

**HOUSE . . . . . No. 599**

By Mr. Ayers of Quincy, petition of Bruce J. Ayers and Michael W. Morrissey relative to requiring defibrillators in senior housing facilities. Elder Affairs.

**The Commonwealth of Massachusetts**

In the Year Two Thousand and Seven.

AN ACT REQUIRING DEFIBRILLATORS IN SENIOR HOUSING FACILITIES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 8B of Chapter 40 of the General Laws, as  
2 appearing in the 2004 Official Edition, is hereby amended by  
3 inserting before the definition of “Buyer” the following definition:—  
4 “AED”, an automatic external defibrillator medical device  
5 approved by the United States Food and Drug Administration  
6 that:— (i) is capable of recognizing the presence or absence of ven-  
7 tricular fibrillation and rapid ventricular tachycardia in a patient; (ii)  
8 is capable of determining, without intervention by an operator,  
9 whether defibrillation should be performed on the patient; (iii) upon  
10 determining that defibrillation should be performed, automatically  
11 charges and requests delivery of an electrical impulse to the patient’s  
12 heart; and (iv) then, upon action by an operator, delivers an appro-  
13 priate electrical impulse to the patient’s heart to perform  
14 defibrillation.

1 SECTION 2. Chapter 111 of the General Laws is hereby amended  
2 by inserting after Section 57D the following section:—  
3 Section 57E. All public and private senior housing facilities with  
4 an occupancy of 30 or more persons shall have on the premises at  
5 least 1 AED and shall have in attendance at least 1 employee or  
6 authorized volunteer as an AED provider as defined in Section  
7 12V½ of Chapter 112. The provisions of said Section 12V½ of said  
8 Chapter 112 shall be applicable to any action under this section.

1 SECTION 3. Chapter 112 of the General Laws is hereby amended  
2 by striking out Section 12V, as so appearing, and inserting in place  
3 thereof the following section:—

4 Section 12V. Any person, unless the usual and regular duties of  
5 such person include providing emergency medical care, who in good  
6 faith and without compensation renders emergency cardiopulmonary  
7 resuscitation or defibrillation, to any person who apparently requires  
8 cardiopulmonary resuscitation or defibrillation, shall not be liable  
9 for acts or omissions, other than gross negligence or willful or  
10 wanton misconduct, resulting from the rendering of such emergency  
11 cardiopulmonary resuscitation or defibrillation.