

CHAPTER 52

COURTS

SENATE BILL 09-010

BY SENATOR(S) Spence, Boyd, Foster, Gibbs, Groff, Kester, Mitchell, Morse, Newell, Penry, Schwartz, Shaffer B., Tochtrop, White, Williams;
 also REPRESENTATIVE(S) Primavera, Acree, Baumgardner, Casso, Gardner C., Gerou, Green, Kefalas, Kerr J., Liston, Priola, Ryden, Schafer S., Stephens, Todd, Vigil.

AN ACT**CONCERNING ENCOURAGING THE USE OF AUTOMATED EXTERNAL DEFIBRILLATORS.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 13-21-108.1 (3) (a) (III), (3) (a) (IV), (3) (a) (V), (4) (b), and (4) (c), Colorado Revised Statutes, are amended to read:

13-21-108.1. Persons rendering emergency assistance through the use of automated external defibrillators - limited immunity. (3) (a) In order to ensure public health and safety, a person or entity who acquires an AED shall ensure that:

(III) ~~There is involvement of a licensed physician in the program at the site of the AED to ensure compliance with requirements for training, notification, and maintenance;~~

(IV) ~~There are~~ Written plans ARE in place concerning the placement of AEDs, training of personnel, pre-planned coordination with the emergency medical services system, medical oversight, AED maintenance, identification of personnel authorized to use AEDs, and reporting of AED utilization, which written plans have been reviewed and approved by a licensed physician; AND

(V) Any person who renders emergency care or treatment to a person in cardiac arrest by using an AED activates the emergency medical services system as soon as possible. ~~and reports any clinical use of the AED to the licensed physician affiliated with the program.~~

(4) (b) The LIMITED immunity provided in paragraph (a) of this subsection (4)

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

extends to:

(I) The licensed physician who ~~is involved with AED site placement~~ REVIEWED AND APPROVED THE WRITTEN PLANS DESCRIBED IN SUBPARAGRAPH (IV) OF PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION;

(II) The person or entity who provides the CPR and AED site placement;

(III) ANY PERSON OR ENTITY THAT PROVIDES TEACHING OR TRAINING PROGRAMS FOR CPR TO THE SITE AT WHICH THE AED IS PLACED, WHICH PROGRAMS INCLUDE TRAINING IN THE USE OF AN AED; and

(IV) The person or entity responsible for the site where the AED is located.

(c) The LIMITED immunity provided in this subsection (4) ~~applies only if~~ REGARDLESS OF WHETHER the requirements of subsection (3) of this section are met; EXCEPT THAT THE PERSON OR ENTITY RESPONSIBLE FOR THE SITE WHERE THE AED IS LOCATED SHALL RECEIVE THE LIMITED IMMUNITY ONLY IF THE REQUIREMENTS OF SUBPARAGRAPH (II) OF PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION ARE MET.

SECTION 2. 22-1-125 (5), Colorado Revised Statutes, is amended to read:

22-1-125. Automated external defibrillators in public schools. (5) To ensure public health and safety, a school district that acquires an automated external defibrillator shall meet the ~~training, maintenance, inspection, and physician involvement~~ requirements set forth in section 13-21-108.1 (3), C.R.S., and shall reference the requirements of that section in the school district's safety, readiness, and incident management plan pursuant to section 22-32-109.1 (4) (d).

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 25, 2009