CHAPTER 421

AUTOMATED EXTERNAL DEFIBRILLATORS

§2150-C. Automated external defibrillators; immunity from civil liability

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Automated external defibrillator" or "AED" means a medical device that combines a heart monitor and a defibrillator approved by the United States Food and Drug Administration that:

(1) Is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia;

(2) Is capable of determining, without intervention by an operator, whether defibrillation should be performed on an individual; and

(3) Upon determination that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to an individual's heart. [PL 2007, c. 267, §2 (RPR).]

B. [PL 2007, c. 267, §2 (RP).]

[PL 2007, c. 267, §2 (RPR).]

2. Prohibition.

[PL 2007, c. 267, §2 (RP).]

3. Duties.

[PL 2007, c. 267, §2 (RP).]

4. Penalties.

[PL 2007, c. 267, §2 (RP).]

5. Effect on other law.

[PL 2007, c. 267, §2 (RP).]

6. Immunity. The following persons and entities are immune from civil liability for damages relating to the use, possession or purchase of an AED and arising out of acts or omissions relating to preparing for and responding to suspected sudden cardiac arrest emergencies absent gross negligence or willful or wanton misconduct:

A. Any person or entity that acquires an AED; [PL 2007, c. 267, §2 (NEW).]

B. Any person or entity that owns, manages or is otherwise responsible for the premises on which an AED is located; [PL 2007, c. 267, §2 (NEW).]

C. Any person who retrieves an AED in response to a perceived sudden cardiac arrest emergency; [PL 2007, c. 267, §2 (NEW).]

D. Any person who uses, attempts to use or fails to use an AED in response to a perceived sudden cardiac arrest emergency; [PL 2007, c. 267, §2 (NEW).]

E. Any physician or other authorized person who issues a prescription for the purchase of an AED; [PL 2007, c. 267, §2 (NEW).]

F. Any person or entity that is involved with the design, management or operation of an AED program; and [PL 2007, c. 267, §2 (NEW).]

G. Any person or entity that provides instruction in the use of an AED. [PL 2007, c. 267, §2 (NEW).]

[PL 2007, c. 267, §2 (NEW).]

SECTION HISTORY

PL 2001, c. 364, §1 (NEW). PL 2007, c. 267, §2 (RPR).

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