

HOUSE No. 1161

By Ms. Polito of Shrewsbury, petition of Karyn E. Polito and others for legislation to require external defibrillators in public schools. Health Care Financing.

The Commonwealth of Massachusetts

PETITION OF:

Karyn E. Polito	Colleen M. Garry
Joseph F. Wagner	John W. Scibak
Edward M. Augustus, Jr.	Christopher N. Speranzo
Michael J. Rodrigues	Brian A. Joyce
Eric Turkington	Alice Hanlon Peisch
Stephen M. Brewer	Jennifer M. Callahan

In the Year Two Thousand and Seven.

AN ACT REQUIRING DEFIBRILLATORS IN PUBLIC SCHOOLS.

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. Chapter 111 of the General Laws is hereby amended
2 by inserting after section 57D the following section:-Section 57E.
3 All public schools shall have a automatic external defibrillator on its
4 premises and shall have AED providers, as defined in section 12V½
5 of chapter 112 available. The provisions of said section 12V½ of
6 said chapter 112 shall be applicable to any action under this section.

1 SECTION 2. On-site cardiac automated external defibrillator.
2 1. All School as defined by Chapter 32 Section 1 shall provide and
3 maintain on-site in each instructional school facility automated
4 external defibrillator (AED) equipment, as defined in section (1) in
5 quantities and types deemed by the commissioner of education in
6 consultation with the commissioner of health to be adequate to
7 ensure ready and appropriate access for use during emergencies.
8 2. Whenever public school facilities pursuant to subdivision one of
9 this section are used for school sponsored or school approved curric-

10 ular or extracurricular events or activities and whenever a school-
11 sponsored athletic contest is held at any location, the public school
12 officials and administrators responsible for such school facility or
13 athletic contest shall ensure the presence of at least one staff person
14 who is trained, as defined in Chapter 112 section 12V in the opera-
15 tion and use of an AED. Where a school-sponsored competitive ath-
16 letic event is held at a site other than a public school facility, the
17 public school officials shall assure that an AED is provided on-site.
18 3. Public school facilities and staff pursuant to subdivisions one and
19 two of this section shall be deemed a “public access defibrillation
20 provider” as defined in Chapter 112 Section 12V½ subject to the
21 requirements and limitations of such section. 4. Pursuant to
22 Chapter 112 Section 12V any public access defibrillation provider,
23 or any employee or other agent of the provider who, in accordance
24 with the provisions of this section, voluntarily and without expecta-
25 tion of monetary compensation renders emergency medical or first
26 aid treatment using an AED which has been made available pursuant
27 to this section, to a person who is unconscious, ill or injured, shall be
28 liable only pursuant to section 12V of Chapter 112.

1 SECTION 3. Chapter 62 Section 3B subsection (a) shall be
2 amended by adding the following after sub-paragraph 15:

3 (16) (a) An amount equal to the cost of purchase, not to exceed
4 \$1,000 of a Automated External Defibrillator donated to and public,
5 private or parochial school in the Commonwealth of Massachusetts;
6 any Municipal Senior Center operating in the Commonwealth of
7 Massachusetts; any municipal or state-owned public swimming pool
8 or beach, and Municipal Library in the Commonwealth of Massa-
9 chusetts; or any Municipally operated Community Center in the
10 Commonwealth.

11 (b) In order to qualify for the exemption the Automated External
12 Defibrillator must be purchased for donation and placed as part of a
13 Public Access to Defibrillation program in accordance with the
14 Guidelines established by the American Heart Association.