

## **Wyoming AED Law**

### **House Bill 0178 – Passed 1999**

AN ACT relating to public health and safety; providing for the use of automated external defibrillators as specified; providing immunity as specified; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 35-25-101 through 35-25-103 are created to read:

#### **CHAPTER 25**

#### **AUTOMATED EXTERNAL DEFIBRILLATORS**

35-25-101. Automated external defibrillators; definitions.

(a) As used in this article:

(i) "Automated external defibrillator (AED)" means a medical device heart monitor and defibrillator that:

(A) Has received approval of its premarket notification filed pursuant to U.S. Code, title 21, section 360(k) from the U.S. Food and Drug Administration;

(B) Is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia, and is capable of determining, without intervention by an operator, whether defibrillation should be performed; and

(C) Upon determining that defibrillation should be performed, automatically charges and delivers, or requests delivery of, an electrical impulse to an individual's heart.

35-25-102. Use of automated external defibrillator.

(a) In order to ensure public health and safety, any person who acquires an AED shall ensure that:

(i) Expected defibrillator users receive appropriate training in cardiopulmonary resuscitation (CPR)

and in the use of an AED by the American Heart Association, American Red Cross or by another nationally recognized, or Wyoming department of health recognized, course in CPR and AED use and maintains currency through refresher training every two (2) years;

(ii) The AED is maintained and tested according to the manufacturer's guidelines;

(iii) There is involvement of a licensed physician to ensure compliance with requirements for training, emergency medical services notification and maintenance.

(b) Any person who acquires an AED shall notify an agent of the emergency communications center and the local ambulance service of the existence, location and type of AED.

35-25-103. Limited liability for use of automated external defibrillator.

(a) Any person trained in accordance with W.S. 35-25-102(a)(i) who in good faith and without compensation renders emergency care or treatment by the use of an AED shall be immune from civil liability for any personal injury as a result of such care or treatment, where the person's actions do not amount to willful or wanton misconduct or gross negligence.

(b) The prescribing physician who authorizes the purchase of the AED, the individual who provides training in cardiopulmonary resuscitation (CPR) and the use of an AED, and the person responsible for the site where the AED is located shall also be immune from civil liability for any personal injury that results from any act or omission of acts that do not amount to willful or wanton misconduct or gross negligence if that person complies with the requirements of W.S. 35-25-102.

(c) Any clinical use of the AED shall be reported to the licensed physician.

Section 2. This act is effective July 1, 1999.