OLR Bill Analysis
SB 795

AN ACT CONCERNING THE USE OF AUTOMATIC EXTERNAL DEFIBRILLATORS.

SUMMARY

This bill extends immunity from civil liability to physicians, dentists, or nurses who operate an automatic external defibrillator (AED) for damages for personal injuries caused by the AED’s malfunctioning, if the malfunctioning constitutes ordinary negligence.

The bill applies to (1) physicians and dentists licensed in Connecticut or other states and (2) licensed practical nurses and registered nurses licensed in Connecticut, when any such professionals operate an AED to provide emergency medical or professional assistance.

Under certain conditions, existing law provides civil immunity to (1) anyone who operates an AED not in the course of their employment and (2) a person or entity who provides or maintains such a device.

EFFECTIVE DATE: October 1, 2019

BACKGROUND

Existing Law on Immunity and AEDs

Under existing law, anyone who operates an AED to give emergency assistance voluntarily, gratuitously, and not in the ordinary course of his or her employment or practice is not civilly liable for personal injuries resulting from his or her acts or omissions that constitute ordinary negligence. The law also provides immunity for negligent acts or omissions by a person or entity in providing or maintaining an AED.

The law specifies that the immunity does not apply to gross, willful,
or wanton negligence.

**COMMITTEE ACTION**

Public Health Committee

Joint Favorable

Yea 26  Nay 0  (02/13/2019)