

## **New Hampshire AED Act**

### **CHAPTER 311 SB 67 - FINAL VERSION 1999 SESSION**

#### **AN ACT limiting liability resulting from the use of automatic external defibrillation.**

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord One Thousand Nine Hundred and Ninety-Nine*

AN ACT limiting liability resulting from the use of automatic external defibrillation.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

311:1 New Subdivision; Automatic External Defibrillation. Amend RSA 151-B by inserting after section 24 the following new subdivision:

#### Automatic External Defibrillation

151-B:25 Intent.

I. The use of automatic external defibrillators addresses an important public health problem in New Hampshire. It is the intent of the legislature to encourage the use and availability of automatic external defibrillators, along with training in the use of automatic external defibrillators, for the purpose of saving the lives of people in cardiac arrest.

II. Further, the legislature strongly encourages dissemination of educational information regarding automatic external defibrillators and encourages that access to these lifesaving devices be made widely available to businesses, schools, fire and police departments, and other public and private organizations throughout the state.

151-B:26 Definitions. For purposes of this subdivision, "automatic external defibrillator" means a medical device which combines a heart monitor and defibrillator and:

I. Has been approved by the United States Food and Drug Administration;

II. Is capable of recognizing the presence or absence of ventricular fibrillation;

III. Is capable of determining whether defibrillation should be performed; and

IV. Automatically charges and requests delivery of an electrical impulse to an individual's heart, upon determination that defibrillation should be performed.

151-B:27 Every person, association, corporation or other organization that acquires an automatic external defibrillator shall require every individual expected to use the automatic external defibrillator to receive training in cardiopulmonary resuscitation and automatic external defibrillator use.

151-B:28 Liability Limited. Any person who, in good faith and without compensation, renders emergency care by the use of an automatic external defibrillator shall not be liable for civil damages for any acts or omissions unless the acts or omissions were grossly negligent or willful and wanton. Any person, association, corporation or other organization that acquires and maintains an automatic external defibrillator for emergency care shall not be liable for civil damages other than for gross negligence or willful and wanton acts or omissions. This section shall not limit civil liability protection provided by any other law.

311:2 Effective Date. This act shall take effect upon its passage.

(Approved: July 16, 1999)

(Effective Date: July 16, 1999)