Bill No.: SB-795
Title: AN ACT CONCERNING THE USE OF AUTOMATIC EXTERNAL DEFIBRILLATORS.
Vote Date: 2/13/2019
Vote Action: Joint Favorable
PH Date: 2/4/2019
File No.: 8

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SPONSORS OF BILL:
Public Health Committee

REASONS FOR BILL:

This bill offers that a physician, dentist, or nurse who utilizes an Automatic External Defibrillator to provide medical assistance will not be held civilly liable for any personal injuries incurred from the malfunctioning of an AED, so long as it represents ordinary negligence.

Currently, the law offers immunity to individuals for ordinary negligence when administering aid via an AED, if assistance is provided voluntarily, gratuitously, and beyond the scope of employment or practice. Additionally, existing law affords immunity for an individual's ordinary negligence in managing an AED.

RESPONSE FROM ADMINISTRATION/AGENCY:
None Submitted

NATURE AND SOURCES OF SUPPORT:

Bruce E. Gould, MD, FACP, Director, AHEC Program: As an internist and primary care physician, he supports the modifications to the Good Samaritan Law. A number of medical offices do not have AEDs due to the liability incurred if a patient does not recover. If professionals in their scope of practice are included in the law, then offices will be more willing to acquire AEDs and train their staff to use them. Greater availability and training should signal more assistance for emergency cardiac care.
Joanne Santiago, President, Connecticut Chiropractic Association: The Connecticut Chiropractic Association respectfully requests that chiropractic physicians be included in the list of protected professionals who operate an AED. Currently, the proposal outlines only medical and osteopathic physicians. Chiropractic physicians may have, and operate, an AED in a variety of settings and should therefore share the protections other professionals have.

Perry Siegel, MS, ATC, CSCS, Co-Chair Governmental Affairs Committee, CT Athletic Trainers Association (CATA): CATA strongly supports the language of the proposal, but respectfully requests that licensed athletic trainers be included in the list of professionals not liable for personal injury. Athletic trainers are often the first healthcare providers that an injured, physically active person encounters. These injured individuals may require CPR or the use of an AED. Athletic trainers are expected to be able to administer emergency cardiac care, and should therefore be included in the list of protected professionals.

Ines M. Zemaitis, RN, APRN, MSN, Health Policy Co-Chair, CT APRNS: CTAPRNS strongly support the bill and the protection of professionals who utilize AEDs. In protecting the profession of Advanced Practice Nursing and other medical professionals, the people of Connecticut are better served.

NATURE AND SOURCES OF OPPOSITION:

Connecticut Trial Lawyers Association: CTLA does not support the bill as proposed. The current proposal expands the Good Samaritan law by enabling physicians to act negligently in their practice, yet receive immunity for harm or injury done while using an AED. CTLA would support the bill with the addition of an amendment, which would call for separate claims filed against manufacturers of the equipment.

Reported by: Meagan Schantz Date: 02/19/2019