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 Section 19a-113a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

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

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 Section 19a-197b of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

11 A paid or volunteer firefighter or police officer, a member of a ski patrol, a lifeguard, a conservation officer, patrol officer or special
police officer of the Department of Energy and Environmental Protection or emergency medical service personnel who has been trained in the use of an automatic external defibrillator in accordance with the standards set forth by [the American Red Cross or American Heart Association] any organization approved by the Department of Public Health shall not be subject to additional requirements, except recertification requirements, in order to use an automatic external defibrillator.

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 Section 52-557b of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

(a) A person licensed to practice medicine and surgery under the provisions of chapter 370 or dentistry under the provisions of section 20-106 or members of the same professions licensed to practice in any other state of the United States, a person licensed as a registered nurse under section 20-93 or 20-94 or certified as a licensed practical nurse under section 20-96 or 20-97, a medical technician or any person operating a cardiopulmonary resuscitator or a person trained in cardiopulmonary resuscitation in accordance with the guidelines set forth by [the American Red Cross or American Heart Association] any organization approved by the Department of Public Health, or a person operating an automatic external defibrillator, who, voluntarily and gratuitously and other than in the ordinary course of such person's employment or practice, renders emergency medical or professional assistance to a person in need thereof, shall not be liable to such person assisted for civil damages for any personal injuries which result from acts or omissions by such person in rendering the emergency care, which may constitute ordinary negligence. A person or entity that provides or maintains an automatic external defibrillator shall not be liable for the acts or omissions of the person or entity in providing or maintaining the automatic external defibrillator, which may constitute ordinary negligence. The immunity provided in this subsection does not apply to acts or omissions constituting gross, wilful or wanton negligence. With respect to the use of an automatic external defibrillator,
defibrillator, the immunity provided in this subsection shall only apply
to acts or omissions involving the use of an automatic external
defibrillator in the rendering of emergency care. Nothing in this
subsection shall be construed to exempt paid or volunteer firefighters,
police officers or emergency medical services personnel from
completing training in cardiopulmonary resuscitation or in the use of
an automatic external defibrillator in accordance with the guidelines
set forth by [the American Red Cross or American Heart Association]
any organization approved by the Department of Public Health. For
the purposes of this subsection, "automatic external defibrillator"
means a device that: (1) Is used to administer an electric shock through
the chest wall to the heart; (2) contains internal decision-making
electronics, microcomputers or special software that allows it to
interpret physiologic signals, make medical diagnosis and, if
necessary, apply therapy; (3) guides the user through the process of
using the device by audible or visual prompts; and (4) does not require
the user to employ any discretion or judgment in its use.

(b) A paid or volunteer firefighter or police officer, a teacher or
other school personnel on the school grounds or in the school building
or at a school function, a member of a ski patrol, a lifeguard, a
conservation officer, patrol officer or special police officer of the
Department of Energy and Environmental Protection, or emergency
medical service personnel, who has completed a course in first aid
offered by [the American Red Cross, the American Heart Association,
the National Ski Patrol,] any organization approved by the
Department of Public Health, the Department of Public Health or any
director of health, as certified by the agency or director of health
offering the course, and who renders emergency first aid to a person in
need thereof, shall not be liable to such person assisted for civil
damages for any personal injuries which result from acts or omissions
by such person in rendering the emergency first aid, which may
constitute ordinary negligence. No paid or volunteer firefighter, police
officer or emergency medical service personnel who forcibly enters the
residence of any person in order to render emergency first aid to a
person whom such firefighter, police officer or emergency medical
service personnel reasonably believes to be in need thereof shall be
liable to such person for civil damages incurred as a result of such
entry. The immunity provided in this subsection does not apply to acts
or omissions constituting gross, wilful or wanton negligence.

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

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

(e) (1) For purposes of this subsection, "cartridge injector" means an
automatic prefilled cartridge injector or similar automatic injectable
equipment used to deliver epinephrine in a standard dose for
emergency first aid response to allergic reactions.

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

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

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

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

(h) Any person who has completed a course in first aid offered by
[the American Red Cross, the American Heart Association, the
National Ski Patrol,] any organization approved by the Department of
Public Health, the Department of Public Health or any director of
health, as certified by the agency or director of health offering the
course, or has been trained in the use of a cartridge injector by a
licensed physician, physician assistant, advanced practice registered
nurse or registered nurse, and who, voluntarily and gratuitously and
other than in the ordinary course of such person's employment or
practice, renders emergency assistance by using a cartridge injector on
another person in need thereof, or any person who is an identified staff
member of a before or after school program, day camp or child care
facility, as defined in section 19a-900, and who renders emergency
assistance by using a cartridge injector on another person in need
thereof, shall not be liable to such person assisted for civil damages for
any personal injuries which result from acts or omissions by such
person in using a cartridge injector, which may constitute ordinary
negligence. The immunity provided in this subsection does not apply
to acts or omissions constituting gross, wilful or wanton negligence.
For the purposes of this subsection, "cartridge injector" has the same meaning as provided in subdivision (1) of subsection (e) of this section.

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

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

(b) Each athletic department of an institution of higher education shall (1) (A) provide and maintain in a central location that is not more than one-quarter mile from the premises used by the athletic department at least one automatic external defibrillator, as defined in section 19a-175, and (B) make such central location known and accessible to employees and student-athletes of such institution of higher education during all hours of intercollegiate sport practice, training and competition, (2) ensure that at least one licensed athletic trainer or other person who is trained in cardiopulmonary resuscitation and the use of an automatic external defibrillator in accordance with the standards set forth by [the American Red Cross or American Heart Association] any organization approved by the Department of Public Health is on the premises used by the athletic
department during all hours of intercollegiate sport practice, training
and competition, (3) maintain and test the automatic external
defibrillator in accordance with the manufacturer's guidelines, and (4)
promptly notify a local emergency medical services provider after each
use of such automatic external defibrillator. As used in this section,
"the premises used by the athletic department" means those premises
that are used for intercollegiate sport practice, training or competition
and may include, but need not be limited to, an athletic building or
room, gymnasium, athletic field or stadium; and "intercollegiate sport"
means a sport played at the collegiate level for which eligibility
requirements for participation by a student-athlete are established by a
national association for the promotion or regulation of collegiate
athletics.

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

(a) The Commissioner of Early Childhood shall adopt regulations,
in accordance with the provisions of chapter 54, to carry out the
purposes of sections 19a-77 to 19a-80, inclusive, and 19a-82 to 19a-87,
inclusive, and to assure that child care centers and group child care
homes meet the health, educational and social needs of children
utilizing such child care centers and group child care homes. Such
regulations shall (1) specify that before being permitted to attend any
child care center or group child care home, each child shall be
protected as age-appropriate by adequate immunization against
diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella,
hemophilus influenzae type B and any other vaccine required by the
schedule of active immunization adopted pursuant to section 19a-7f,
including appropriate exemptions for children for whom such
immunization is medically contraindicated and for children whose
parents or guardian objects to such immunization on religious
grounds, and that any objection by parents or a guardian to
immunization of a child on religious grounds shall be accompanied by
a statement from such parents or guardian that such immunization
would be contrary to the religious beliefs of such child or the parents
or guardian of such child, which statement shall be acknowledged, in
accordance with the provisions of sections 1-32, 1-34 and 1-35, by (A) a
judge of a court of record or a family support magistrate, (B) a clerk or
deputy clerk of a court having a seal, (C) a town clerk, (D) a notary
public, (E) a justice of the peace, or (F) an attorney admitted to the bar
of this state, (2) specify conditions under which child care center
directors and teachers and group child care home providers may
administer tests to monitor glucose levels in a child with diagnosed
diabetes mellitus, and administer medicinal preparations, including
controlled drugs specified in the regulations by the commissioner, to a
child receiving child care services at such child care center or group
child care home pursuant to the written order of a physician licensed
to practice medicine or a dentist licensed to practice dental medicine in
this or another state, or an advanced practice registered nurse licensed
to prescribe in accordance with section 20-94a, or a physician assistant
licensed to prescribe in accordance with section 20-12d, and the written
authorization of a parent or guardian of such child, (3) specify that an
operator of a child care center or group child care home, licensed
before January 1, 1986, or an operator who receives a license after
January 1, 1986, for a facility licensed prior to January 1, 1986, shall
provide a minimum of thirty square feet per child of total indoor
usable space, free of furniture except that needed for the children's
purposes, exclusive of toilet rooms, bathrooms, coatrooms, kitchens,
halls, isolation room or other rooms used for purposes other than the
activities of the children, (4) specify that a child care center or group
child care home licensed after January 1, 1986, shall provide thirty-five
square feet per child of total indoor usable space, (5) establish
appropriate child care center staffing requirements for employees
certified in cardiopulmonary resuscitation by [the American Red
Cross, the American Heart Association, the National Safety Council,
American Safety and Health Institute or Medic First Aid International,
Inc.] any organization approved by the Department of Public Health,
(6) specify that on and after January 1, 2003, a child care center or group child care home (A) shall not deny services to a child on the basis of a child's known or suspected allergy or because a child has a prescription for an automatic prefilled cartridge injector or similar automatic injectable equipment used to treat an allergic reaction, or for injectable equipment used to administer glucagon, (B) shall, not later than three weeks after such child's enrollment in such a center or home, have staff trained in the use of such equipment on-site during all hours when such a child is on-site, (C) shall require such child's parent or guardian to provide the injector or injectable equipment and a copy of the prescription for such medication and injector or injectable equipment upon enrollment of such child, and (D) shall require a parent or guardian enrolling such a child to replace such medication and equipment prior to its expiration date, (7) specify that on and after January 1, 2005, a child care center or group child care home (A) shall not deny services to a child on the basis of a child's diagnosis of asthma or because a child has a prescription for an inhalant medication to treat asthma, and (B) shall, not later than three weeks after such child's enrollment in such a center or home, have staff trained in the administration of such medication on-site during all hours when such a child is on-site, and (8) establish physical plant requirements for licensed child care centers and licensed group child care homes that exclusively serve school-age children. When establishing such requirements, the Office of Early Childhood shall give consideration to child care centers and group child care homes that are located in private or public school buildings. With respect to this subdivision only, the commissioner shall implement policies and procedures necessary to implement the physical plant requirements established pursuant to this subdivision while in the process of adopting such policies and procedures in regulation form. Until replaced by policies and procedures implemented pursuant to this subdivision, any physical plant requirement specified in the office's regulations that is generally applicable to child care centers and group child care homes shall continue to be applicable to such centers and homes that
exclusively serve school-age children. The commissioner shall print notice of the intent to adopt regulations pursuant to this subdivision in the Connecticut Law Journal not later than twenty days after the date of implementation of such policies and procedures. Policies and procedures implemented pursuant to this subdivision shall be valid until the time final regulations are adopted.

This act shall take effect as follows and shall amend the following sections:

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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