

HOUSE No. 2103

The Commonwealth of Massachusetts

PRESENTED BY:

Peter J. Koutoujian

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act requiring automatic external defibrilators in health and wellness facilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Peter J. Koutoujian	10th Middlesex
Susan C. Fargo	Third Middlesex
John W. Scibak	2nd Hampshire
Denise Provost	27th Middlesex
Brian A. Joyce	Norfolk, Bristol and Plymouth
Lori Ehrlich	8th Essex
Jennifer M. Callahan	18th Worcester
Kathi-Anne Reinstein	16th Suffolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3888 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT REQUIRING AUTOMATIC EXTERNAL DEFIBRILATORS IN HEALTH AND WELLNESS FACILITIES.

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

1 SECTION 1. Subsection (a) of section 12V1/2 of the General Laws, as appearing in the 2006
2 Official Edition, is hereby amended by inserting, after the definition of an “AED provider”, the
3 following definition:-

4 “Charitable organization”, a non-profit organization, subject to the provisions of section 6 of
5 chapter 180, whose direct services include health and wellness programming for the community.

6 SECTION 2. Said section 12V1/2 of said chapter 112, as so appearing, is further amended by
7 adding the following subsections:-

8 (d) a charitable organization shall have on the premises at least 1 AED, as defined in this section,
9 and shall have in attendance during staffed business hours at least 1 employee or authorized
10 volunteer as an AED provider.

11 (e) Absent a showing of gross negligence or willful or wanton misconduct, no cause of action
12 against an organization or its employees may arise in connection with the use or non-use of a
13 defibrillator.

14 SECTION 3. All organizations addressed within this act shall comply with the provisions of this
15 section by January 31, 2011.