



General Assembly

January Session, 2019

Committee Bill No. 6146

LCO No. 4172



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

AN ACT CONCERNING THE EXPANSION OF CERTIFICATION COURSES IN CARDIOPULMONARY RESUSCITATION AND EDUCATION AND TRAINING COURSES IN THE USE OF AUTOMATIC EXTERNAL DEFIBRILLATORS AND THE ADMINISTRATION OF FIRST AID.

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

1 Section 1. Section 19a-113a of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2019*):

3 The Commissioner of Public Health shall adopt regulations, in
4 accordance with chapter 54, requiring that persons who are employed
5 as lifeguards shall be certified in cardiopulmonary resuscitation by
6 [the American Heart Association, the American Red Cross or the
7 American Safety and Health Institute] any organization approved by
8 the Department of Public Health.

9 Sec. 2. Section 19a-197b of the general statutes is repealed and the
10 following is substituted in lieu thereof (*Effective October 1, 2019*):

11 A paid or volunteer firefighter or police officer, a member of a ski
12 patrol, a lifeguard, a conservation officer, patrol officer or special

13 police officer of the Department of Energy and Environmental
14 Protection or emergency medical service personnel who has been
15 trained in the use of an automatic external defibrillator in accordance
16 with the standards set forth by [the American Red Cross or American
17 Heart Association] any organization approved by the Department of
18 Public Health shall not be subject to additional requirements, except
19 recertification requirements, in order to use an automatic external
20 defibrillator.

21 Sec. 3. Section 52-557b of the general statutes is repealed and the
22 following is substituted in lieu thereof (*Effective October 1, 2019*):

23 (a) A person licensed to practice medicine and surgery under the
24 provisions of chapter 370 or dentistry under the provisions of section
25 20-106 or members of the same professions licensed to practice in any
26 other state of the United States, a person licensed as a registered nurse
27 under section 20-93 or 20-94 or certified as a licensed practical nurse
28 under section 20-96 or 20-97, a medical technician or any person
29 operating a cardiopulmonary resuscitator or a person trained in
30 cardiopulmonary resuscitation in accordance with the guidelines set
31 forth by [the American Red Cross or American Heart Association] any
32 organization approved by the Department of Public Health, or a
33 person operating an automatic external defibrillator, who, voluntarily
34 and gratuitously and other than in the ordinary course of such person's
35 employment or practice, renders emergency medical or professional
36 assistance to a person in need thereof, shall not be liable to such person
37 assisted for civil damages for any personal injuries which result from
38 acts or omissions by such person in rendering the emergency care,
39 which may constitute ordinary negligence. A person or entity that
40 provides or maintains an automatic external defibrillator shall not be
41 liable for the acts or omissions of the person or entity in providing or
42 maintaining the automatic external defibrillator, which may constitute
43 ordinary negligence. The immunity provided in this subsection does
44 not apply to acts or omissions constituting gross, wilful or wanton
45 negligence. With respect to the use of an automatic external

46 defibrillator, the immunity provided in this subsection shall only apply
47 to acts or omissions involving the use of an automatic external
48 defibrillator in the rendering of emergency care. Nothing in this
49 subsection shall be construed to exempt paid or volunteer firefighters,
50 police officers or emergency medical services personnel from
51 completing training in cardiopulmonary resuscitation or in the use of
52 an automatic external defibrillator in accordance with the guidelines
53 set forth by [the American Red Cross or American Heart Association]
54 any organization approved by the Department of Public Health. For
55 the purposes of this subsection, "automatic external defibrillator"
56 means a device that: (1) Is used to administer an electric shock through
57 the chest wall to the heart; (2) contains internal decision-making
58 electronics, microcomputers or special software that allows it to
59 interpret physiologic signals, make medical diagnosis and, if
60 necessary, apply therapy; (3) guides the user through the process of
61 using the device by audible or visual prompts; and (4) does not require
62 the user to employ any discretion or judgment in its use.

63 (b) A paid or volunteer firefighter or police officer, a teacher or
64 other school personnel on the school grounds or in the school building
65 or at a school function, a member of a ski patrol, a lifeguard, a
66 conservation officer, patrol officer or special police officer of the
67 Department of Energy and Environmental Protection, or emergency
68 medical service personnel, who has completed a course in first aid
69 offered by [the American Red Cross, the American Heart Association,
70 the National Ski Patrol,] any organization approved by the
71 Department of Public Health, the Department of Public Health or any
72 director of health, as certified by the agency or director of health
73 offering the course, and who renders emergency first aid to a person in
74 need thereof, shall not be liable to such person assisted for civil
75 damages for any personal injuries which result from acts or omissions
76 by such person in rendering the emergency first aid, which may
77 constitute ordinary negligence. No paid or volunteer firefighter, police
78 officer or emergency medical service personnel who forcibly enters the
79 residence of any person in order to render emergency first aid to a

80 person whom such firefighter, police officer or emergency medical
81 service personnel reasonably believes to be in need thereof shall be
82 liable to such person for civil damages incurred as a result of such
83 entry. The immunity provided in this subsection does not apply to acts
84 or omissions constituting gross, wilful or wanton negligence.

85 (c) An employee of a railroad company, including any company
86 operating a commuter rail line, who has successfully completed a
87 course in first aid, offered by [the American Red Cross, the American
88 Heart Association, the National Ski Patrol,] any organization approved
89 by the Department of Public Health, the Department of Public Health
90 or any director of health, as certified by the agency or director of health
91 offering the course, and who renders emergency first aid or
92 cardiopulmonary resuscitation to a person in need thereof, shall not be
93 liable to such person assisted for civil damages for any personal injury
94 or death which results from acts or omissions by such employee in
95 rendering the emergency first aid or cardiopulmonary resuscitation
96 which may constitute ordinary negligence. The immunity provided in
97 this subsection does not apply to acts or omissions constituting gross,
98 wilful or wanton negligence.

99 (d) A railroad company, including any commuter rail line, which
100 provides emergency medical training or equipment to any employee
101 granted immunity pursuant to subsection (c) of this section shall not be
102 liable for civil damages for any injury sustained by a person or for the
103 death of a person which results from the company's acts or omissions
104 in providing such training or equipment or which results from acts or
105 omissions by such employee in rendering emergency first aid or
106 cardiopulmonary resuscitation, which may constitute ordinary
107 negligence. The immunity provided in this subsection does not apply
108 to acts or omissions constituting gross, wilful or wanton negligence.

109 (e) (1) For purposes of this subsection, "cartridge injector" means an
110 automatic prefilled cartridge injector or similar automatic injectable
111 equipment used to deliver epinephrine in a standard dose for

112 emergency first aid response to allergic reactions.

113 (2) Any volunteer worker associated with, or any person employed
114 to work for, a program offered to children sixteen years of age or
115 younger by a corporation, other than a licensed health care provider,
116 that is exempt from federal income taxation under Section 501 of the
117 Internal Revenue Code of 1986, or any subsequent corresponding
118 internal revenue code of the United States, as from time to time
119 amended, who (A) has been trained in the use of a cartridge injector by
120 a licensed physician, physician assistant, advanced practice registered
121 nurse or registered nurse, (B) has obtained the consent of a parent or
122 legal guardian to use a cartridge injector on his or her child, and (C)
123 uses a cartridge injector on such child in apparent need thereof
124 participating in such program, shall not be liable to such child assisted
125 or to such child's parent or guardian for civil damages for any personal
126 injury or death which results from acts or omissions by such worker in
127 using a cartridge injector which may constitute ordinary negligence.
128 The immunity provided in this subsection does not apply to acts or
129 omissions constituting gross, wilful or wanton negligence.

130 (3) A corporation, other than a licensed health care provider, that is
131 exempt from federal income taxation under Section 501 of the Internal
132 Revenue Code of 1986, or any subsequent corresponding internal
133 revenue code of the United States, as from time to time amended,
134 which provides training in the use of cartridge injectors to any
135 volunteer worker granted immunity pursuant to subdivision (2) of this
136 subsection shall not be liable for civil damages for any injury sustained
137 by, or for the death of, a child sixteen years of age or younger who is
138 participating in a program offered by such corporation, which injury
139 or death results from acts or omissions by such worker in using a
140 cartridge injector, which may constitute ordinary negligence. The
141 immunity provided in this subsection does not apply to acts or
142 omissions constituting gross, wilful or wanton negligence.

143 (f) A teacher or other school personnel, on the school grounds or in

144 the school building or at a school function, who has completed both a
145 course in first aid in accordance with subsection (b) of this section and
146 a course given by the medical advisor of the school or by a licensed
147 physician in the administration of medication by injection, who
148 renders emergency care by administration of medication by injection
149 to a person in need thereof, shall not be liable to the person assisted for
150 civil damages for any injuries which result from acts or omissions by
151 the person in rendering the emergency care of administration of
152 medication by injection, which may constitute ordinary negligence.
153 The immunity provided in this subsection does not apply to acts or
154 omissions constituting gross, wilful or wanton negligence.

155 (g) The provisions of this section shall not be construed to require
156 any teacher or other school personnel to render emergency first aid or
157 administer medication by injection.

158 (h) Any person who has completed a course in first aid offered by
159 [the American Red Cross, the American Heart Association, the
160 National Ski Patrol,] any organization approved by the Department of
161 Public Health, the Department of Public Health or any director of
162 health, as certified by the agency or director of health offering the
163 course, or has been trained in the use of a cartridge injector by a
164 licensed physician, physician assistant, advanced practice registered
165 nurse or registered nurse, and who, voluntarily and gratuitously and
166 other than in the ordinary course of such person's employment or
167 practice, renders emergency assistance by using a cartridge injector on
168 another person in need thereof, or any person who is an identified staff
169 member of a before or after school program, day camp or child care
170 facility, as defined in section 19a-900, and who renders emergency
171 assistance by using a cartridge injector on another person in need
172 thereof, shall not be liable to such person assisted for civil damages for
173 any personal injuries which result from acts or omissions by such
174 person in using a cartridge injector, which may constitute ordinary
175 negligence. The immunity provided in this subsection does not apply
176 to acts or omissions constituting gross, wilful or wanton negligence.

177 For the purposes of this subsection, "cartridge injector" has the same
178 meaning as provided in subdivision (1) of subsection (e) of this section.

179 (i) A school bus driver, on or in the immediate vicinity of a school
180 bus during the provision of school transportation services, who
181 renders emergency care by administration of medication with a
182 cartridge injector to a student in need thereof who has a medically
183 diagnosed allergic condition that may require prompt treatment in
184 order to protect the student against serious harm or death, shall not be
185 liable to the student assisted for civil damages for any injuries which
186 result from acts or omissions by the school bus driver in rendering the
187 emergency care of administration of medication with a cartridge
188 injector, which may constitute ordinary negligence. The immunity
189 provided in this subsection does not apply to acts or omissions
190 constituting gross, wilful or wanton negligence. For the purposes of
191 this subsection, "cartridge injector" has the same meaning as provided
192 in subdivision (1) of subsection (e) of this section.

193 Sec. 4. Subsection (b) of section 10a-55l of the general statutes is
194 repealed and the following is substituted in lieu thereof (*Effective*
195 *October 1, 2019*):

196 (b) Each athletic department of an institution of higher education
197 shall (1) (A) provide and maintain in a central location that is not more
198 than one-quarter mile from the premises used by the athletic
199 department at least one automatic external defibrillator, as defined in
200 section 19a-175, and (B) make such central location known and
201 accessible to employees and student-athletes of such institution of
202 higher education during all hours of intercollegiate sport practice,
203 training and competition, (2) ensure that at least one licensed athletic
204 trainer or other person who is trained in cardiopulmonary
205 resuscitation and the use of an automatic external defibrillator in
206 accordance with the standards set forth by [the American Red Cross or
207 American Heart Association] any organization approved by the
208 Department of Public Health is on the premises used by the athletic

209 department during all hours of intercollegiate sport practice, training
210 and competition, (3) maintain and test the automatic external
211 defibrillator in accordance with the manufacturer's guidelines, and (4)
212 promptly notify a local emergency medical services provider after each
213 use of such automatic external defibrillator. As used in this section,
214 "the premises used by the athletic department" means those premises
215 that are used for intercollegiate sport practice, training or competition
216 and may include, but need not be limited to, an athletic building or
217 room, gymnasium, athletic field or stadium; and "intercollegiate sport"
218 means a sport played at the collegiate level for which eligibility
219 requirements for participation by a student-athlete are established by a
220 national association for the promotion or regulation of collegiate
221 athletics.

222 Sec. 5. Subsection (a) of section 19a-79 of the general statutes is
223 repealed and the following is substituted in lieu thereof (*Effective*
224 *October 1, 2019*):

225 (a) The Commissioner of Early Childhood shall adopt regulations,
226 in accordance with the provisions of chapter 54, to carry out the
227 purposes of sections 19a-77 to 19a-80, inclusive, and 19a-82 to 19a-87,
228 inclusive, and to assure that child care centers and group child care
229 homes meet the health, educational and social needs of children
230 utilizing such child care centers and group child care homes. Such
231 regulations shall (1) specify that before being permitted to attend any
232 child care center or group child care home, each child shall be
233 protected as age-appropriate by adequate immunization against
234 diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella,
235 hemophilus influenzae type B and any other vaccine required by the
236 schedule of active immunization adopted pursuant to section 19a-7f,
237 including appropriate exemptions for children for whom such
238 immunization is medically contraindicated and for children whose
239 parents or guardian objects to such immunization on religious
240 grounds, and that any objection by parents or a guardian to
241 immunization of a child on religious grounds shall be accompanied by

242 a statement from such parents or guardian that such immunization
243 would be contrary to the religious beliefs of such child or the parents
244 or guardian of such child, which statement shall be acknowledged, in
245 accordance with the provisions of sections 1-32, 1-34 and 1-35, by (A) a
246 judge of a court of record or a family support magistrate, (B) a clerk or
247 deputy clerk of a court having a seal, (C) a town clerk, (D) a notary
248 public, (E) a justice of the peace, or (F) an attorney admitted to the bar
249 of this state, (2) specify conditions under which child care center
250 directors and teachers and group child care home providers may
251 administer tests to monitor glucose levels in a child with diagnosed
252 diabetes mellitus, and administer medicinal preparations, including
253 controlled drugs specified in the regulations by the commissioner, to a
254 child receiving child care services at such child care center or group
255 child care home pursuant to the written order of a physician licensed
256 to practice medicine or a dentist licensed to practice dental medicine in
257 this or another state, or an advanced practice registered nurse licensed
258 to prescribe in accordance with section 20-94a, or a physician assistant
259 licensed to prescribe in accordance with section 20-12d, and the written
260 authorization of a parent or guardian of such child, (3) specify that an
261 operator of a child care center or group child care home, licensed
262 before January 1, 1986, or an operator who receives a license after
263 January 1, 1986, for a facility licensed prior to January 1, 1986, shall
264 provide a minimum of thirty square feet per child of total indoor
265 usable space, free of furniture except that needed for the children's
266 purposes, exclusive of toilet rooms, bathrooms, coatrooms, kitchens,
267 halls, isolation room or other rooms used for purposes other than the
268 activities of the children, (4) specify that a child care center or group
269 child care home licensed after January 1, 1986, shall provide thirty-five
270 square feet per child of total indoor usable space, (5) establish
271 appropriate child care center staffing requirements for employees
272 certified in cardiopulmonary resuscitation by [the American Red
273 Cross, the American Heart Association, the National Safety Council,
274 American Safety and Health Institute or Medic First Aid International,
275 Inc.] any organization approved by the Department of Public Health,

276 (6) specify that on and after January 1, 2003, a child care center or
277 group child care home (A) shall not deny services to a child on the
278 basis of a child's known or suspected allergy or because a child has a
279 prescription for an automatic prefilled cartridge injector or similar
280 automatic injectable equipment used to treat an allergic reaction, or for
281 injectable equipment used to administer glucagon, (B) shall, not later
282 than three weeks after such child's enrollment in such a center or
283 home, have staff trained in the use of such equipment on-site during
284 all hours when such a child is on-site, (C) shall require such child's
285 parent or guardian to provide the injector or injectable equipment and
286 a copy of the prescription for such medication and injector or injectable
287 equipment upon enrollment of such child, and (D) shall require a
288 parent or guardian enrolling such a child to replace such medication
289 and equipment prior to its expiration date, (7) specify that on and after
290 January 1, 2005, a child care center or group child care home (A) shall
291 not deny services to a child on the basis of a child's diagnosis of
292 asthma or because a child has a prescription for an inhalant medication
293 to treat asthma, and (B) shall, not later than three weeks after such
294 child's enrollment in such a center or home, have staff trained in the
295 administration of such medication on-site during all hours when such
296 a child is on-site, and (8) establish physical plant requirements for
297 licensed child care centers and licensed group child care homes that
298 exclusively serve school-age children. When establishing such
299 requirements, the Office of Early Childhood shall give consideration to
300 child care centers and group child care homes that are located in
301 private or public school buildings. With respect to this subdivision
302 only, the commissioner shall implement policies and procedures
303 necessary to implement the physical plant requirements established
304 pursuant to this subdivision while in the process of adopting such
305 policies and procedures in regulation form. Until replaced by policies
306 and procedures implemented pursuant to this subdivision, any
307 physical plant requirement specified in the office's regulations that is
308 generally applicable to child care centers and group child care homes
309 shall continue to be applicable to such centers and homes that

310 exclusively serve school-age children. The commissioner shall print
311 notice of the intent to adopt regulations pursuant to this subdivision in
312 the Connecticut Law Journal not later than twenty days after the date
313 of implementation of such policies and procedures. Policies and
314 procedures implemented pursuant to this subdivision shall be valid
315 until the time final regulations are adopted.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	19a-113a
Sec. 2	<i>October 1, 2019</i>	19a-197b
Sec. 3	<i>October 1, 2019</i>	52-557b
Sec. 4	<i>October 1, 2019</i>	10a-551(b)
Sec. 5	<i>October 1, 2019</i>	19a-79(a)

Statement of Purpose:

To expand certification courses in cardiopulmonary resuscitation for lifeguards and education and training courses in the use of automatic external defibrillators and the administration of first aid.

[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.]

Co-Sponsors: REP. GENGA, 10th Dist.

H.B. 6146