



# Senate

General Assembly

**File No. 683**

January Session, 2009

Substitute Senate Bill No. 1089

*Senate, April 16, 2009*

The Committee on Judiciary reported through SEN. MCDONALD of the 27th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

## **AN ACT CONCERNING AUTOMATIC EXTERNAL DEFIBRILLATORS.**

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

1 Section 1. Subsection (a) of section 52-557b of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *January 1, 2010*):

4 (a) A person licensed to practice medicine and surgery under the  
5 provisions of chapter 370 or dentistry under the provisions of section  
6 20-106 or members of the same professions licensed to practice in any  
7 other state of the United States, a person licensed as a registered nurse  
8 under section 20-93 or 20-94 or certified as a licensed practical nurse  
9 under section 20-96 or 20-97, a medical technician or any person  
10 operating a cardiopulmonary resuscitator or an automatic external  
11 defibrillator, [or] a person trained in cardiopulmonary resuscitation or  
12 in the use of an automatic external defibrillator in accordance with the  
13 standards set forth by the American Red Cross or American Heart  
14 Association, who, voluntarily and gratuitously and other than in the  
15 ordinary course of such person's employment or practice, renders

16 emergency medical or professional assistance to a person in need  
 17 thereof, or a person or entity providing, maintaining or using an  
 18 automatic external defibrillator in accordance with section 21a-223,  
 19 shall not be liable to such person assisted for civil damages for any  
 20 personal injuries which result from acts or omissions by such person in  
 21 rendering the emergency care, which may constitute ordinary  
 22 negligence. The immunity provided in this subsection does not apply  
 23 to acts or omissions constituting gross, wilful or wanton negligence.  
 24 With respect to the use of an automatic external defibrillator, the  
 25 immunity provided in this subsection shall only apply to acts or  
 26 omissions involving the use of an automatic external defibrillator in  
 27 the rendering of emergency care. Nothing in this subsection shall be  
 28 construed to exempt paid or volunteer firefighters, police officers or  
 29 emergency medical services personnel from completing training in  
 30 cardiopulmonary resuscitation or in the use of an automatic external  
 31 defibrillator in accordance with the standard set forth by the American  
 32 Red Cross or American Heart Association. For the purposes of this  
 33 subsection, "automatic external defibrillator" means a device that: (1) Is  
 34 used to administer an electric shock through the chest wall to the heart;  
 35 (2) contains internal decision-making electronics, microcomputers or  
 36 special software that allows it to interpret physiologic signals, make  
 37 medical diagnosis and, if necessary, apply therapy; (3) guides the user  
 38 through the process of using the device by audible or visual prompts;  
 39 and (4) does not require the user to employ any discretion or judgment  
 40 in its use.

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2010	52-557b(a)

Section 1	January 1, 2010	52-557b(a)
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**JUD**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

The provision of civil immunity in accordance with the bill has no fiscal impact.

***The Out Years***

***State Impact:*** None

***Municipal Impact:*** None

**OLR Bill Analysis****sSB 1089*****AN ACT CONCERNING AUTOMATIC EXTERNAL  
DEFIBRILLATORS.*****SUMMARY:**

This bill provides civil immunity for acts arising out of a person's or entity's negligence in providing, maintaining, or using an automatic external defibrillator (AED) at licensed health clubs in emergencies. It specifies that immunity does not apply to gross, willful, or wanton negligence.

EFFECTIVE DATE: January 1, 2010

**BACKGROUND*****Automatic External Defibrillators***

An AED is a portable automatic device used to restore normal heart rhythm to people having heart attacks. It consists of a small computer (microprocessor), electrodes, and electrical circuitry. If the heart is in ventricular fibrillation i.e., beating abnormally, the microprocessor recommends a defibrillating shock to restore a regular rhythm. The shock is delivered through adhesive electrode pads.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 39 Nay 0 (03/27/2009)