



General Assembly

**Substitute Bill No. 6982**

*January Session, 2001*

**AN ACT CONCERNING THE GOOD SAMARITAN LAW AND THE USE OF AUTOMATIC EXTERNAL DEFIBRILLATORS.**

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

1 Section 1. Section 52-557b of the general statutes is repealed and the  
2 following 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, or 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) (1) Any person trained in accordance with the standards set forth  
30 by the American Red Cross or American Heart Association in  
31 cardiopulmonary resuscitation who voluntarily and gratuitously and  
32 other than in the ordinary course of such person's employment  
33 performs cardiopulmonary resuscitation, or any person trained in  
34 accordance with the standards set forth by the American Red Cross or  
35 American Heart Association in the use of an automatic external  
36 defibrillator who voluntarily and gratuitously and other than in the  
37 ordinary course of such person's employment uses an automatic  
38 external defibrillator to assist a person in need thereof, shall not be  
39 liable to such person assisted for civil damages for any personal  
40 injuries which result from acts or omissions by such person in  
41 rendering the emergency care, which may constitute ordinary  
42 negligence.

43 (2) The immunity provided in this subsection does not apply to a  
44 person licensed to practice medicine and surgery under the provisions  
45 of chapter 370 or dentistry under the provisions of section 20-106 or  
46 members of the same professions licensed to practice in any other state  
47 of the United States, a person licensed as a registered nurse under  
48 section 20-93 or 20-94 or certified as a licensed practical nurse under  
49 section 20-96 or 20-97, or a medical technician acting in the ordinary  
50 course of such person's employment or practice.

51 (3) The immunity provided in this subsection does not apply to a  
52 paid or volunteer firefighter or police officer, a member of a ski patrol,  
53 a lifeguard, a conservation officer, patrol officer or special police officer

54 of the Department of Environmental Protection or emergency medical  
55 service personnel, acting in the course of such person's employment,  
56 who (A) performs cardiopulmonary resuscitation and who, in the  
57 course of such person's employment, has received training in  
58 cardiopulmonary resuscitation in accordance with the standards set  
59 forth by the American Red Cross or American Heart Association, or (B)  
60 uses an automatic external defibrillator to assist a person in need  
61 thereof and who, in the course of such person's employment, has  
62 received training in the use of an automatic external defibrillator in  
63 accordance with the standards set forth by the American Red Cross or  
64 American Heart Association. A paid or volunteer firefighter or police  
65 officer, a member of a ski patrol, a lifeguard, a conservation officer,  
66 patrol officer or special police officer of the Department of  
67 Environmental Protection or emergency medical service personnel  
68 who has been trained in the use of an automatic external defibrillator  
69 in accordance with the standards set forth by the American Red Cross  
70 or American Heart Association shall not be subject to additional  
71 requirements in order to use an automatic external defibrillator.

72 (4) The immunity provided in this subsection does not apply to acts  
73 or omissions constituting gross, wilful or wanton negligence.

74 (5) For purposes of this subsection, "automatic external defibrillator"  
75 means a device that: (1) Is used to administer an electric shock through  
76 the chest wall to the heart; (2) contains internal decision-making  
77 electronics, microcomputers or special software that allows it to  
78 interpret physiologic signals, make medical diagnosis and, if  
79 necessary, apply therapy; (3) guides the user through the process of  
80 using the device by audible or visual prompts; and (4) does not require  
81 the user to employ any discretion or judgment in its use after the initial  
82 decision to employ the device.

83 (6) For purposes of this subsection, assistance shall be considered to  
84 have been given gratuitously if an employee voluntarily and other  
85 than in the ordinary course of such person's employment uses an  
86 automatic external defibrillator in the workplace notwithstanding that

87 such employee is paid normal wages for the time during which such  
88 employee was using the defibrillator.

89 [(b)] (c) A paid or volunteer [fireman or policeman] firefighter or  
90 police officer, a teacher or other school personnel on the school  
91 grounds or in the school building or at a school function, a member of  
92 a ski patrol, a lifeguard, a conservation officer, [patrolman] patrol  
93 officer or special [policeman] police officer of the Department of  
94 Environmental Protection, or [ambulance] emergency medical service  
95 personnel, who has completed a course in first aid offered by the  
96 American Red Cross, the American Heart Association, the National Ski  
97 Patrol, the Department of Public Health or any director of health, as  
98 certified by the agency or director of health offering the course, and  
99 who renders emergency first aid to a person in need thereof, shall not  
100 be liable to such person assisted for civil damages for any personal  
101 injuries which result from acts or omissions by such person in  
102 rendering the emergency first aid, which may constitute ordinary  
103 negligence. No paid or volunteer [fireman, policeman] firefighter,  
104 police officer or [ambulance] emergency medical service personnel  
105 who forcibly enters the residence of any person in order to render  
106 emergency first aid to a person whom such [fireman, policeman]  
107 firefighter, police officer or [ambulance] emergency medical service  
108 personnel reasonably believes to be in need thereof shall be liable to  
109 such person for civil damages incurred as a result of such entry. The  
110 immunity provided in this subsection does not apply to acts or  
111 omissions constituting gross, wilful or wanton negligence.

112 [(c)] (d) An employee of a railroad company, including any  
113 company operating a commuter rail line, who has successfully  
114 completed a course in first aid, offered by the American Red Cross, the  
115 American Heart Association, the National Ski Patrol, the Department  
116 of Public Health or any director of health, as certified by the agency or  
117 director of health offering the course, and who renders emergency first  
118 aid or cardiopulmonary resuscitation to a person in need thereof, shall  
119 not be liable to such person assisted for civil damages for any personal  
120 injury or death which results from acts or omissions by such employee

121 in rendering the emergency first aid or cardiopulmonary resuscitation  
122 which may constitute ordinary negligence. The immunity provided in  
123 this subsection does not apply to acts or omissions constituting gross,  
124 wilful or wanton negligence.

125 ~~[(d)]~~ (e) A railroad company, including any commuter rail line,  
126 which provides emergency medical training or equipment to any  
127 employee granted immunity pursuant to subsection [(c)] (d) of this  
128 section shall not be liable for civil damages for any injury sustained by  
129 a person or for the death of a person which results from the company's  
130 acts or omissions in providing such training or equipment or which  
131 results from acts or omissions by such employee in rendering  
132 emergency first aid or cardiopulmonary resuscitation, which may  
133 constitute ordinary negligence. The immunity provided in this  
134 subsection does not apply to acts or omissions constituting gross,  
135 wilful or wanton negligence.

136 ~~[(e)]~~ (f) A teacher or other school personnel, on the school grounds  
137 or in the school building or at a school function, who has completed  
138 both a course in first aid in accordance with subsection [(b)] (c) of this  
139 section and a course given by the medical advisor of the school or by a  
140 licensed physician in the administration of medication by injection,  
141 who renders emergency care by administration of medication by  
142 injection to a person in need thereof, shall not be liable to the person  
143 assisted for civil damages for any injuries which result from acts or  
144 omissions by the person in rendering the emergency care of  
145 administration of medication by injection, which may constitute  
146 ordinary negligence. The immunity provided in this subsection does  
147 not apply to acts or omissions constituting gross, wilful or wanton  
148 negligence.

149 ~~[(f)]~~ (g) The provisions of this section shall not be construed to  
150 require any teacher or other school personnel to render emergency first  
151 aid or administer medication by injection.

152 Sec. 2. Section 19a-197 of the general statutes is repealed and the

153 following is substituted in lieu thereof:

154 (a) Any person in possession of an automatic external defibrillator  
155 shall provide notice of the location of such automatic external  
156 defibrillator to the Office of Emergency Medical Services.

157 (b) The Office of Emergency Medical Services shall establish a  
158 registry of automatic external defibrillators located within the state  
159 and shall establish a procedure facilitating the use of the enhanced 9-1-  
160 1 service, as defined in section 28-25, for the location of such automatic  
161 external defibrillator nearest to the caller.

162 (c) The commissioner may adopt regulations, in accordance with the  
163 provisions of chapter 54, to carry out the provisions of subsections (a)  
164 and (b) of this section.

165 (d) No paramedic shall be required to be in simultaneous  
166 communication with a licensed physician when using an automatic  
167 external defibrillator in the practice of paramedicine, as defined in  
168 section 20-206jj.

169 (e) (1) As used in this subsection, "first responder" means a licensed  
170 or certified provider that is notified for initial response to a victim of a  
171 sudden illness or injury.

172 (2) If any fire department or local law enforcement agency intends  
173 to use an automatic external defibrillator in a municipality for which  
174 the commissioner has not designated a first responder pursuant to the  
175 regulations adopted under section 19a-179 or 19a-180, such fire  
176 department or local law enforcement agency shall obtain the  
177 appropriate license or certificate under this chapter not later than one  
178 year after deployment of such automatic external defibrillator.

179 (3) If any fire department or local law enforcement agency intends  
180 to use an automatic external defibrillator in a municipality for which  
181 the commissioner has designated a first responder pursuant to the  
182 regulations adopted under section 19a-179 or 19a-180, such fire

183 department or local law enforcement agency shall enter into a mutual  
184 aid call agreement with the designated first responder for such  
185 municipality.

**JUD**      *Joint Favorable Subst.*

**PH**        *Joint Favorable*

**PS**        *Joint Favorable*

**ENV**       *Joint Favorable*