



General Assembly

Substitute Bill No. 6146

January Session, 2019



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 Section 19a-113a of the general statutes is repealed and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 the
6 American Heart Association, the American Red Cross, [or] the
7 American Safety and Health Institute or an organization with
8 substantially similar cardiopulmonary resuscitation certification
9 requirements, as determined by the Department of Public Health.

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 Section 19a-197b of the general statutes is repealed and the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

12 A paid or volunteer firefighter or police officer, a member of a ski
13 patrol, a lifeguard, a conservation officer, patrol officer or special
14 police officer of the Department of Energy and Environmental
15 Protection or emergency medical service personnel who has been

16 trained in the use of an automatic external defibrillator in accordance
17 with the standards set forth by the American Red Cross, [or] American
18 Heart Association or by an organization with substantially similar
19 standards, as determined by the Department of Public Health, shall not
20 be subject to additional requirements, except recertification
21 requirements, in order to use an automatic external defibrillator.

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 Section 52-557b of the general statutes is repealed and the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

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

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

66 (b) A paid or volunteer firefighter or police officer, a teacher or
67 other school personnel on the school grounds or in the school building
68 or at a school function, a member of a ski patrol, a lifeguard, a
69 conservation officer, patrol officer or special police officer of the
70 Department of Energy and Environmental Protection, or emergency
71 medical service personnel, who (1) has completed a course in first aid
72 offered by the American Red Cross, the American Heart Association,
73 the National Ski Patrol, the Department of Public Health, [or] any
74 director of health [, as] or an organization with a substantially similar
75 course in first aid, as determined by the Department of Public Health,
76 that is certified by the [agency] organization or director of health
77 offering the course, and, [who] (2) renders emergency first aid to a
78 person in need thereof, shall not be liable to such person assisted for
79 civil damages for any personal injuries which result from acts or
80 omissions by such person in rendering the emergency first aid, which
81 may constitute ordinary negligence. No paid or volunteer firefighter,
82 police officer or emergency medical service personnel who forcibly

83 enters the residence of any person in order to render emergency first
84 aid to a person whom such firefighter, police officer or emergency
85 medical service personnel reasonably believes to be in need thereof
86 shall be liable to such person for civil damages incurred as a result of
87 such entry. The immunity provided in this subsection does not apply
88 to acts or omissions constituting gross, wilful or wanton negligence.

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

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

114 (e) (1) For purposes of this subsection, "cartridge injector" means an
115 automatic prefilled cartridge injector or similar automatic injectable

116 equipment used to deliver epinephrine in a standard dose for
117 emergency first aid response to allergic reactions.

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

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

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

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

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

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

182 omissions constituting gross, wilful or wanton negligence. For the
183 purposes of this subsection, "cartridge injector" has the same meaning
184 as provided in subdivision (1) of subsection (e) of this section.

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

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

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

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

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

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

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

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

318 exclusively serve school-age children. The commissioner shall print
319 notice of the intent to adopt regulations pursuant to this subdivision in
320 the Connecticut Law Journal not later than twenty days after the date
321 of implementation of such policies and procedures. Policies and
322 procedures implemented pursuant to this subdivision shall be valid
323 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)

PH *Joint Favorable Subst.*