

2107

2011-2012 Regular Sessions

I N S E N A T E

January 18, 2011

Introduced by Sen. KRUGER -- read twice and ordered printed, and  
when  
printed to be committed to the Committee on Corporations,  
Authorities  
and Commissions

AN ACT to amend chapter 154 of the laws of 1921, relating to the  
port  
of  
authority of New York and New Jersey, in relation to the provision  
of  
automated external defibrillators

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND  
ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Chapter 154 of the laws of 1921, relating to the  
port  
2 authority of New York and New Jersey, is amended by adding a new  
article  
3 15-B to read as follows:

4 ARTICLE XV-B

5 1. AS USED IN THIS ARTICLE, THE FOLLOWING TERMS SHALL HAVE THE  
FOLLOW-

6 ING MEANINGS:

7 A. "AIR TERMINAL" MEANS ANY AIR TERMINAL UNDER THE JURISDICTION OF  
THE

8 PORT AUTHORITY HAVING TEN MILLION OR MORE PASSENGERS PER YEAR.

9 B. "AUTOMATED EXTERNAL DEFIBRILLATOR" MEANS A MEDICAL DEVICE,  
APPROVED

10 BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION, THAT (I) IS  
CAPABLE

11 OF RECOGNIZING THE PRESENCE OR ABSENCE, IN A PATIENT, OF  
VENTRICULAR

12 FIBRILLATION AND RAPID VENTRICULAR TACHYCARDIA; (II) IS CAPABLE  
OF

13 DETERMINING, WITHOUT INTERVENTION BY AN OPERATOR, WHETHER  
DEFIBRILLATION

14 SHOULD BE PERFORMED ON THE PATIENT; (III) UPON DETERMINING THAT  
DEFI-

15 BRILLATION SHOULD BE PERFORMED, AUTOMATICALLY CHARGES AND  
REQUESTS

16 DELIVERY OF AN ELECTRICAL IMPULSE TO THE PATIENT'S HEART; AND (IV)  
THEN,  
17 UPON ACTION BY AN OPERATOR, DELIVERS AN APPROPRIATE ELECTRICAL  
IMPULSE  
18 TO THE PATIENT'S HEART TO PERFORM DEFIBRILLATION.  
19 C. "EMERGENCY HEALTH CARE PROVIDER" MEANS (I) A PHYSICIAN WITH  
KNOW-  
20 LEDGE AND EXPERIENCE IN THE DELIVERY OF EMERGENCY CARDIAC CARE; OR  
(II)  
21 A HOSPITAL THAT PROVIDES EMERGENCY CARDIAC CARE.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in  
brackets

[ ] is old law to be omitted.

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1 D. "NATIONALLY-RECOGNIZED ORGANIZATION" MEANS A NATIONAL  
ORGANIZATION  
2 APPROVED BY THE PORT AUTHORITY FOR THE PURPOSE OF TRAINING PEOPLE IN  
USE  
3 OF AN AUTOMATED EXTERNAL DEFIBRILLATOR.  
4 2. THE PORT AUTHORITY SHALL INSTALL AND MAINTAIN AUTOMATED  
EXTERNAL  
5 DEFIBRILLATORS IN EVERY AIR TERMINAL IN NUMEROUS LOCATIONS  
THROUGHOUT  
6 ALL PASSENGER TERMINALS TO MAKE THEM READILY AVAILABLE IN THE EVENT  
OF  
7 EMERGENCIES WARRANTING THEIR USE. THE PORT AUTHORITY SHALL MAKE  
TRAIN-  
8 ING IN THE USE OF AUTOMATED EXTERNAL DEFIBRILLATORS AVAILABLE TO  
ALL  
9 PERSONNEL WORKING IN PASSENGER AIR TERMINALS AND OTHER AIRLINE  
PERSON-  
10 NEL.  
11 3. POSSESSION AND OPERATION OF AUTOMATED EXTERNAL  
DEFIBRILLATOR.  
12 POSSESSION AND OPERATION OF AN AUTOMATED EXTERNAL DEFIBRILLATOR BY  
THE  
13 PORT AUTHORITY SHALL COMPLY WITH THE FOLLOWING:  
14 A. NO PERSON MAY OPERATE AN AUTOMATED EXTERNAL DEFIBRILLATOR  
UNLESS  
15 THE PERSON HAS SUCCESSFULLY COMPLETED A TRAINING COURSE IN THE  
OPERATION  
16 OF AN AUTOMATED EXTERNAL DEFIBRILLATOR APPROVED BY A NATIONALLY-  
RECOG-  
17 NIZED ORGANIZATION OR AN APPROPRIATE STATE AGENCY, AND THE COMPLETION  
OF  
18 THE COURSE WAS RECENT ENOUGH TO STILL BE EFFECTIVE UNDER THE  
STANDARDS  
19 OF THE APPROVING ORGANIZATION. HOWEVER, THIS SECTION SHALL NOT  
PROHIBIT  
20 OPERATION OF AN AUTOMATED EXTERNAL DEFIBRILLATOR, (I) BY A HEALTH  
CARE  
21 PRACTITIONER LICENSED OR CERTIFIED UNDER LAW OR (II) BY A PERSON  
ACTING

22 PURSUANT TO A LAWFUL PRESCRIPTION.  
23 B. THE PORT AUTHORITY SHALL CAUSE THE AUTOMATED EXTERNAL  
DEFIBRILLATOR  
24 TO BE MAINTAINED AND TESTED ACCORDING TO APPLICABLE STANDARDS OF  
THE  
25 MANUFACTURER AND ANY APPROPRIATE GOVERNMENT AGENCY.  
26 C. THE PORT AUTHORITY SHALL NOTIFY THE APPROPRIATE STATE OR  
LOCAL  
27 AGENCY OF THE EXISTENCE, LOCATION AND TYPE OF ANY AUTOMATED  
EXTERNAL  
28 DEFIBRILLATOR IT POSSESSES.  
29 D. EVERY USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR ON A PATIENT  
SHALL  
30 BE IMMEDIATELY AND AUTOMATICALLY REPORTED TO THE APPROPRIATE LOCAL  
EMER-  
31 GENCY MEDICAL SERVICES SYSTEM, EMERGENCY COMMUNICATIONS CENTER OR  
EMER-  
32 GENCY VEHICLE DISPATCH CENTER AS APPROPRIATE AND PROMPTLY REPORTED  
TO  
33 THE EMERGENCY HEALTH CARE PROVIDER.  
34 4. APPLICATION OF OTHER LAWS. A. OPERATION OF AN AUTOMATED  
EXTERNAL  
35 DEFIBRILLATOR PURSUANT TO THIS SECTION SHALL BE CONSIDERED FIRST AID  
OR  
36 EMERGENCY TREATMENT FOR THE PURPOSE OF ANY STATUTE RELATING TO  
LIABIL-  
37 ITY.  
38 B. OPERATION OF AN AUTOMATED EXTERNAL DEFIBRILLATOR PURSUANT TO  
THIS  
39 SECTION SHALL NOT CONSTITUTE THE UNLAWFUL PRACTICE OF A PROFESSION  
UNDER  
40 ANY OTHER LAW.  
41 S 2. This act shall take effect upon the enactment into law by  
the  
42 state of New Jersey of legislation having an identical effect with  
this  
43 act, but if the state of New Jersey shall have already enacted  
such  
44 legislation this act shall take effect immediately. The chairman of  
the  
45 port authority of New York and New Jersey shall notify the  
legislative  
46 bill drafting commission upon the occurrence of the enactment of  
article  
47 15-B of chapter 154 of the laws of 1921 in order that the commission  
may  
48 maintain an accurate and timely effective data base of the official  
text  
49 of the laws of the state of New York in furtherance of effecting  
the  
50 provisions of section 44 of the legislative law and section 70-b of  
the  
51 public officers law.