

OREGON AED LAW

S.B. 313 – Passed 1999

70th OREGON LEGISLATIVE ASSEMBLY--1999 Regular Session

Enrolled

Senate Bill 313

AN ACT

Relating to defibrillators.

Be It Enacted by the People of the State of Oregon:

SECTION 1. { + (1) A person may not maintain an action for damages for injury, death or loss that results from acts or omissions of another person rendering emergency medical assistance with an automated external defibrillator.

(2) The provisions of this section do not apply to any person who renders medical assistance with the expectation of compensation.

(3) The immunity provided by this section applies only if:

(a) Before using an automated external defibrillator, the person using the defibrillator has received instruction in the use of defibrillators and in cardiopulmonary resuscitation in a course approved by the Health Division of the Department of Human Resources;

(b) The person using an automated external defibrillator on another person calls 9-1-1 or such other emergency phone number serving the area as soon as possible after use of the defibrillator, and provides all information on the use of the defibrillator requested by the emergency medical service provider, as defined in ORS 41.685, or health care provider that assumes responsibility for the care of the person on whom the defibrillator was used;

(c) The automated external defibrillator has been maintained and tested in the manner required by the manufacturer's guidelines;

(d) The person that acquired and maintains the automated external defibrillator has sought medical direction from a licensed physician in the use of the defibrillator and in cardiopulmonary resuscitation; and

(e) The person that acquired and maintains the automated external defibrillator has contacted at least one local emergency medical service provider, as defined in ORS 41.685,

serving the area in which the defibrillator is used and has notified that organization of the location of the defibrillator.

(4) The immunity provided by this section applies to a person that acquires and maintains an automated external defibrillator, a person who uses the defibrillator on another person, a person that provides instruction in the use of defibrillators and in cardiopulmonary resuscitation pursuant to the requirements in subsection (3)(a) of this section, a physician who provides medical direction in the use of the defibrillator and in cardiopulmonary resuscitation pursuant to the requirements in subsection (3)(d) of this section and any person that owns or exercises control over the property where the defibrillator is used.

(5) Use of an automated external defibrillator is medical care for the purposes of ORS 30.800. Subject to the requirements of ORS 30.800, a person providing emergency medical assistance through the use of an automated external defibrillator may claim the immunity provided by ORS 30.800 if the person is not entitled to the immunity provided under the provisions of this section.

(6) As used in this section, 'emergency medical assistance ' has the meaning given that term in ORS 30.800. + }

SECTION 2. { + Section 1 of this 1999 Act applies only to causes of action that arise on or after the effective date of this 1999 Act. + }

Passed by Senate March 8, 1999