

Georgia AED Law

Senate Bill 566 - Passed July 1, 1998

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SENATE BILL 566

By: Senators Hill of the 4th, Thomas of the 54th,

Madden of the 47th and Middleton of the 50th

A BILL TO BE ENTITLED

AN ACT

To amend Code Section 31-11-53.1 of the Official Code of Georgia Annotated, relating to the automatic defibrillator program, so as to provide for easier public access to automated external defibrillators; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 31-11-53.1 of the Official Code of Georgia Annotated, relating to the automatic defibrillator program, is amended by striking in its entirety said Code section and inserting in its place the following:

"31-11-53.1.

(a) As used in this Code section, the term:

(1) 'Automatic Automated external defibrillator' means a defibrillator which:

(A) Is capable of cardiac rhythm analysis;

(B) Will charge and be capable of being activated to deliver a countershock after electrically detecting the presence of certain cardiac dysrhythmia, dysrhythmias; and

(C) Is capable of continuous recording of the cardiac dysrhythmia at the scene with a mechanism for transfer and storage or for printing for review subsequent to use; and

(D) Is capable of producing a hard copy of the electrocardiogram.

(2) 'Defibrillation' means to terminate atrial or ventricular fibrillation.

(3) 'Designated first First responder' means an individual who has successfully completed an appropriate first responder course approved by the department and

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(a) Otherwise meets the eligibility requirements set forth in this chapter any person or agency who provides on-site care until the arrival of a duly licensed ambulance service. This shall include, but not be limited to, persons who routinely respond to calls for assistance through an affiliation with law enforcement agencies, fire suppression agencies, rescue agencies, and others.

(b) It is the intent of the General Assembly that an automated external defibrillator may be used by any person for the purpose of saving the life of another person in cardiac arrest. In order to ensure public health and safety:

(1) It is recommended that all persons who have access to or use an automated external defibrillator obtain appropriate training as set forth in the Rules and Regulations of the Department of Human Resources Chapter 290-5-30. It is further recommended that such training include at a minimum the successful completion of:

(A) A nationally recognized health care provider/professional rescuer level cardiopulmonary resuscitation course; and

(B) A department established or approved course which includes demonstrated proficiency in the use of an automated external defibrillator;

(2) All persons and agencies possessing and maintaining an automated external defibrillator shall notify the appropriate emergency medical services system of the existence and location of the automated external defibrillator prior to said defibrillator being placed in use;

(3) All persons who use an automated external defibrillator shall activate the emergency medical services system as soon as reasonably possible by calling '911' or the appropriate emergency telephone number upon use of the automated external defibrillator; and

(4) Within a reasonable period of time, all persons who use an automated external defibrillator shall make available a printed or electronically stored report to the licensed emergency medical services provider which transports the patient.

(c) All persons who provide instruction to others in the use of the automated external defibrillator shall have completed an instructor course established or approved by the department.

(d) The department shall establish an automatic automated external defibrillator program for use by emergency medical technicians and designated first responders. Such program shall be subject to the direct supervision of a medical advisor approved under Code Section 31-

11-50. No emergency medical technician or designated first responder shall be authorized to use an automatic automated external defibrillator to defibrillate a person unless that defibrillator is a properly maintained automatic automated external defibrillator and that emergency medical technician or designated first responder:

(1) Submits to and has approved by the department an application for such use, and in considering that application the department may obtain and use the recommendation of the local coordinating entity for the health district in which the applicant will use such defibrillator;

(2) Successfully completes an automatic automated external defibrillator training program established or approved by the department;

(3) Is subject to protocols requiring that both the emergency physician which who receives a patient defibrillated by that emergency medical technician or designated first responder and the medical advisor adviser for the defibrillator program review the department required prehospital care report and any other documentation of the defibrillation of any person by that emergency medical technician or designated first responder and send a written report of such review to the district EMS medical director of the health district in which the defibrillation occurred; and

(4) Obtains a passing score on an annual automatic automated external defibrillator proficiency exam given in connection with that program.

(e) It shall not be necessary for a licensed emergency medical service, licensed neonatal transport service, or other services licensed by the department which provide care administered by cardiac technicians or paramedics to obtain department approval for the use of an automated external defibrillator on licensed vehicles.

(f) Any emergency medical technician or designated first responder who violates the provisions of this Code section shall be subject to having revoked by the department that person's authority to use an automatic automated external defibrillator. Such a violation shall also be grounds for any entity which issues a license or certificate authorizing such emergency medical technician or designated first responder to perform emergency medical services to take disciplinary action against such person, including but not limited to suspension or revocation of that license or certificate. Such a violation shall also be grounds for the employer of such emergency medical technician or designated first responder to impose any sanction available thereto, including but not limited to dismissal.

(g) Any first responder who gratuitously and in good faith renders emergency care or treatment by the use of or provision of an automated external defibrillator, without objection of the injured victim or victims thereof, shall not be held liable for any civil damages as a result of such care or treatment or as a result of any act or failure to act in providing or arranging further medical treatment where the person acts without gross negligence or intent to harm or as an ordinary reasonably prudent person would have acted under the same or similar circumstances, even if such individual does so without benefit of the appropriate training. This provision includes paid

persons who extend care or treatment without expectation of remuneration from the patient or victim for receiving the defibrillation care or treatment."

SECTION 2.

This Act shall become effective on July 1, 1998.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

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