



General Assembly

January Session, 2001

**Raised Bill No. 6982**

LCO No. 4707

Referred to Committee on Judiciary

Introduced by:  
(JUD)

**AN ACT CONCERNING THE GOOD SAMARITAN LAW.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 52-557b of the general statutes is repealed and the following  
2 is substituted in lieu thereof:

3 (a) A person licensed to practice medicine and surgery under the  
4 provisions of chapter 370 or dentistry under the provisions of section  
5 20-106 or members of the same professions licensed to practice in any  
6 other state of the United States, a person licensed as a registered nurse  
7 under section 20-93 or 20-94 or certified as a licensed practical nurse  
8 under section 20-96 or 20-97, a medical technician or any person  
9 operating a cardiopulmonary resuscitator or a person trained in  
10 cardiopulmonary resuscitation [or in the use of an automatic external  
11 defibrillator] in accordance with the standards set forth by the  
12 American Red Cross or American Heart Association, who, voluntarily  
13 and gratuitously and other than in the ordinary course of such person's  
14 employment or practice, renders emergency medical or professional  
15 assistance to a person in need thereof, shall not be liable to such person  
16 assisted for civil damages for any personal injuries which result from  
17 acts or omissions by such person in rendering the emergency care,

18 which may constitute ordinary negligence. The immunity provided in  
19 this subsection does not apply to acts or omissions constituting gross,  
20 wilful or wanton negligence. [For the purposes of this subsection,  
21 "automatic external defibrillator" means a device that: (1) Is used to  
22 administer an electric shock through the chest wall to the heart; (2)  
23 contains internal decision-making electronics, microcomputers or  
24 special software that allows it to interpret physiologic signals, make  
25 medical diagnosis and, if necessary, apply therapy; (3) guides the user  
26 through the process of using the device by audible or visual prompts;  
27 and (4) does not require the user to employ any discretion or judgment  
28 in its use.]

29 (b) A paid or volunteer fireman or policeman, a teacher or other  
30 school personnel on the school grounds or in the school building or at  
31 a school function, a member of a ski patrol, a lifeguard, a conservation  
32 officer, patrolman or special policeman of the Department of  
33 Environmental Protection, or ambulance personnel, who has  
34 completed a course in first aid offered by the American Red Cross, the  
35 American Heart Association, the National Ski Patrol, the Department  
36 of Public Health or any director of health, as certified by the agency or  
37 director of health offering the course, and who renders emergency first  
38 aid to a person in need thereof, shall not be liable to such person  
39 assisted for civil damages for any personal injuries which result from  
40 acts or omissions by such person in rendering the emergency first aid,  
41 which may constitute ordinary negligence. No paid or volunteer  
42 fireman, policeman or ambulance personnel who forcibly enters the  
43 residence of any person in order to render emergency first aid to a  
44 person whom such fireman, policeman or ambulance personnel  
45 reasonably believes to be in need thereof shall be liable to such person  
46 for civil damages incurred as a result of such entry. The immunity  
47 provided in this subsection does not apply to acts or omissions  
48 constituting gross, wilful or wanton negligence.

49 (c) An employee of a railroad company, including any company  
50 operating a commuter rail line, who has successfully completed a

51 course in first aid, offered by the American Red Cross, the American  
52 Heart Association, the National Ski Patrol, the Department of Public  
53 Health or any director of health, as certified by the agency or director  
54 of health offering the course, and who renders emergency first aid or  
55 cardiopulmonary resuscitation to a person in need thereof, shall not be  
56 liable to such person assisted for civil damages for any personal injury  
57 or death which results from acts or omissions by such employee in  
58 rendering the emergency first aid or cardiopulmonary resuscitation  
59 which may constitute ordinary negligence. The immunity provided in  
60 this subsection does not apply to acts or omissions constituting gross,  
61 wilful or wanton negligence.

62 (d) A railroad company, including any commuter rail line, which  
63 provides emergency medical training or equipment to any employee  
64 granted immunity pursuant to subsection (c) of this section shall not be  
65 liable for civil damages for any injury sustained by a person or for the  
66 death of a person which results from the company's acts or omissions  
67 in providing such training or equipment or which results from acts or  
68 omissions by such employee in rendering emergency first aid or  
69 cardiopulmonary resuscitation, which may constitute ordinary  
70 negligence. The immunity provided in this subsection does not apply  
71 to acts or omissions constituting gross, wilful or wanton negligence.

72 (e) A teacher or other school personnel, on the school grounds or in  
73 the school building or at a school function, who has completed both a  
74 course in first aid in accordance with subsection (b) of this section and  
75 a course given by the medical advisor of the school or by a licensed  
76 physician in the administration of medication by injection, who  
77 renders emergency care by administration of medication by injection  
78 to a person in need thereof, shall not be liable to the person assisted for  
79 civil damages for any injuries which result from acts or omissions by  
80 the person in rendering the emergency care of administration of  
81 medication by injection, which may constitute ordinary negligence.  
82 The immunity provided in this subsection does not apply to acts or  
83 omissions constituting gross, wilful or wanton negligence.

84 (f) The provisions of this section shall not be construed to require  
85 any teacher or other school personnel to render emergency first aid or  
86 administer medication by injection.

87 (g) The immunity from liability of a person who uses or attempts to  
88 use an automated external defibrillator device on a victim of a  
89 perceived medical emergency for any harm resulting from the use or  
90 attempted use of such device shall be determined in accordance with  
91 Section 404 of Public Law 106-505.

***Statement of Purpose:***

To provide that the liability of a person who uses or attempts to use an automated external defibrillator device in a medical emergency shall be determined according to federal law.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*