



General Assembly

February Session, 2016

Raised Bill No. 5431

LCO No. 1647



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

***AN ACT CONCERNING AUTOMATIC EXTERNAL DEFIBRILLATORS
AND HEALTH CLUBS.***

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2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

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 a person trained in
11 cardiopulmonary resuscitation in accordance with the guidelines set
12 forth by the American Red Cross or American Heart Association, or a
13 person operating an automatic external defibrillator, who, voluntarily
14 and gratuitously and other than in the ordinary course of such person's
15 employment or practice, renders emergency medical or professional

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	52-557b(a)

Statement of Purpose:

To specify that licensed health clubs providing or maintaining automatic external defibrillators on their premises shall not be held liable for acts or omissions involving the nonuse of such devices.

[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.]