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## Shock and Law

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## Shock and Law

Jonathan S. Reiner, MD; Allen J. Solomon, MD; Richard J. Katz, MD

What if a fire erupted in a large retail store and no attempt was made by the employees to quench the still small fire because fire extinguisher use was restricted to trained firefighters only? Or, some state laws protected only fire department-trained responders from potential liability? Or, owning a fire extinguisher brought with it a concomitant requirement for fire department supervision? And what if every state had a different law? Although these scenarios seem preposterous, they do accurately reflect the current environment in the United States for automated external defibrillators (AEDs). Despite the intuitive design of modern AEDs, and the clear relationship between sudden cardiac arrest (SCA) survival and time to defibrillation, AEDs are not extensively disseminated in public places. In this report, we describe how disparate state laws impede AED adoption, and we present a blueprint for a national legislative initiative to facilitate widely accessible public access defibrillation.

### Weak Links in the Chain of Survival

Despite the manifold advances in cardiovascular medicine over the past 2 decades, survival from out-of-hospital SCA remains unlikely; it varies regionally in the United States from 3.0% to 16.3%.<sup>1</sup> In 1991, in an effort to improve SCA outcomes, the American Heart Association introduced the "chain of survival" concept stressing 4 "links": early activation of emergency medical services (EMS), early cardiopulmonary resuscitation (CPR), early defibrillation, and early advanced cardiovascular care.<sup>2</sup> The most crucial of these links appears to be prompt defibrillation, because, in the early minutes following SCA, the culprit arrhythmia most often is ventricular fibrillation. In a series of 157 patients who experienced SCA while wearing an ambulatory ECG monitor, 84% of patients were found to have a ventricular arrhythmia, usually ventricular fibrillation.<sup>3</sup> The survival rate for ventricular fibrillation-related SCA is time-dependent. Every minute in delay to defibrillation results in a 7% to 10% decline in survival.<sup>4</sup> Although CPR can attenuate the severe survival penalty resulting from defibrillation delays, most patients with SCA do not receive bystander CPR prior to EMS arrival. In the report by Gallagher et al<sup>5</sup> of 2071 consecutive out-of-hospital cardiac arrests in New York, on EMS arrival, only 32% of patients were receiving bystander CPR. Survival for patients who were not receiving CPR was a near futile 0.8%,

whereas those who did receive bystander CPR fared minimally better, with a survival rate of only 2.9%.

In 1994, the American Heart Association's Public Access Defibrillation Conference noted that making AEDs more widely available should significantly improve SCA survival and recommended clinical trials to further evaluate AED use by first responders and the lay public.<sup>6</sup> Multiple studies followed, with a variety of responders and venues, including Nevada casinos,<sup>7</sup> commercial aircraft,<sup>8</sup> community units,<sup>9</sup> police cars,<sup>10,11</sup> and Chicago airports.<sup>12</sup> These experiences consistently demonstrated the positive impact on survival of early defibrillation using trained and untrained nonmedical responders. In 2005, an advisory statement from the American Heart Association noted that lay rescuer AED programs will be most cost-effective if they are instituted at high-density sites where at least 1 witnessed SCA is likely to occur every few years.<sup>13</sup> Recent data from Copenhagen refines this concept and suggests that a high proportion of cardiac arrests in public can be covered by strategic placement of AEDs in areas with the highest rates of cardiac arrest, such as large shopping centers, train stations, high-density public areas, central bus terminals, and sports centers.<sup>14</sup>

### Legislative Heterogeneity

In 2006, the American Heart Association's Emergency Cardiovascular Care Committee, Council on Clinical Cardiology, and Office of State Advocacy noted that variations in state and federal legislation and regulations complicated efforts to promote lay rescuer AED programs.<sup>15</sup> A comprehensive online-only Data Supplement details current law in all 50 states and the District of Columbia. Thirty-five states currently require the registration of AEDs with local authorities, a process that is different in each state, and may be quite cumbersome. In New York,<sup>16</sup> for example, to institute a public access defibrillation program one must:

1. Identify a physician or hospital knowledgeable and experienced in emergency cardiac care to serve as emergency healthcare provider and participate in a collaborative agreement.
2. Develop a written collaborative agreement that includes written practice protocols for the use of the AED as well as written policies and procedures (training requirements for AED users, regular maintenance and check-

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out procedures of the AED, details of a regionally approved quality improvement program).

3. File with the Regional Emergency Medical Services Council serving the area a copy of the "Notice of Intent to Provide Public Access Defibrillation," along with a signed copy of the Collaborative Agreement.
4. Select and implement an approved public access defibrillation training course for AED users.
5. Provide written notice to 911 of the availability of AED service at the organization's location.

Although most states permit any rescuer to use an AED, 7 states still prohibit AED use by untrained operators. New York Law states, "No person may operate an AED unless the person has successfully completed a training course in the operation of an AED approved by a nationally-recognized organization or the state emergency medical services council."<sup>16</sup> Consequently, signage at AEDs in New York airports include the warning, "for emergency use by trained rescuers only." In contrast, in Virginia there is no specific training requirement, and signage on AEDs in Virginia public places do not warn against use by novice rescuers.<sup>17</sup> The prohibition of the use of an AED by an untrained operator seems to suggest that it is preferable to wait for EMS arrival (which on average will take more than 7 minutes<sup>1</sup>) than it is to have a true first responder attempt defibrillation. In reality, AEDs are designed for effective and expeditious use by individuals with no prior medical experience. As the name implies, these devices are automated, feature audio prompts, and require little more than the placement of 2 adhesive patches on an exposed chest. Rhythm analysis algorithms determine whether a shock is appropriate and will not allow delivery of a shock to a patient with a nonshockable rhythm. The intuitive nature of these devices was highlighted in a study comparing the performance of 15 AED naïve 6th grade children with 22 emergency medical technicians and paramedics using a mock cardiac arrest scenario.<sup>18</sup> In this study, the children placed the electrode patches correctly on all subjects and all operators remained clear of the patient during shock delivery. The children achieved a mean time to defibrillation of 90 seconds, only 23 seconds slower than the mean time achieved by the trained professionals. Although most studies have used semiautomatic defibrillators, which require the rescuer to manually initiate the shock, AEDs that are fully automatic and can deliver a shock without rescuer initiation are also available. Studies comparing semiautomatic and fully automatic defibrillators have demonstrated comparable safety.<sup>19</sup> Recent data from the Resuscitation Outcomes Consortium demonstrates the dramatic advantage in survival when an AED shock is delivered by a bystander.<sup>20</sup> In this study of 13 769 patients with out-of-hospital cardiac arrest, 289 (2.1%) had an AED placed by a bystander. Survival was 9% with bystander CPR but no AED, 38% when a shock was delivered by a bystander-applied AED, and 22% with an EMS-delivered shock.

Twenty-six states and the District of Columbia require oversight of an AED program by a medical professional. In New Jersey, oversight may be provided by any licensed physician,<sup>21</sup> whereas in New York State, program monitoring must be provided by a physician or hospital knowledgeable

and experienced in emergency cardiac care.<sup>15</sup> South Carolina allows program oversight by a physician, physician's assistant, nurse practitioner, or nurse.<sup>22</sup> The rationale for physician monitoring is, as Louisiana law states, "to ensure compliance with the requirements for training, emergency medical service notification, and maintenance."<sup>23</sup>

Although all 50 states and the District of Columbia have enacted some form of good Samaritan protection for AED responders, these laws differ as to who, in particular, is eligible for liability protection. Twelve states provide liability protection only to AED users who have been trained by a sanctioned organization. Rhode Island law states, "No person, whether acting in an official capacity or as a private volunteer, who gratuitously renders emergency assistance in the nature of cardiopulmonary resuscitation or automated external defibrillation to a person in need thereof, shall be liable for civil damages for any personal injuries which result from acts or omissions by such persons rendering the emergency care, which may constitute ordinary negligence; provided, however, that this immunity applies only to persons who have been trained in accordance with standards promulgated by either the American Heart Association or the American National Red Cross."<sup>24</sup> Thirty-nine states and the District of Columbia offer Good Samaritan protection to all AED users. In Illinois, only trained AED users are protected from civil damages arising out of the use of an AED, but all entities providing the AED are protected from liability.<sup>25</sup>

Federal laws addressing Good Samaritan AED protections have been limited. In 1998, President Clinton signed the Aviation Medical Assistance Act that directed the Federal Aviation Administration to determine whether AEDs should be mandated on passenger aircraft and established liability limitations to encourage air carriers and qualified passengers to provide in-flight assistance during medical emergencies.<sup>26</sup> This law did not provide liability protection for airlines deploying AEDs other than to shield the airline from any potential liability arising from the assistance of a passenger during an in-flight medical emergency. In 2000, Congress passed the Cardiac Arrest Survival Act, which, in theory, provided Good Samaritan protection to both the users and acquirers of AEDs for damages occurring as a result of the emergency use of an AED in a public setting.<sup>27</sup> This federal law applied only to states without existing Good Samaritan AED protections and explicitly did not preempt existing state law. In practice, because all 50 states have enacted some form of Good Samaritan AED provision, this federal statute adds no additional protection.

### Impediments to AED Dissemination

Collectively, the varied state laws create a series of bureaucratic hurdles that must be crossed before an AED program can commence. Whereas individual state laws make the process of instituting a single AED program cumbersome, state-to-state regulatory heterogeneity creates a complex environment for national corporations considering enterprise-wide AED programs. Perhaps most importantly, state-to-state differences in Good Samaritan laws create an air of liability uncertainty for prospective AED providers and responders. The experience in the US hotel industry with >49 000

properties, 4.6 million guestrooms, and 1.8 million workers, which has largely not pursued AED deployment, is illustrative. In February 2009, the American Hotel and Lodging Association issued a statement on AEDs noting several issues with respect to widespread implementation of defibrillators in US hotels, including “liability concerns for both individuals and businesses in the absence of strong national Good Samaritan protections.”<sup>28</sup> The *Wall Street Journal* in February 2009, noting that hotels around the United States have been reluctant to deploy defibrillators, also raised the industry’s concern about Good Samaritan protections, and described the liability concerns “as the ‘no good deed goes unpunished’ exposure.”<sup>29</sup> A representative for the hotel association was quoted as stating “none of those arguments could be made if you had no AED at all.” The hotel industry is far from alone in its ambivalence toward AED technology. American retail stores have been similarly reluctant to deploy defibrillators. For example, a customer can purchase an AED from Walmart for \$1279.88; however, should that same customer experience a sudden cardiac arrest while shopping in the store, defibrillation will wait until the paramedics arrive. Walmart has not deployed AEDs for emergency use in their >4300 US stores.

### Solutions

To facilitate the placement of AEDs in public places across the United States and assuage concerns regarding liability risk, there must be a single, unambiguous, nationwide set of regulations and liability protections. To achieve this goal, Congress can pass a preemption law effectively unifying the disparate state provisions regulating AED use and provider/responder liability risk. The doctrine of preemption derives from the Supremacy Clause of the Constitution, and effectively allows a federal law to supercede state law. Congress has frequently passed such acts, enacting 124 preemption laws from 2000 to 2008, including the Partial Birth Abortion Ban Act of 2003, Food Allergen Labeling and Consumer Protection Act of 2004, and the Dietary Supplement and Nonprescription Drug Consumer Protection Act of 2006.<sup>30</sup> For sudden cardiac arrest, the killer of >300 000 Americans per year, a federal law could effectively standardize registration, training, supervision, and liability protections for AED programs and responders throughout the nation. A congressional law should include the following standardized provisions:

- a. Removal of the requirement for AED registration. Notifying local authorities as to the location of an AED is intended, in part, to enable EMS dispatchers to advise a 911 caller of the location of the nearest AED. In April 2009, Boston EMS did add this capacity, but EMS capabilities around the United States vary widely and few EMS dispatch centers have the ability to route callers to close-by AEDs.
- b. Removal of the requirement for certified training classes for nascent AED programs. As is current state law in Virginia, training should be strongly encouraged and should permit the use of computer-based training tools in lieu of traditional 4-hour training classes.

- c. Authorization for the use of an AED by any person regardless of training status. The prohibition on AED use by untrained responders perpetuates the erroneous notion that AEDs are complicated or dangerous devices unsuitable for use by the general public and discourages potentially early life-saving interventions from initial responders. In the Chicago airport experience, with 2 exceptions, the AED responders were good Samaritans and the rescuers of 6 of the 11 successfully resuscitated patients had no training or experience with an AED.<sup>12</sup>
- d. Good Samaritan protection to all providers regardless of whether or not the provider is trained in the use of an AED. Congress should emulate the law in Kentucky, which states, “any person or entity, who in good faith and without compensation, renders emergency care or treatment by the use of an AED shall be immune from civil liability for any personal injury as a result of the care or treatment.”<sup>31</sup>
- e. Liability protection for AED providers (business, property owners). Oregon’s new law contains model language: “A person may not bring a cause of action against the owner of a place of public assembly... for injury, death or loss that results from acts or omissions involving the use, attempted use or nonuse of an automated external defibrillator.”<sup>32</sup>
- f. Liability protection for AED trainers.
- g. Liability protection for healthcare providers who monitor AED programs.

### Conclusions

Uncertainty regarding liability exposure is the unintended consequence of the current menagerie of state laws governing AED deployment and liability protection. The result is a virtual speed brake on the dissemination of this now mature technology. The current legislative mélange of state AED provisions impedes the deployment of a simple, irreplaceable, decades-proven therapy. Congress has the Constitutional authority to remedy this problem with the passage of a single law that could unify and simplify the disparate state AED provisions.

### Disclosures

None.

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KEY WORDS: automatic external defibrillator ■ sudden death

Supplemental Material

State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
<p>Alabama</p> <p>HB 68, 2006 Code of Alabama 6-5- 332.3 1999 Code of Alabama 22-1- 12 2002</p>	<p>Yes</p> <p>“That expected defibrillator users receive appropriate training in an American Heart Association, American Red Cross, or other nationally recognized cardiopulmonary resuscitation (CPR) course and AED, or an equivalent nationally recognized course.”</p>	<p>Yes</p> <p>“A person or entity who acquires an automated external defibrillator shall notify the local emergency communications center or dispatch center of the existing location and type of AED.”</p>	<p>Yes</p> <p>“That there is involvement of a licensed physician or medical authority in the site's AED program to ensure compliance with training, notification, and maintenance.”</p>	<p>Yes</p> <p>“This immunity shall extend to the licensed physician or medical authority who is involved in automated external defibrillator site placement, the person who provides training in CPR and the use of the automated external defibrillator, and the person or entity responsible for the site where the automated external defibrillator is located.”</p>	<p>Yes</p> <p>“A person or entity, who in good faith and without compensation renders emergency care or treatment to a person suffering or appearing to suffer from cardiac arrest, which may include the use of an automated external defibrillator, shall be immune from civil liability for any personal injury as a result of care or treatment or as a result of any act or failure to act in providing or arranging further medical treatment where the person acts as an ordinary prudent person would have acted under the same or similar circumstances, except damages that may result for the gross</p>

Supplemental Material

State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
<p>Alaska</p> <p>SB 160, 2003 HB 395, 1998</p>	<p>Yes</p> <p>"In this section, "properly trained" means that the individual has completed an automated external defibrillator training course from the American Heart Association, the American Red Cross, or another automated external defibrillator training course approved by the Department of Health and Social Services."</p>	<p>Yes</p> <p>"Notify the local emergency medical response authority or other appropriate entity of the most recent placement of the device within 30 days following placement of the device"</p>	<p>No</p>	<p>Yes</p> <p>"A person who acquires or provides an automated external defibrillator device for use on a victim of a perceived medical emergency is not liable for civil damages resulting from the use or attempted use of the device. This subsection does not apply to civil damages resulting from the failure of the person who acquires or provides the device to (1) notify the local emergency medical response authority or other appropriate entity of the most recent placement of the device within 30 days</p>	<p>negligence of the person rendering emergency care."</p> <p>Yes if EMS notified</p> <p>"A person who uses or attempts to use an automated external defibrillator device on a victim of a perceived medical emergency is not liable for civil damages resulting from the use or attempted use of the device. This subsection does not apply to civil damages resulting from a failure to notify the appropriate emergency medical services agency."</p>

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
				<p>following placement of the device;            (2) properly maintain and test the device;            (3) provide, within a reasonable proximity to the device's usual location, a means of notifying the local emergency medical response authority that an emergency exists in the event that a medical emergency occurs where the device is used; or            (4) provide appropriate training in the use of the device to an employee or agent of the person who acquires or provides the device"</p>	
<p>Arizona             SB 2399, 2009            HB 2091, 2006            HB2479, 1999</p>	<p>Yes for expected users             "Trained user" means a person</p>	<p>No</p>	<p>Yes             "A person or entity that acquires an</p>	<p>Yes             "The following persons and entities are not subject to civil</p>	<p>Immunity for trained responders only</p>

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
	who is the expected user of an automated external defibrillator and who has completed training in its use.”		automated external defibrillator shall: Enter into an agreement with a physician who shall oversee all the aspects of public access to defibrillation.”	liability for any personal injury that results from any act or omission that does not amount to wilful misconduct or gross negligence: 1.A physician who provides oversight 2. A person or entity that provides training in cardiopulmonary resuscitation and use of an automated external defibrillator. 3.A person or entity that acquires an automated external defibrillator pursuant to this article. 4.The owner of the property or facility where the automated external defibrillator is located. 5.A nonprofit entity that, in the placement of an automated external defibrillator pursuant to this article, acts as an	

State/ Law(s)	Training Required	Supplemental Material		Acquirer Immunity	Rescuer Immunity
		Registration Required	Physician Supervision		
				intermediary between the provider of an automated external defibrillator and the person or entity that acquired the automated external defibrillator or the owner of the property or facility where the automated external defibrillator is located.”	
Arkansas  HB 1231, 2005	Yes  “In order to ensure the public health and safety, a person or entity who acquires an AED shall ensure that:(1) expected AED users complete a knowledge and skills course in CPR and AED use based upon current American Heart	Yes  “Any person or entity who acquires an AED shall notify an agent of emergency communications , 9-1-1, or vehicle dispatch center of the existence, location, and type of AED.”	No	Yes  “The immunity from civil liability for any personal injury under ... this section includes... the person or entity who provides the CPR and AED training, and the person or entity responsible for the site where the AED is located.”	Yes  “Any person or entity who in good faith and without compensation renders emergency care or treatment by the use of an automated external defibrillator is immune from civil liability for any personal injury as a result of the care or treatment, or as a result of any act or failure to act in

State/ Law(s)	Training Required	Supplemental Material			Rescuer Immunity
		Registration Required	Physician Supervision	Acquirer Immunity	
	Association scientific guidelines, standards, and recommendations for providing CPR and the use of AEDs as published in American Heart Association, American Red Cross, or equivalent course materials”				providing or arranging further medical treatment, if the person acts as an ordinary, reasonably prudent person would have acted under the same or similar circumstances.”
California  AB 2041, 2003	Yes  “That expected AED users complete a training course in cardiopulmonary resuscitation and AED use that complies with regulations adopted by the Emergency Medical Services (EMS) Authority and the standards of the American Heart	Yes  “Notify an agent of the local EMS agency of the existence, location, and type of AED acquired.”	Yes  “That there is involvement of a licensed physician in developing a program to ensure compliance with regulations and requirements for training, notification, and maintenance.”	Yes  “In order to ensure public safety, any person or entity that acquires an AED is not be liable for any civil damages resulting from any acts or omissions in the rendering of the emergency care under subdivision (b) of Section 1714.21 of the Civil Code, if that person or entity does all of the following:	Yes  “Any person who, in good faith and not for compensation, renders emergency care or treatment by the use of an AED at the scene of an emergency is not liable for any civil damages resulting from any acts or omissions in rendering the emergency care.’

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
	<p>Association or the American Red Cross.”</p> <p>“For every AED unit acquired up to five units, no less than one employee per AED unit shall complete a training course in cardiopulmonary resuscitation and AED use that complies with the regulations adopted by the Emergency Medical Service Authority and the standards of the American Heart Association or the American Red Cross. After the first five AED units are acquired, for each additional five AED units acquired, one employee shall be trained beginning with the</p>			<p>(1) Complies with all regulations governing the placement of an AED.</p> <p>(2) Ensures all of the following:</p> <p>(A) That the AED is maintained and regularly tested according to the operation and maintenance guidelines set forth by the manufacturer, the American Heart Association, and the American Red Cross, and according to any applicable rules and regulations set forth by the governmental authority under the federal Food and Drug Administration and any other applicable state and federal authority.</p> <p>(B) That the AED is checked for readiness after each use and at least</p>	

Supplemental Material

State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
	<p>first AED unit acquired. Acquirers of AED units shall have trained employees who should be available to respond to an emergency that may involve the use of an AED unit during normal operating hours.”</p>			<p>once every 30 days if the AED has not been used in the preceding 30 days. Records of these checks shall be maintained. (C) That any person who renders emergency care or treatment on a person in cardiac arrest by using an AED activates the emergency medical services system as soon as possible, and reports any use of the AED to the licensed physician and to the local EMS agency. (D) For every AED unit acquired up to five units, no less than one employee per AED unit shall complete a training course in cardiopulmonary resuscitation and AED use that complies with the</p>	

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
				<p>regulations adopted by the Emergency Medical Service Authority and the standards of the American Heart Association or the American Red Cross. After the first five AED units are acquired, for each additional five AED units acquired, one employee shall be trained beginning with the first AED unit acquired. Acquirers of AED units shall have trained employees who should be available to respond to an emergency that may involve the use of an AED unit during normal operating hours.</p> <p>(E) That there is a written plan that describes the</p>	

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
				<p>procedures to be followed in the event of an emergency that may involve the use of an AED, to ensure compliance with the requirements of this section. The written plan shall include, but not be limited to, immediate notification of 911 and trained office personnel at the start of AED procedures.</p> <p>(3) Building owners ensure that tenants annually receive a brochure, approved as to content and style by the American Heart Association or American Red Cross, which describes the proper use of an AED, and also ensure that similar information is</p>	

State/ Law(s)	Training Required	Supplemental Material		Acquirer Immunity	Rescuer Immunity
		Registration Required	Physician Supervision		
				posted next to any installed AED. (4) No less than once a year, building owners will notify their tenants as to the location of AED units in the building.”	
Colorado  SB 010, 2009 HB 1283, 1999	Yes  “Expected AED users receive training in cardiopulmonary resuscitation (CPR) and AED use through a course approved by the department of public health and environment”	Yes  “Any person or entity that acquires an AED shall notify an agent of the applicable emergency communications or vehicle dispatch center of the existence, location, and type of AED.”	Yes  “There is involvement of a licensed physician in the program at the site of the AED to ensure compliance with requirements for training, notification, and maintenance”	Yes  “The immunity provided in paragraph (a) of this subsection (4) extends to the licensed physician who is involved with aed site placement, the person or entity who provides the cpr and aed site placement, and the person or entity responsible for the site where the aed is located.  (c) The immunity provided in this subsection (4) applies	Yes  “Any person or entity whose primary duties do not include the provision of health care and who, in good faith and without compensation, renders emergency care or treatment by the use of an AED shall not be liable for any civil damages for acts or omissions made in good faith as a result of such care or treatment or as a result of any act or failure to act in providing or arranging

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
				only if the requirements of subsection (3) of this section are met..”	further medical treatment, unless the acts or omissions were grossly negligent or willful and wanton.”
Connecticut  SB 1089, 2009	No	No	No	Yes  “A person or entity that provides or maintains an automatic external defibrillator shall not be liable for the acts or omissions of the person or entity in providing or maintaining the automatic external defibrillator, which may constitute ordinary negligence.”	Yes  “...a person operating an automatic external defibrillator, who, voluntarily and gratuitously and other than in the ordinary course of such person's employment or practice, renders emergency medical or professional assistance to a person in need thereof, shall not be liable to such person assisted for civil damages for any personal injuries which result from acts or omissions by such person in rendering the emergency care, which may constitute ordinary negligence.”

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
Delaware  Title 16 Chapter 30 C	Yes  “Any entity to whom AEDs are distributed shall insure that each prospective defibrillator user receives appropriate training by the American Red Cross, the American Heart Association, Delaware State Fire School or by another nationally recognized provider of training for cardio-pulmonary resuscitation and AED use; provided however, that such training shall be approved by the State EMS Medical Director”	No	No	Yes  “Any individual who authorizes the purchase of an AED, any person or entity who provides training in cardiopulmonary resuscitation and the use of an AED, and any person or entity responsible for the site where the AED is located, shall be immune from civil liability for any personal injury that results from any act or omission that does not amount to willful or wanton misconduct or gross negligence.”	Yes  “Any person or entity, who in good faith and without compensation, renders emergency care or treatment by the use of an AED shall be immune from civil liability for any personal injury as a result of such care or treatment, or as a result of any act or failure to act in providing or arranging further medical treatment, if such person acts as an ordinary, reasonably prudent person would have acted under the same or similar circumstances and such act or acts do not amount to willful or wanton misconduct or gross negligence.”
District of Columbia	Yes	Yes	Yes	Yes	Yes

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
B13-0735, 2000	“A person who or entity that acquires an AED shall ensure that expected AED users receive training from and be certified by the American Heart Association, the American Red Cross, or an equivalent state or nationally recognized course, in cardiopulmonary resuscitation ("CPR") and in the use of an AED, and that the users maintain their certification in CPR and AED use”	“The defibrillation program shall be registered with the Department and the Department shall issue to the defibrillation program a certificate of registration. There shall be a registration fee of \$25. The certificate of registration shall expire after 4 years. To renew a certificate of registration, the person or entity shall be required to repeat the application process. If protocol is not followed, the Department may issue a	“A physician licensed in the District of Columbia shall oversee all aspects of the defibrillation program, including training, coordination with the Fire and Emergency Medical Services Department ("Department"), protocol approval, AED deployment strategies, and equipment maintenance plan, and shall review each case in which the AED is used by the program”	“The immunity from civil liability provided under subsection (a) of this section shall extend to ... the person or entity responsible for the site where the automated external defibrillator is located.”	“Any person or entity who, in good faith and without compensation, uses an AED to provide emergency care or treatment shall be immune from civil liability for any personal injury resulting from the care or treatment, or resulting from any act or failure to act in providing or arranging further medical treatment, if the person acts as an ordinary, reasonably prudent person would have acted under the same or similar circumstances.”

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
		citation, suspend certification, or revoke the certificate of registration.” “Any person or entity who acquires an AED shall notify an agent of the Fire Chief, the EMS Medical Director, and the emergency communications or vehicle dispatch center of the existence of the AED and the Department of the existence, location, and type of AED. If an AED is removed, the Department shall be notified”			
Florida  SB 564, 2008	Encouraged  “All persons who	Encouraged  “Any person or	Yes	Yes  “In addition,	Yes  “Notwithstanding any

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
	<p>use an automated external defibrillator are encouraged to obtain appropriate training, to include completion of a course in cardiopulmonary resuscitation or successful completion of a basic first aid course that includes cardiopulmonary resuscitation training, and demonstrated proficiency in the use of an automated external defibrillator.”</p>	<p>entity in possession of an automatic external defibrillator is encouraged to register with the local emergency medical services medical director the existence and location of the automatic external defibrillator”</p>		<p>notwithstanding any other provision of law to the contrary, and except as provided in subsection (4), any person who acquired the device and makes it available for use, including, but not limited to, a community association organized under chapter 617, chapter 718, chapter 719, chapter 720, chapter 721, or chapter 723, is immune from such liability, if the harm was not due to the failure of such person to properly maintain and test the device; or provide appropriate training in the use of the device to an employee or agent of the acquirer when the employee or agent was the</p>	<p>other provision of law to the contrary, and except as provided in subsection (4), any person who uses or attempts to use an automated external defibrillator device on a victim of a perceived medical emergency, without objection of the victim of the perceived medical emergency, is immune from civil liability for any harm resulting from the use or attempted use of such device.”</p>

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
				<p>person who used the device on the victim, except that such requirement of training does not apply if:</p> <ol style="list-style-type: none"> <li>1. The device is equipped with audible, visual, or written instructions on its use, including any such visual or written instructions posted on or adjacent to the device;</li> <li>2.1. The employee or agent was not an employee or agent who would have been reasonably expected to use the device; The period of time elapsing between the engagement of the person as an employee or agent and the occurrence of the harm, or between the acquisition of the device and the occurrence</li> </ol>	

State/ Law(s)	Training Required	Supplemental Material		Acquirer Immunity	Rescuer Immunity
		Registration Required	Physician Supervision		
				of the harm in any case in which the device was acquired after engagement of the employee or agent, was not a reasonably sufficient period in which to provide the training.”	
Georgia  SB 51, 2008	Yes  “Any person or entity who acquires an automated external defibrillator shall ensure that: (A) Expected users of the automated external defibrillator receive American Heart Association or American Red Cross training in cardiopulmonary resuscitation and automated external	Yes  “Any person or entity who acquires an automated external defibrillator shall notify an agent of the emergency communications or vehicle dispatch center of the existence, location, and type of	Yes  “Any person or entity who acquires an automated external defibrillator shall ensure that... There is involvement of a licensed physician or other person authorized by the composite board in the site's automated	Yes  “The owner or operator of any premises or conveyance who installs or provides automated external defibrillator equipment in or on such premises or conveyance”	Yes  “Any person who gratuitously and in good faith renders emergency care or treatment by the use of or provision of an automated external defibrillator without objection of the person to whom care or treatment is rendered”

State/ Law(s)	Training Required	Supplemental Material			Rescuer Immunity
		Registration Required	Physician Supervision	Acquirer Immunity	
	defibrillator use or complete an equivalent nationally recognized course;"	automated external defibrillator."	external defibrillator program to ensure compliance with requirements for training, notification, and maintenance;"		
Hawaii  HB 1537, 2009	No	Yes  "Any person in possession of an automatic external defibrillator shall provide notice of the location of such defibrillator to the Office of Emergency Medical Services."	No	Yes  "Any person, including an employer, who provides for an automated external defibrillator or an automated external defibrillator training program shall not be vicariously liable for any civil damages resulting from any act or omission of the persons or employees who, in good faith and without remuneration or the expectation of remuneration, attempt to resuscitate a person in immediate danger of loss of life	Yes  "Any person who in good faith, without remuneration or expectation of remuneration, attempts to resuscitate a person in immediate danger of loss of life when administering any automated external defibrillator, regardless of where the automated external defibrillator that is used is located, shall not be liable for any civil damages resulting from any act or omission except as

State/ Law(s)	Training Required	Supplemental Material		Acquirer Immunity	Rescuer Immunity
		Registration Required	Physician Supervision		
				by administering an automated external defibrillator, except as may result from a person's or employer's gross negligence or wanton acts or omissions."	may result from the person's gross negligence or wanton acts or omissions."
Idaho  SB 1390, 2010	Yes  "Expected defibrillator users receive training in its use and care equivalent to the CPR and AED training of the American Heart Association, the American Red Cross or similar entities"	Yes  "Any person or entity who acquires a defibrillator as a result of a prescription shall notify an agent of the emergency communications system or emergency vehicle dispatch center of the existence, location and type of defibrillator."	Yes  "There is involvement of a licensed physician in the owner's program to ensure compliance with requirements for training, notification, maintenance and guidelines for use;"	Yes  "No cause of action shall be maintained against... a person or entity who acquires or maintains a defibrillator which arises from the reasonable use of a defibrillator in an emergency setting"	Yes  "Any person who reasonably renders emergency care using a defibrillator, without remuneration or expectation of remuneration, at the scene of an accident or emergency to a victim of the accident or emergency shall not be liable for any civil damages resulting from the person's acts or omissions."
Illinois	Yes	Yes	No	Yes	Trained Responders

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
SB 404, 2007 SB 458, 2007	<p>“Any person considered to be an anticipated rescuer or user will have successfully completed a course of instruction in accordance with the standards of a nationally recognized organization, such as the American Red Cross or the American Heart Association, or a course of instruction in accordance with existing rules under this Act to use an automated external defibrillator and to perform cardiovascular resuscitation (CPR)”</p> <p>“A person acquiring an automated external</p>	<p>“The automated external defibrillator is registered with the EMS system hospital in the vicinity of where the automated external defibrillator will primarily be located which shall oversee utilization of the automated external defibrillator and ensure that training and maintenance requirements are met.”</p>		<p>“A person owning, occupying, or managing the premises where an automated external defibrillator is located is not liable for civil damages as a result of any act or omission involving the use of an automated external defibrillator, except for willful or wanton misconduct, if the requirements of this Act are met.”</p>	

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
	defibrillator shall take reasonable measures to ensure that the automated external defibrillator is used only by trained AED users”				
Indiana  HB 1106, 2006	No	No	No	Yes  “An individual, business, or organization that allows a person who is an expected user to use an automatic external defibrillator of the individual, business, or organization to in good faith gratuitously render emergency care is immune from civil liability for any damages resulting from an act or omission not amounting to gross negligence or willful or wanton misconduct by the user or for	Yes  “A person who gratuitously renders emergency care involving the use of an automatic external defibrillator is immune from liability for any act or omission not amounting to gross negligence or willful or wanton misconduct if the person fulfills the requirements set forth in IC 16-31-6.5.

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
				acquiring or providing the automatic external defibrillator to the user for the purpose of rendering the emergency care if the individual, business, or organization and the user fulfill the requirements set forth in IC 16-31-6.5.”	
Iowa  SB 505, 2008	No	No	No	Yes  “The following persons or entities, while acting reasonably and in good faith, who render emergency care or assistance relating to the preparation for and response to a sudden cardiac arrest emergency, shall not be liable for any civil damages for acts or omissions arising out of the use of an automated external	Yes  “The following persons or entities, while acting reasonably and in good faith, who render emergency care or assistance relating to the preparation for and response to a sudden cardiac arrest emergency, shall not be liable for any civil damages for acts or omissions arising out of the use of an automated external

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
				defibrillator, whether occurring at the place of an emergency or accident or while such persons are in transit to or from the emergency or accident or while such persons are at or being moved to or from an emergency shelter: a. A person or entity that acquires an automated external defibrillator. b. A person or entity that owns, manages, or is otherwise responsible for the premises on which an automated external defibrillator is located if the person or entity maintains automated external defibrillator in a condition for immediate and effective use at all times, subject to standards developed by the department of	defibrillator, whether occurring at the place of an emergency or accident or while such persons are in transit to or from the emergency or accident or while such persons are at or being moved to or from an emergency shelter: a. A person or entity that acquires an automated external defibrillator. b. A person or entity that owns, manages, or is otherwise responsible for the premises on which an automated external defibrillator is located if the person or entity maintains automated external defibrillator in a condition for immediate and effective use at all times, subject to standards developed by the department of

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
				<p>public health by rule. c. A person who retrieves an automated external defibrillator in response to a perceived sudden cardiac arrest emergency. d. A person who uses, attempts to use, or fails to use an automated external defibrillator in response to a perceived sudden cardiac arrest emergency. e. A person or entity that provides instruction in the use of an automated external defibrillator.</p>	<p>public health by rule. c. A person who retrieves an automated external defibrillator in response to a perceived sudden cardiac arrest emergency. d. A person who uses, attempts to use, or fails to use an automated external defibrillator in response to a perceived sudden cardiac arrest emergency. e. A person or entity that provides instruction in the use of an automated external defibrillator.</p>
<p>Kansas  SB 102, 2009</p>	<p>No</p>	<p>Yes  “Pursuant to the provisions of this subsection, persons or</p>	<p>No</p>	<p>Yes  “No person or entity which owns, leases, possesses or otherwise controls an</p>	<p>Yes  “Any person who in good faith renders emergency care or treatment by the use</p>

State/ Law(s)	Training Required	Supplemental Material		Acquirer Immunity	Rescuer Immunity
		Registration Required	Physician Supervision		
		<p>entities which purchase or otherwise acquire an automated external defibrillator shall notify the emergency medical service which operates in the geographic area of the location of the automated external defibrillator. Persons or entities acquiring an automatic electronic defibrillator shall notify the emergency medical service providing local service on forms developed and provided by the emergency</p>		<p>automated external defibrillator and provides such automated external defibrillator to others for use shall be held liable for any civil damages as a result of such use where the person or entity which owns, leases, possesses or otherwise controls the automated external defibrillator has developed, implemented and follows guidelines to ensure proper maintenance and operation of the device.”</p>	<p>of or provision of an automated external defibrillator shall not be held liable for any civil damages as a result of such care or treatment or as a result of any act or failure to act in providing or arranging further medical treatment where the person acts as an ordinary reasonably prudent person would have acted under the same or similar circumstances.”</p>

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
		medical services board.”			
Kentucky  HB 43, 2000	Yes  “A person or entity who acquires an AED shall ensure that: (a) Expected AED users receive American Heart Association or American Red Cross training in CPR and AED use, or an equivalent nationally recognized course in CPR and AED use.”	Yes  “Any person or entity who acquires an AED shall notify an agent of the local emergency medical services system and the local emergency communications or vehicle dispatch center of the existence, location, and type of AED acquired.”	Yes  “There is medical oversight of the AED program by a physician licensed in Kentucky to ensure compliance with requirements for training, maintenance, notification, and communication with the local emergency medical services system. The physician providing oversight shall also work with the AED site to establish protocols for AED deployment and	Yes  “The immunity from civil liability for any personal injury under subsection (1) of this section includes the licensed physician who is involved with AED site placement, the person or entity who provides the CPR and AED site placement, the person or entity who provides the CPR and AED training, and the person or entity responsible for the site where the AED is located.	Yes  “Any person or entity who, in good faith and without compensation, renders emergency care or treatment by the use of an AED shall be immune from civil liability for any personal injury as a result of the care or treatment, or as a result of any act or failure to act in providing or arranging further medical treatment, where the person acts as an ordinary, reasonable prudent person would have acted under the same or similar circumstances. “

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
			conduct a review of each use of an AED.”		
Louisiana  HB 67, 2010 SB 100, 1999	Yes  “Expected AED users regularly, on the premises of a particular entity, such as a work site, receive appropriate training in cardiopulmonary resuscitation (CPR) and in the use of an AED by the American Heart Association or by any other nationally recognized course in CPR and AED use.”	Yes  “Any person or entity which possesses an AED shall notify the bureau of emergency medical services in the office of public health of the Department of Health and Hospitals and a local provider of emergency medical services, such as 911 service, local ambulance ”	Yes  “A licensed physician or advanced practice registered nurse who is authorized to prescribe is involved in the possessor’s program to ensure compliance with the requirements for training, emergency medical service (EMS) notification, and maintenance.”	Yes  “Any purchaser of an AED, any person or entity responsible for the site where an AED is located, and any expected user regularly on the premises shall not be liable for any civil damages arising from any act or omission of acts related to the operation of an AED that do not amount to willful or wanton misconduct or gross negligence.”	Yes  “...civil immunity provided to persons rendering emergency assistance as provided by law, including R.S. 9:2793, R.S. 37:1731, 1732, and 1735, and R.S. 40:1231.2”
Maine  Chapter 421, 2001	Yes  “A person may not use an AED on another person	Yes  “A person who owns or leases an AED shall	Yes  “A person who owns or leases an AED shall consult	Yes  “Any person or entity that acquires an AED”	Yes  “Any person who uses, attempts to use or fails to use an AED

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
	unless the person using the AED has successfully completed a course, approved by the American Red Cross, the American Heart Association or the department, in the use and operation of the AED”	notify the Maine Emergency Medical Services within the department of the existence, location and type of AED the person possesses.”	with a licensed physician for technical assistance in the selection and storage location of an AED, training of potential operators, protocols for use and use review.”		in response to a perceived sudden cardiac arrest emergency”
Maryland  SB 579, 2008 SB 294, 1999	Yes  “Each individual who operates an automated external defibrillator must successfully complete an educational training course and refresher training as required by the EMS Board.”	Yes  “A facility must be registered with the closest jurisdictional emergency medical services operational program.”	Yes  “Must have a sponsoring physician.”	Yes  “in addition to any other immunities available under statutory or common law, an authorized facility is not civilly liable for any act or omission in the provision of automated external defibrillation if the authorized facility: (i) has satisfied the requirements for making automated external defibrillation	Yes if trained  “In addition to any other immunities available under statutory or common law, an individual is not civilly liable for any act or omission if: (i) the individual is acting in good faith while rendering automated external defibrillation to a person who is a victim or reasonably believed by the individual to be a

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
				available under this section; and (ii) possesses a valid certificate at the time of the act or omission.	victim of a sudden cardiac arrest; (ii) the automated external defibrillation is provided without fee or other compensation; and (iii) 1. The act or omission occurs while the individual is providing automated external defibrillation in accordance with the requirements of this section at an authorized facility; 2. The individual has successfully completed an aed training course and is expected to provide automated external defibrillation; 3. The individual is using an automated external defibrillator obtained by a prescription issued by a physician; or 4. The individual is a

State/ Law(s)	Training Required	Supplemental Material			Rescuer Immunity
		Registration Required	Physician Supervision	Acquirer Immunity	
					member or employee of any governmental or volunteer fire or rescue company or a commercial ambulance service. The immunities in this subsection are not available if the conduct of the authorized facility or the individual amounts to gross negligence, willful or wanton misconduct, or intentionally tortuous conduct.”
Massachusetts  Chapter 142, 1999 Chapter 137, 1998	Yes  “An AED provider is a person who has successfully complete a course in cardiopulmonary resuscitation and in the use of an AED that meets or exceeds the standards established by the American Heart	Yes  “Prior to implementation of its public access defibrillation program, the AED provider should notify the local police and the emergency medical services	Yes  “Each AED provider should contract with an AED medical director, who shall be responsible for ensuring that the AED agency complies with AED maintenance, AED provider	Yes  “An AED medical director and an AED agency who in good faith participates in a public access defibrillator program shall not be liable for acts or omissions, other than gross negligence or willful or wanton misconduct, resulting from such	Yes if trained  “Any AED provider who in good faith renders emergency cardiopulmonary resuscitation or automatic external defibrillation, in accordance with his training through a public access defibrillation program, to any person who

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
	Association or the American National Red Cross and whose evidence of successful course completion has not expired.”	provider of the number, type and location of the AED in its possession.”	training and notice requirements.”  “AED medical director”, a physician practicing in or adjacent to the regional emergency medical service region of the city or town in which the AED agency with which he contracts is located, who (i) is an emergency physician or cardiologist or a physician having specialized training and knowledge concerning public access defibrillation, (ii) is knowledgeable about emergency medical services	participation.”	apparently requires cardiopulmonary resuscitation or defibrillation, shall not be liable for acts or omissions, other than gross negligence or willful or wanton misconduct, resulting from the rendering of emergency cardiopulmonary resuscitation or defibrillation.”  “An AED provider is a person who has successfully complete a course in cardiopulmonary resuscitation and in the use of an AED that meets or exceeds the standards established by the American Heart Association or the American National Red Cross and whose evidence of successful course

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
			<p>protocols established pursuant to <a href="#">chapter 111C</a>, (iii) is familiar with cardiopulmonary resuscitation and AED action sequences, (iv) coordinates the activities of the AED agency with which he contracts and its AED providers, with the protocols described and the action sequences described in this section, and (v) evaluates the activities of the AED agency with which he contracts.”</p>		<p>completion has not expired.”</p>
<p>Michigan HB 4420, 1999</p>	<p>No</p>	<p>No</p>	<p>No</p>	<p>Yes “Subject to subsection (5), the following persons are not liable</p>	<p>Yes “Subject to subsection (5), an individual who having no duty to do</p>

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
				<p>in a civil action for damages resulting from an act or omission of an individual rendering emergency services using an automated external defibrillator as described in subsection (3), except if the person's actions constitute gross negligence or willful and wanton misconduct:</p> <p>(a) A physician who provides medical authorization for use of an automated external defibrillator.</p> <p>(b) An individual who instructs others in the use of an automated external defibrillator.</p> <p>(c) An individual or entity that owns, occupies, or manages the premises where an automated external defibrillator is located or used."</p>	<p>so in good faith voluntarily renders emergency services to another individual using an automated external defibrillator is not liable in a civil action for damages resulting from an act or omission in rendering the emergency services using the automated external defibrillator, except an act or omission that constitutes gross negligence or willful and wanton misconduct."</p>

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
Minnesota  Chapter 107 SF 824, 2001	No	No	No	Yes  “For the purposes of this section, "person" includes a public or private nonprofit volunteer firefighter, volunteer police officer, volunteer ambulance attendant, volunteer first provider of emergency medical services, volunteer ski patroller, and any partnership, corporation, association, or other entity.”	Yes  “A person who, without compensation or the expectation of compensation, renders emergency care, advice, or assistance at the scene of an emergency or during transit to a location where professional medical care can be rendered, is not liable for any civil damages as a result of acts or omissions by that person in rendering the emergency care, advice, or assistance, unless the person acts in a willful and wanton or reckless manner in providing the care, advice, or assistance.”
Mississippi	Yes	No	Yes	Yes	Yes

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
HB 954, 1999	“The person using the AED must have received appropriate training in cardiopulmonary resuscitation (CPR) and in the use of an AED by the American Heart Association, American Red Cross, National Safety Council or other nationally recognized course in CPR and AED use”		“A Mississippi licensed physician must exercise medical control authority over the person using the AED to ensure compliance with requirements for training, emergency medical services (EMS) notification and maintenance.”	“Any person who in good faith, with or without compensation, renders emergency care or treatment by the use of an automated external defibrillator (AED) in accordance with the provisions of Sections 41-60-31 through 41-60-35, as well as the person responsible for the site where the AED is located if the person has provided for compliance with the provisions of Sections 41-60-31 through 41-60-35, shall be immune from civil liability for any personal injury as a result of that care or treatment, or as a result of any act, or failure to act, in providing or arranging further medical treatment, where the	“Any person who in good faith, with or without compensation, renders emergency care or treatment by the use of an automated external defibrillator (AED) in accordance with the provisions of Sections 41-60-31 through 41-60-35, as well as the person responsible for the site where the AED is located if the person has provided for compliance with the provisions of Sections 41-60-31 through 41-60-35, shall be immune from civil liability for any personal injury as a result of that care or treatment, or as a result of any act, or failure to act, in providing or arranging further medical treatment, where the

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
				<p>person acts as an ordinary, reasonably prudent person would have acted under the same or similar circumstances and the person's actions or failure to act does not amount to willful or wanton misconduct or gross negligence.”</p>	<p>person acts as an ordinary, reasonably prudent person would have acted under the same or similar circumstances and the person's actions or failure to act does not amount to willful or wanton misconduct or gross negligence.”</p> <p>“A person who has not complied with the provisions of Sections 41-60-31 through 41-60-35, but who has access to an AED and uses it in good faith in an emergency as an ordinary prudent person would have done in the same or similar circumstances, shall be immune from civil liability for any personal injury as a result of an act or omission related to the operation of or failure to operate an</p>

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
					AED if the person's actions or failure to act do not amount to willful or wanton misconduct or gross negligence.”
Missouri  HB 103, 2009	Yes  “A person or entity who acquires an automated external defibrillator shall ensure that: Expected defibrillator users receive training by the American Red Cross or American Heart Association in cardiopulmonary resuscitation and the use of automated external defibrillators, or an equivalent nationally recognized course in defibrillator use and cardiopulmonary	Yes  “Any person or entity who acquires an automated external defibrillator shall notify the emergency communications district or the ambulance dispatch center of the primary provider of emergency medical services where the automated external defibrillator is to be located.”	Yes  “Any person or entity that owns an automated external defibrillator that is for use outside of a health care facility shall have a physician review and approve the clinical protocol for the use of the defibrillator, review and advise regarding the training and skill maintenance of the intended users of the defibrillator and assure proper	Yes  “...the person or entity responsible for the site where the automated external defibrillator is located, the person or entity that owns the automated external defibrillator... shall likewise not be held liable for civil damages resulting from the use of an automated external defibrillator, provided that all other requirements of this section have been met”	Yes  “Any person who gratuitously and in good faith renders emergency by use of or provision of an automated external defibrillator shall not be held liable for any civil damages as a result of such care or treatment unless the person acts in a willful and wanton or reckless manner in providing the care, advice, or assistance.”

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
	resuscitation”		review of all situations when the defibrillator is used to render emergency care. .”		
Montana  SB 95, 2007	Yes  “...ensure that before using the AED, an individual authorized to operate the AED receives appropriate training approved by the department in cardiopulmonary resuscitation and the proper use of an AED”	Yes  “...before allowing any use of an AED, provide the following to all licensed emergency medical services and any public safety answering point or emergency dispatch center providing services to the area where the AED is located: (a) a copy of the plan prepared pursuant to this section; and	Yes	Yes  “The following individuals or entities are immune from civil liability for any personal injury that results from an act or omission that does not amount to willful or wanton misconduct or gross negligence if applicable provisions of this part and rules adopted by the department pursuant to 50-6-503 have been met by the individual or entity: (a) a person providing medical oversight of the AED program or the person designated by a physician to supervise	Yes  “An individual who provides emergency care or treatment by using an AED in compliance with this part and rules adopted by the department pursuant to 50-6-503 and an individual providing cardiopulmonary resuscitation to an individual upon whom an AED is or may be used are immune from civil liability for a personal injury that results from that care or treatment or from civil liability as a result of any act or failure to act in providing or arranging further

State/ Law(s)	Training Required	Supplemental Material		Acquirer Immunity	Rescuer Immunity
		Registration Required	Physician Supervision		
		(b) written notice, in a format prescribed by department rules, stating: (i) that an AED program is established by the entity; (ii) where the AED is located; and (iii) how the use of the AED is to be coordinated with the local emergency medical service system; and comply with this part and rules adopted by the department pursuant to 50-6-503."		the program, either of whom are, as designated in the plan prepared pursuant to 50-6-502; (b) the entity responsible for the AED program, as designated in the plan prepared pursuant to 50-6-502; (c) an individual providing training to others on the use of an AED."	medical treatment for the individual upon whom the AED was used unless the individual using the AED or the person providing cardiopulmonary resuscitation, as applicable, acts with gross negligence or with willful or with wanton disregard for the care of the person upon whom the AED is or may be used."
Nebraska LB 176, 2005	No	Yes "A person	No	No	Yes "Except for the action

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		<p>acquiring an automated external defibrillator shall notify the local emergency medical service of the existence, location, and type of the defibrillator and of any change in the location of such defibrillator unless the defibrillator was acquired for use in a private residence, a health care facility, or a health care practitioner facility.”</p>			<p>or omission of a health care professional acting in such capacity or in a health care facility, no person who delivers emergency care or treatment using an automated external defibrillator shall be liable in any civil action to respond in damages as a result of his or her acts of commission or omission arising out of and in the course of rendering such care or treatment in good faith. Nothing in this subsection shall be construed to (a) grant immunity for any willful, wanton, or grossly negligent acts of commission or omission or (b) limit the immunity provisions for certain health care professionals as</p>

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
<p>Nevada</p> <p>SB 244, 2009</p>	<p>Yes</p> <p>“Any employee who will use a defibrillator is required to complete the training requirements of a course in basic emergency care of a person in cardiac arrest that includes training in the operation and use of an automated external defibrillator and is conducted in accordance with the standards of the American Heart Association, the American National Red Cross or any similar organization.”</p>	<p>Voluntary</p> <p>“A manufacturer that sells an automated external defibrillator for commercial use in this State shall: (a) Notify the purchaser in writing of the opportunity to register the defibrillator pursuant to subsection 4; (b) On or before January 10, April 10, July 10 and October 10 of each year, notify the Health Division of the name and address of each person who purchased</p>	<p>No</p>	<p>Yes</p> <p>“A business or organization that has placed an automated external defibrillator for use on its premises is not liable for any civil damages as a result of any act or omission, not amounting to gross negligence, by the person rendering such care or for providing the automated external defibrillator to the person for the purpose of rendering such care if the business or organization: (a) Complies with all current federal and state regulations governing the use and placement of an automated external</p>	<p>provided in section 38-1232.”</p> <p>Yes</p> <p>“Any person who: (a) Has successfully completed a course in cardiopulmonary resuscitation according to the guidelines of the American National Red Cross or American Heart Association; (b) Has successfully completed the training requirements of a course in basic emergency care of a person in cardiac arrest conducted in accordance with the standards of the American Heart Association; or (c) Is directed by the instructions of a dispatcher for an ambulance, air ambulance or other</p>

State/ Law(s)	Training Required	Supplemental Material			
		Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
		<p>such a defibrillator from the manufacturer during the immediately preceding 3 calendar months.”</p> <p>“A person who purchases an automated external defibrillator for commercial use in this State may register the defibrillator with the Health Division by providing the Health Division with his name, street address and telephone number, the name, street address and telephone</p>		<p>defibrillator;</p> <p>(b) Ensures that only a person who has at least the qualifications set forth in subsection 8 uses the automated external defibrillator to provide care;</p> <p>(c) Ensures that the automated external defibrillator is maintained and tested according to the operational guidelines established by the manufacturer; and</p> <p>(d) Establishes and maintains a program to ensure compliance with current regulations, requirements for training, requirements for notification of emergency medical assistance and guidelines for the maintenance of the equipment.”</p>	<p>agency that provides emergency medical services before its arrival at the scene of the emergency, and who in good faith renders cardiopulmonary resuscitation in accordance with his training or the direction, other than in the course of his regular employment or profession, is not liable for any civil damages as a result of any act or omission, not amounting to gross negligence, by that person in rendering that care.</p> <p>7. For the purposes of subsection 6, a person who:</p> <p>(a) Is required to be certified in the administration of cardiopulmonary resuscitation pursuant</p>

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
		<p>number of the business or organization on whose premises the defibrillator will be placed for use, and the specific location at which the defibrillator will be stored.</p> <p>5. A person who owns an automated external defibrillator for use in a private residence may register the defibrillator with the Health Division by providing such information concerning the defibrillator as required by the Health Division.”</p>			<p>to NRS 391.092; and</p> <p>(b) In good faith renders cardiopulmonary resuscitation on the property of a public school or in connection with a transportation of pupils to or from a public school or while on activities that are part of the program of a public school, shall be presumed to have acted other than in the course of his regular employment or profession. 8. Any person who has successfully completed [the training requirements of a course in basic emergency care of a person in cardiac arrest that:</p> <p>–2(a) Included training in the operation and use of an automated</p>

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
					external defibrillator [; and (b) that were conducted in accordance with the standards of the American Heart or the American National Red Cross; and (b) Gratuitously and in good faith renders emergency medical care involving the use of an automated external defibrillator in accordance with his training , is not liable for any civil damages as a result of any act or omission, not amounting to gross negligence, by that person in rendering that care.”
New Hampshire  HB1136, 2008 SB 386, 2002 SB 67, 1999	Yes  “Every person, association, corporation or other organization that	Yes  “The owner of an automated external defibrillator shall	No	Yes  “Any person, association, corporation or other organization that	Yes  “Any person who, in good faith and without compensation, renders emergency

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
	acquires an automated external defibrillator shall require anticipated responders expected to use the automated external defibrillator to receive training in cardiopulmonary resuscitation and automated external defibrillator use.”	register with the department of safety under RSA 153-A:32 within 30 days of acquisition.”		acquires and maintains an automatic external defibrillator for emergency care shall not be liable for civil damages other than for gross negligence or willful and wanton acts or omissions. This section shall not limit civil liability protection provided by any other law.”	care by the use of an automatic external defibrillator shall not be liable for civil damages for any acts or omissions unless the acts or omissions were grossly negligent or willful and wanton.
New Jersey  A2321, 1999	Yes  “A person or entity that acquires an automated external defibrillator shall ensure that any person, prior to using that defibrillator, has successfully completed and holds a current certification from the American Red Cross, American Heart Association	Yes  “A person or entity that acquires an automated external defibrillator shall notify the appropriate first aid, ambulance or rescue squad or other appropriate emergency medical services	Yes  Licensed physician	Yes  “Any person or entity who, in good faith, acquires or provides a defibrillator, renders emergency care or treatment by the use of a defibrillator or supervises such care or treatment and, who has complied with the requirements of this act, shall be immune from civil liability for any personal injury as a result of such care	Yes  “Any person or entity who, in good faith, acquires or provides a defibrillator, renders emergency care or treatment by the use of a defibrillator or supervises such care or treatment and, who has complied with the requirements of this act, shall be immune from civil liability for any personal injury as a result of such care

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
	or other training program recognized by the Department of Health and Senior Services in cardiopulmonary resuscitation and use of a defibrillator.”	provider that the person or entity has acquired the defibrillator, the type acquired and its location.”		or treatment, or as a result of any acts or omissions by the person or entity in providing, rendering or supervising the emergency care or treatment.”	or treatment, or as a result of any acts or omissions by the person or entity in providing, rendering or supervising the emergency care or treatment.”
New Mexico  HB 639, 2007	Yes  “...the trained targeted responder receives appropriate training in cardiopulmonary resuscitation and in the use of an automated external defibrillator by a nationally recognized course in cardiopulmonary response and automated external defibrillator use approved by the department or other training programs authorized by the	Yes  “the automated external defibrillator program is registered with the department; and the local emergency medical services and local 911 agencies have been notified of the automated external defibrillator program.”	Yes  “... a physician medical director oversees all aspects of the automated external defibrillator program, including training, emergency medical services coordination, protocol approval and automated external defibrillator deployment strategies, and that the physician	Yes  “The following persons who render emergency care or treatment by the use of an automated external defibrillator pursuant to the provisions of the Cardiac Arrest Response Act shall not be subject to HB 639 Page 4civil liability, provided that they have acted with reasonable care and in compliance with the requirements of that act: A. a physician who	Yes  “The following persons who render emergency care or treatment by the use of an automated external defibrillator pursuant to the provisions of the Cardiac Arrest Response Act shall not be subject to HB 639 Page 4civil liability, provided that they have acted with reasonable care and in compliance with the requirements of that act: A. a physician who

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
	department”		medical director provides overall quality assurance and reviews each case in which the automated external defibrillator is used by the program”	provides supervisory services pursuant to the Cardiac Arrest Response Act; B. a person who provides training in cardiopulmonary resuscitation and use of automated external defibrillation; C. a person who acquires an automated external defibrillator pursuant to the Cardiac Arrest Response Act; D. the owner of the property or facility where the automated external defibrillator is located; E. the trained targeted responder; and F. a good Samaritan.”	provides supervisory services pursuant to the Cardiac Arrest Response Act; B. a person who provides training in cardiopulmonary resuscitation and use of automated external defibrillation; C. a person who acquires an automated external defibrillator pursuant to the Cardiac Arrest Response Act; D. the owner of the property or facility where the automated external defibrillator is located; E. the trained targeted responder; and F. a good Samaritan.”
New York  Public Health Law Article 30  AB 8741, 2010	Yes  “No person may operate an AED unless the person has successfully completed a	Yes  “The public access defibrillation provider shall notify the	Yes  “A person, firm, organization or other entity may purchase, acquire, possess	Yes  “A person who, or entity, partnership, corporation, firm or society that, purchases or makes	Yes  “Any person who voluntarily and without expectation of monetary compensation renders

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
	<p>training course in the operation of an AED approved by a nationally-recognized organization or the state emergency medical services council, and the completion of the course was recent enough to still be effective under the standards of the approving organization. Personnel trained in AED response and use will have annual updates to ensure the ability to adequately operate the equipment, should the need arise. An approved NYS DOH training program will be utilized. Training must be ongoing in order to instill knowledge and</p>	<p>regional council of the existence, location and type of any automated external defibrillator it possesses.”</p>	<p>and operate an automated external defibrillator pursuant to a collaborative agreement with an emergency health care provider. The collaborative agreement shall include a written agreement that incorporates written practice protocols, and policies and procedures that shall assure compliance with this section. The public access defibrillation provider shall file a copy of the collaborative agreement with the department and with the appropriate</p>	<p>available resuscitation equipment that facilitates first aid, as required by law or local law, shall not be liable for damages arising either from the use of that equipment by a person who voluntarily and without expectation of monetary compensation renders first aid or emergency treatment at the scene of an accident or medical emergency, or from the use of defectively manufactured equipment; provided that this subdivision shall not limit the person's or entity's, partnership's, corporation's, firm's or society's liability for his, her or its own negligence, gross negligence or intentional</p>	<p>first aid or emergency treatment at the scene of an accident or other emergency outside a hospital, doctor's office or any other place having proper and necessary medical equipment, to a person who is unconscious, ill, or injured, shall not be liable for damages for injuries alleged to have been sustained by such person or for damages for the death of such person alleged to have occurred by reason of an act or omission in the rendering of such emergency treatment unless it is established that such injuries were or such death was caused by gross negligence on the part of such person. The operation of an AED pursuant to</p>

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
	skills regarding CPR.”		regional council prior to operating the automated external defibrillator.”  “(I) a physician with knowledge and experience in the delivery of emergency cardiac care; or (II) a hospital licensed under article twenty-eight of this chapter that provides emergency cardiac care.”	misconduct.”	this section (3000) shall be considered first aid or emergency treatment for the purpose of any statute relating to liability.”
North Carolina  HB1433, 2009 SB 1269, 1999	Yes  ““Training” means a nationally recognized course or training program in cardiopulmonary resuscitation (CPR) and automated external defibrillator use including the	Yes  “In order to enhance public health and safety, a seller of an automated external defibrillator shall notify the North Carolina	No	Yes  “... the person responsible for the site where the automated external defibrillator is located when the person has provided for a program of training, and a North Carolina	Yes  “Any person, including a volunteer medical or health care provider at a facility of a local health department as defined in G.S. 130A-2 or at a nonprofit community health center or a volunteer

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
	<p>programs approved and provided by the:</p> <p>a. American Heart Association.</p> <p>b. American Red Cross.”</p>	<p>Department of Health and Human Services, Division of Facilities Services, Office of Emergency Medical Services of the existence, location, and type of automated external defibrillator.”</p>		<p>licensed physician writing a prescription without compensation for an automated external defibrillator whether or not required by any federal or state law, shall be immune from civil liability arising from the use of an automated external defibrillator used in accordance with subsection (c) of this section.”</p>	<p>member of a rescue squad, who receives no compensation for his services as an emergency medical care provider, who renders first aid or emergency health care treatment to a person who is unconscious, ill or injured,</p> <p>(1) When the reasonably apparent circumstances require prompt decisions and actions in medical or other health care, and</p> <p>(2) When the necessity of immediate health care treatment is so reasonably apparent that any delay in the rendering of the treatment would seriously worsen the physical condition or endanger the life of the person, shall not</p>

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
					<p>be liable for damages for injuries alleged to have been sustained by the person or for damages for the death of the person alleged to have occurred by reason of an act or omission in the rendering of the treatment unless it is established that the injuries were or the death was caused by gross negligence, wanton conduct or intentional wrongdoing on the part of the person rendering the treatment. The immunity conferred in this section also applies to any person who uses an automated external defibrillator (AED) and otherwise meets the requirements of this section.”</p>

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
North Dakota  HB 1108, 2007 HB 1226, 2005 HB1242, 1999	Yes  “Require every individual expected to use the automated external defibrillator to receive American heart association or American red cross training in cardiopulmonary resuscitation and automated external defibrillator use or an equivalent nationally recognized course in cardiopulmonary resuscitation and automated external defibrillator use.”	No	Yes  “Consider recommendations of a licensed physician in establishing the training, notification, and maintenance requirements of this subsection.”	Yes  “The immunity provision of subsection 2 applies to a licensed physician under subdivision d of subsection 1, the person who provides the training under subdivision a of subsection 1, and the person responsible for the site on which the automated external defibrillator is located.”	Yes  “Any person who in good faith and without compensation provides emergency care or emergency treatment by using an automated external defibrillator is immune from civil liability for any personal injury resulting from the emergency care or emergency treatment and for any act or failure to act in providing or arranging further medical treatment if the person providing the emergency care or emergency treatment acted as an ordinary, reasonable, prudent person would act under the same or similar circumstances.”

State/ Law(s)	Training Required	Supplemental Material			Rescuer Immunity
		Registration Required	Physician Supervision	Acquirer Immunity	
Ohio  HB 1717, 1998	Yes  “Require expected users to complete successfully a course in automated external defibrillation and cardiopulmonary resuscitation that is offered or approved by the American heart association or another nationally recognized organization;” “A person who has obtained appropriate training on how to perform automated external defibrillation and has successfully completed a course in cardiopulmonary resuscitation may perform automated external defibrillation, regardless of whether the person	Yes  “A person who possesses an automated external defibrillator may notify an emergency medical services organization of the location of the defibrillator.”	Yes  “Consult with a physician regarding compliance with the requirements of divisions (B)(1) and (2) of this section.”	No	Yes  “Except in the case of willful or wanton misconduct or when there is no good faith attempt to activate an emergency medical services system in accordance with section 3701.85 of the Revised Code, no person shall be held liable in civil damages for injury, death, or loss to person or property, or held criminally liable, for performing automated external defibrillation in good faith, regardless of whether the person has obtained appropriate training on how to perform automated external defibrillation or successfully completed a course in cardiopulmonary resuscitation.”

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	is a physician, registered nurse, licensed practical nurse, or emergency medical service provider. “				
Oklahoma  SB 745, 2009	No	Yes  “An entity or individual who owns, leases, possesses or otherwise controls an automated external defibrillator shall communicate to the proper first responder the locations and placements of the automated external defibrillator owned, leased, possessed or otherwise controlled by the	No	Yes  “An entity or individual who owns, leases, possesses, or otherwise controls an automated external defibrillator shall be immune from civil liability for personal injury which results from the use of the device, except for acts of gross negligence or willful or wanton misconduct”	Yes  “Any person who, in good faith and without expectation of compensation, renders emergency care or treatment outside of a medical facility by the use of an automated external defibrillator shall be immune from civil liability for personal injury which results from the use of the device, except for acts of gross negligence or willful or wanton misconduct in the use of such device.”

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
Oregon  HB 3482, 2005	Yes  “Provided training in the use of an automated external defibrillator”  “Ensured that a sufficient number of employees received training in the use of an automated external defibrillator so that at least one trained employee may be reasonably expected to be present at the public setting during regular business hours”	entity or individual.”  No	No	Yes  “A person may not bring a cause of action against another person for damages for injury, death or loss that result from acts or omissions involving the use, attempted use or nonuse of an automated external defibrillator when the other person: Possesses or controls one or more automated external defibrillators placed in a public setting and reasonably complied with the following requirements: (A) Maintained, inspected and serviced the automated external defibrillator, the battery for the automated external	Yes  “A person may not bring a cause of action against another person for damages for injury, death or loss that result from acts or omissions involving the use, attempted use or nonuse of an automated external defibrillator when the other person: (a) Used or attempted to use an automated external defibrillator”

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
				defibrillator and the electrodes for the automated external defibrillator in accordance with guidelines set forth by the manufacturer. (B) Ensured that a sufficient number of employees received training in the use of an automated external defibrillator so that at least one trained employee may be reasonably expected to be present at the public setting during regular business hours. (C) Stored the automated external defibrillator in a location from which the automated external defibrillator can be quickly retrieved during regular business hours. (D) Clearly indicated the presence and location	

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
				of each automated external defibrillator. E) Established a policy to call 9-1-1 to activate the emergency medical services system as soon as practicable after the potential need for the automated external defibrillator is recognized.”	
Pennsylvania  HB 1897, 1997 SB 628, 2005	Yes  “For purposes of this section, expected AED users shall complete training in the use of an AED provided by the American National Red Cross or the American Heart Association or through an equivalent course of instruction approved by the	No	No	Yes  “.Any person who acquires and maintains an AED for use in accordance with this section shall not be liable for civil damages provided that the person: 1.Ensures that expected AED users receive training pursuant to subsection (c). 2.Maintains and tests the AED according to	Yes  “Except as otherwise provided in this section, any individual who is trained to use an automated external defibrillator in accordance with subsection (c) and who in good faith uses an AED in an emergency shall not be liable for any civil damages as a result of any acts or omissions by such

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
	Department of Health in consultation with a technical committee of the Pennsylvania Emergency Health Services Council.”			the manufacturer's operational guidelines. 3.Provides instruction requiring the user of the AED to utilize available means to immediately contact and activate the emergency medical services system. 4.Assures that any appropriate data or information is made available to emergency medical services personnel or other health care providers as requested.”	individual in using the AED, except any acts or omissions intentionally designed to harm or any grossly negligent acts or omissions which result in harm to the individual receiving the AED treatment” “Any individual who lacks the training set forth in subsection (C), but who has access to an AED and in good faith uses an AED in an emergency as an ordinary reasonably prudent individual would do under the same or similar circumstances, shall receive immunity from civil damages as set forth in subsection (A).”
Rhode Island Statute 9-1-34	Yes “...trained in	No	No	Yes “Property lessees and	Yes if trained “No person, whether

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
	accordance with standards promulgated by either the American heart association or the American national red cross.”			owners where the emergency assistance occurs as well as the owners of the actual life saving equipment shall enjoy immunity from liability.”	acting in an official capacity or as a private volunteer, who gratuitously renders emergency assistance in the nature of cardiopulmonary resuscitation or automated external defibrillation to a person in need thereof, shall be liable for civil damages for any personal injuries which result from acts or omissions by such persons rendering the emergency care, which may constitute ordinary negligence; provided, however, that this immunity applies only to persons who have been trained in accordance with standards promulgated by either the American heart association or the American national red

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
					cross.”
South Carolina  Chapter 76; section 44- 76- 10	Yes  “A person or entity that acquires an AED shall:  (1) require its designated AED users to have current training in CPR and AED use by the American Heart Association, American Red Cross, American Safety and Health Institute, or National Safety Council, or training from a program that meets or exceeds the training standards of these organizations”	No	Yes  “A person or entity that acquires an AED shall:  “employ or obtain a health care professional to serve as its AED liaison”	Yes  “A person or entity acquiring an AED and meeting the requirements of Section 44-76-30 or an AED liaison meeting the requirements of Section 44-76-30 shall be immune from civil liability for the application of an AED by any person or entity described in items (1) or (2) of this section.”	Yes  “Any person or entity acting in good faith and gratuitously shall be immune from civil liability for the application of an AED unless the person was grossly negligent in the application.”
South Dakota  HB 1105, 2007	No	Yes  “Any person	No	Yes  “Any person, who in	Yes  “Any person, who in

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
		<p>who acquires an AED shall notify an agent of the emergency communications or vehicle dispatch center of the existence, location, and type of AED.”</p>		<p>good faith obtains, uses, attempts to use, or chooses not to use an AED in providing emergency care or treatment, is immune from civil liability for any injury as a result of such emergency care or treatment or as a result of an act or failure to act in providing or arranging such medical treatment.”</p> <p>“Person,” a natural person, organization, corporation, partnership, limited partnership, joint venture, association, government entity, or any other legal or commercial entity.”</p>	<p>good faith obtains, uses, attempts to use, or chooses not to use an AED in providing emergency care or treatment, is immune from civil liability for any injury as a result of such emergency care or treatment or as a result of an act or failure to act in providing or arranging such medical treatment.”</p>
<p>Tennessee  63-6-218</p>	<p>Yes  “Expected defibrillator users receive American</p>	<p>Yes  “Any person or entity who acquires an</p>	<p>Yes</p>	<p>Yes  “The entity responsible for the AED program shall</p>	<p>Yes  “Any person, including those licensed to practice medicine and</p>

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	Heart Association CPR and AED or an equivalent nationally recognized course in defibrillator use and cardiopulmonary resuscitation”	AED shall, within a reasonable time after the placement of an AED, register the existence and location of the defibrillator with the emergency communications district or the ambulance dispatch center of the primary provider of the emergency medical services where the AED is to be located.“		not be liable for any civil liability for any personal injury that results from an act or omission that does not amount to willful or wanton misconduct or gross negligence if the applicable provisions and program established under § 68-140-704 and the rules adopted by the department pursuant to § 68-140-705 have been met by the entity and have been followed by the individuals using the AED.”	surgery and including any person licensed or certified to render service ancillary thereto, or any member of a volunteer first aid, rescue or emergency squad that provides emergency public first aid and rescue services, who in good faith: (1) Renders emergency care at the scene of an accident, medical emergency and/or disaster, while en route from such scene to a medical facility and while assisting medical personnel at the receiving medical facility, including use of an automated external defibrillator, to the victim or victims thereof without making any direct charge for the

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					<p>emergency care; or</p> <p>(2) Participates or assists in rendering emergency care, including use of an automated external defibrillator, to persons attending or participating in performances, exhibitions, banquets, sporting events, religious or other gatherings open to the general public, with or without an admission charge, whether or not such emergency care is made available as a service, planned in advance by the promoter of the event and/or any other person or association, shall not be liable to such victims or persons receiving emergency care for any civil damages as a result of any act or</p>

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					omission by such person in rendering the emergency care, or as a result of any act or failure to act to provide or arrange for further medical treatment or care for the injured person, except such damages as may result from the gross negligence of the person rendering such emergency care.
Texas  HB 2117, 2007 HB 580, 1999	Yes  “A person or entity that acquires an automated external defibrillator shall ensure that: (1) each user of the automated external defibrillator receives training given or approved by the Texas Department of Health in: (A) cardiopulmonary	Yes  “When a person or entity acquires an automated external defibrillator, the person or entity shall notify the local emergency medical services provider of the existence, location, and	Yes  “A person or entity that acquires an automated external defibrillator shall ensure that...a licensed physician is involved in the training program to ensure compliance with the requirements	Yes  “..the person or entity that acquires the automated external defibrillator and meets the requirements of this chapter are not liable for civil damages for such prescription, training, or acquisition unless the conduct is wilfully or wantonly negligent. Any person or entity that acquires an	Yes  “A person who in good faith administers emergency care is not liable in civil damages for an act performed during the emergency unless the act is wilfully or wantonly negligent, including a person who: (1) administers emergency care using an automated external defibrillator”

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
	resuscitation; and (B) use of the automated external defibrillator;	type of automated external defibrillator.”	of this chapter”	automated external defibrillator and negligently fails to comply with the requirements of this chapter is liable for civil damages caused by such negligence.”	
Utah  HB31, 2009	“Encouraged”  “A person who owns or leases an AED shall encourage each person who is likely to use the AED to complete courses on the administration of CPR and the use of an AED.”	Yes  “Beginning on September 1, 2009, in accordance with Subsection (2) and except as provided in Subsection (3): (a) a person who owns or leases an AED shall report the person's name, address, and telephone number, and the exact location of the AED, in writing, to the	No	Yes  “Except as provided in Subsection (3), the following persons are not subject to civil liability for any act or omission relating to preparing to care for, responding to care for, or providing care to, another person who reasonably appears to be in sudden cardiac arrest: ...a person that acquires an AED; 285 (e) a person that owns, manages, or is otherwise responsible for the premises or	Yes  “Except as provided in Subsection (3), the following persons are not subject to civil liability for any act or omission relating to preparing to care for, responding to care for, or providing care to, another person who reasonably appears to be in sudden cardiac arrest: (a) a person authorized, under Section 26-8b-201, to administer CPR, who: (i) gratuitously and in good faith attempts to

State/ Law(s)	Training Required	Supplemental Material		Acquirer Immunity	Rescuer Immunity
		Registration Required	Physician Supervision		
		<p>emergency medical dispatch center that provides emergency dispatch services for the location where the AED is installed, if the person:</p> <ul style="list-style-type: none"> <li>(i) installs the AED;</li> <li>(ii) causes the AED to be installed; or</li> <li>(iii) allows the AED to be installed; and</li> </ul> <p>(b) a person who owns or leases an AED that is removed from a location where it is installed shall report the person's name, address, and telephone number, and the</p>		286 conveyance where an AED is located”	<p>administer or administers CPR to another person; or</p> <ul style="list-style-type: none"> <li>(ii) fails to administer CPR to another person;</li> </ul> <p>(b) a person authorized, under Section 26-8b-201, to use an AED who:</p> <ul style="list-style-type: none"> <li>(i) gratuitously and in good faith attempts to use or uses an AED; or</li> <li>(ii) fails to use an AED;”</li> </ul>

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
		<p>exact location from which the AED is removed, in writing, to the emergency medical dispatch center that provides emergency dispatch services for the location from which the AED is removed, if the person:</p> <ul style="list-style-type: none"> <li>(i) removes the AED;</li> <li>(ii) causes the AED to be removed; or</li> <li>(iii) allows the AED to be removed.</li> </ul> <p>(2) A report required under Subsection (1) shall be made within 30 days after the day</p>			

State/ Law(s)	Training Required	Supplemental Material		Acquirer Immunity	Rescuer Immunity
		Registration Required	Physician Supervision		
		on which the AED is installed or removed.” “Beginning on September 1, 2009, a person who owns or leases an AED that is installed in, or removed from, a private residence may voluntarily report the location of, or removal of, the AED to the emergency medical dispatch center that provides emergency dispatch services for the location where the private residence is located.”			
Vermont	No	Yes	No	Yes	Yes

State/ Law(s)	Training Required	Supplemental Material			Rescuer Immunity
		Registration Required	Physician Supervision	Acquirer Immunity	
HB 34, 2009		<p>“Any person who owns or leases an AED shall notify the department and the person’s regional ambulance service or first responder service of the existence, location, and type of device it the person possesses”</p>		<p>“Any person, other than a person defined as a health care provider by section 9432(8) of this title or as emergency medical personnel by subdivision 2651(6) of Title 24 acting in the normal course of his or her duties as a health care provider or as emergency medical personnel, who acts in good faith and who renders emergency care by the use of an AED, acquires an AED, owns a premises on which an AED is located, or provides a training course in the operation of an AED shall not be liable for civil damages for that person’s acts or omissions with respect to such use,</p>	<p>“Any person, other than a person defined as a health care provider by section 9432(8) of this title or as emergency medical personnel by subdivision 2651(6) of Title 24 acting in the normal course of his or her duties as a health care provider or as emergency medical personnel, who acts in good faith and who renders emergency care by the use of an AED, acquires an AED, owns a premises on which an AED is located, or provides a training course in the operation of an AED shall not be liable for civil damages for that person’s acts or omissions with respect to such use,</p>

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
				ownership, or training in the operation of an AED unless those acts or omissions were grossly negligent or willful and wanton.”	ownership, or training in the operation of an AED unless those acts or omissions were grossly negligent or willful and wanton.”
Virginia  HB 1860, 2003	No	No	No	Yes  “Any person who operates an automated external defibrillator at the scene of an emergency, trains individuals to be operators of automated external defibrillators, or orders automated external defibrillators, shall be immune from civil liability for any personal injury that results from any act or omission in the use of an automated external defibrillator in an emergency where the person performing the defibrillation acts as	Yes  “Any person who in good faith and without compensation, renders or administers emergency cardiopulmonary resuscitation, cardiac defibrillation, including, but not limited to, the use of an automated external defibrillator, or other emergency life-sustaining or resuscitative treatments or procedures which have been approved by the State Board of Health to any sick or injured person, whether at the scene

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				<p>an ordinary, reasonably prudent person would have acted under the same or similar circumstances, unless such personal injury results from gross negligence or willful or wanton misconduct of the person rendering such emergency care.”</p>	<p>of a fire, an accident or any other place, or while transporting such person to or from any hospital, clinic, doctor's office or other medical facility, shall be deemed qualified to administer such emergency treatments and procedures and shall not be liable for acts or omissions resulting from the rendering of such emergency resuscitative treatments or procedures.</p> <p>Operates an automated external defibrillator at the scene of an emergency, trains individuals to be operators of automated external defibrillators, or orders automated external</p>

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
					defibrillators, shall be immune from civil liability for any personal injury that results from any act or omission in the use of an automated external defibrillator in an emergency where the person performing the defibrillation acts as an ordinary, reasonably prudent person would have acted under the same or similar circumstances, unless such personal injury results from gross negligence or willful or wanton misconduct of the person rendering such emergency care.”
Washington  HB 2998, 1998	Yes  “A person or entity who acquires a defibrillator shall ensure that:	Yes  “The person or entity who acquires a defibrillator shall	Yes  “Upon acquiring a defibrillator, medical direction is enlisted	Yes  “A person who uses a defibrillator at the scene of an emergency and all	Yes  “A person who uses a defibrillator at the scene of an emergency and all

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
	(a) Expected defibrillator users receive reasonable instruction in defibrillator use and cardiopulmonary resuscitation by a course approved by the department of health.”	notify the local emergency medical services organization about the existence and the location of the defibrillator”	by the acquirer from a licensed physician in the use of the defibrillator and cardiopulmonary resuscitation”	other persons and entities providing services under this section are immune from civil liability for any personal injury that results from any act or omission in the use of the defibrillator in an emergency setting.”	other persons and entities providing services under this section are immune from civil liability for any personal injury that results from any act or omission in the use of the defibrillator in an emergency setting.”
West Virginia  H12949, 2008	Yes  “An entity providing an early defibrillation program shall: Require the anticipated operator of an AED to receive appropriate training in cardiopulmonary resuscitation, referred to as "CPR", in the operation of an AED and in the determination of advance directives	Yes  “An entity providing an early defibrillation program shall: (1) Register the program with the Office of Emergency Medical Services, pursuant to article four-c of this chapter, identifying the placement of AEDs, training	Yes  “Designate a medical director for the coordination of the program, which shall include, but not limited to, training, coordinating with EMS, creating AED deployment strategies and reviewing each operation of an AED”	Yes  “A person is not liable for civil damages as a result of any act or omission in rendering emergency medical care or treatment involving the use of an AED if the care or treatment does not amount to gross negligence and the following conditions are met: (1) The person, entity, certified trainer or medical director of the early defibrillation	Yes  “A person is not liable for civil damages as a result of any act or omission in rendering emergency medical care or treatment involving the use of an AED if the care or treatment does not amount to gross negligence and the following conditions are met: (1) The person, entity, certified trainer or medical director of the early defibrillation

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
	<p>from the American Heart Association, American Red Cross, any other nationally recognized course in CPR and AED or an AED and CPR training program approved by the Office of Emergency Medical Services.”</p>	<p>of anticipated operators, preplanned EMS system coordination, designation of a medical director, maintenance of AED equipment and reports of AED utilization”</p> <p>“Notify the local EMS system and public safety answering point or other appropriate emergency dispatch center of the existence of an entity's early defibrillation program, the location of the program and the program's plan for coordination with the EMS</p>		<p>program is in compliance with the provisions of section three of this article”</p>	<p>program is in compliance with the provisions of section three of this article; and</p> <p>(2) The person is an anticipated operator of an AED who gratuitously and in good faith rendered emergency medical care, pursuant to the requirements of section three of this article, other than in the ordinary course of the person's employment or profession; or</p> <p>(3) The person is an unanticipated operator who gratuitously and in good faith rendered emergency medical care.”</p>

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
		system”			
<p>Wisconsin</p> <p>SB 186, 2005 AB 239, 1999</p>	<p>Yes</p> <p>“Notwithstanding subs. (6g) (b) and (8) (e), a person other than an emergency medical technician or a first responder – defibrillation may use an automatic defibrillator or a semiautomatic defibrillator in rendering emergency care or treatment to an individual who appears to be in cardiac arrest if the person has received training in a course that is approved by the department under par. (d).”</p>	<p>Yes</p> <p>“Provide written notification to the nearest emergency medical services program under s. 146.55 (2). The notification shall include information as to the type of the automatic defibrillator or semiautomatic defibrillator, the location of the defibrillator on the premises of the person, the intended usage area for the defibrillator and the owner of the defibrillator.”</p>	<p>No</p>	<p>Yes</p> <p>“The owner of the automatic defibrillator or semiautomatic defibrillator, as specified in s. 146.50 (8g) (c).”</p> <p>“The person who provides the automatic defibrillator or semiautomatic defibrillator for use, as specified in s. 146.50 (8g) (c).”</p>	<p>Yes</p> <p>“The person who in good faith renders emergency care by use of an AED to an individual who appears to be in cardiac arrest is immune from civil liability for the acts or omissions resulting from the use of the AED as long as the act or omission does not constitute gross negligence.”</p>

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State/ Law(s)	Training Required	Registration Required	Physician Supervision	Acquirer Immunity	Rescuer Immunity
Wyoming	<p>Yes</p> <p>“Obtain appropriate training in cardiopulmonary resuscitation (CPR) and in the use of an AED by the American Heart Association, American Red Cross or by another nationally recognized, or Wyoming department of health recognized, course in CPR and AED use and maintains currency through refresher training every two (2) years”</p>	<p>Yes</p> <p>“Any person who acquires or entity in possession of an AED shall notify an agent of the emergency communications center and the local ambulance service of the existence, location and type of AED.”</p>	<p>No</p>	<p>Yes</p> <p>“Any person responsible for the site where the AED is located shall also be immune from civil liability for any personal injury that results from any act or omission of acts that do not amount to willful or wanton misconduct or gross negligence if that person complies with the requirements of W.S. 35-26-102.”</p>	<p>Yes</p> <p>“Any person who uses or attempts to use an automated external defibrillator device on a victim of a perceived medical emergency, any prescribing physician who authorizes the purchase of the AED and any individual who provides training in cardiopulmonary resuscitation (CPR) in the use of an AED shall be immune from civil liability for any harm resulting from the use or attempted use of such device, unless the harm involved was caused by willful or criminal misconduct, gross negligence, reckless misconduct or a conscious, flagrant indifference to</p>

State/ Law(s)	Training Required	Registration Required	Supplemental Material Physician Supervision	Acquirer Immunity	Rescuer Immunity
					the safety of the victim who was harmed.”