April 2015
David Ward, Chairperson

DATE: 4-9 2015

RF FAV RD 2 CAL

DATE: _____ 20____

RE-REFERRED ☐ RE-COMMITTED ☐
Committee _____

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

FURTHER SENATE ACTION (OVER)