



General Assembly

January Session, 2019

Raised Bill No. 795

LCO No. 3350



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

***AN ACT CONCERNING THE USE OF AUTOMATIC EXTERNAL
DEFIBRILLATORS.***

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2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2019*):

4 (a) (1) 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. Nothing in this
29 subsection shall be construed to exempt paid or volunteer firefighters,
30 police officers or emergency medical services personnel from
31 completing training in cardiopulmonary resuscitation or in the use of
32 an automatic external defibrillator in accordance with the guidelines
33 set forth by the American Red Cross or American Heart Association.
34 For the purposes of this subsection, "automatic external defibrillator"
35 means a device that: [(1)] (A) Is used to administer an electric shock
36 through the chest wall to the heart; [(2)] (B) contains internal decision-
37 making electronics, microcomputers or special software that allows it
38 to interpret physiologic signals, make medical diagnosis and, if
39 necessary, apply therapy; [(3)] (C) guides the user through the process
40 of using the device by audible or visual prompts; and [(4)] (D) does not
41 require the user to employ any discretion or judgment in its use.

42 (2) Notwithstanding the provisions of subdivision (1) of this
43 subsection, a person licensed to practice medicine and surgery under
44 the provisions of chapter 370 or dentistry under the provisions of
45 section 20-106 or members of the same professions licensed to practice
46 in any other state of the United States, or a person licensed as a
47 registered nurse under section 20-93 or 20-94 or certified as a licensed
48 practical nurse under section 20-96 or 20-97, who operates an
49 automatic external defibrillator to render emergency medical or

50 professional assistance to a person in need thereof shall not be liable to
51 such person assisted for civil damages for any personal injuries which
52 result from the malfunctioning of the automatic external defibrillator,
53 which malfunctioning may constitute ordinary negligence.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2019	52-557b(a)

Statement of Purpose:

To protect physicians and other health care professionals who use automated external defibrillators in the scope of their practice or employment against civil liability when the automatic external defibrillator malfunctions.

[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.]