

HOUSE No. 2136

The Commonwealth of Massachusetts

PRESENTED BY:

Karyn E. Polito

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 defibrillators in public schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Karyn E. Polito	11th Worcester
Paul K. Frost	7th Worcester
Colleen M. Garry	36th Middlesex
Richard J. Ross	9th Norfolk
Todd M. Smola	1st Hampden
Brian A. Joyce	Norfolk, Bristol and Plymouth

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1161 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT REQUIRING DEFIBRILLATORS IN PUBLIC SCHOOLS.

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

1 SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after
2 section 57D the following section:—Section 57E. All public schools shall have a automatic
3 external defibrillator on its premises and shall have AED providers, as defined in section 12V½
4 of chapter 112 available. The provisions of said section 12V½ of said chapter 112 shall be
5 applicable to any action under this section.

6 SECTION 2. On-site cardiac automated external defibrillator. 1. All School as defined by Chapter 32
7 Section 1 shall provide and maintain on-site in each instructional school facility automated external
8 defibrillator (AED) equipment, as defined in section (1) in quantities and types deemed by the
9 commissioner of education in consultation with the commissioner of health to be adequate to ensure ready
10 and appropriate access for use during emergencies. 2. Whenever public school facilities pursuant to
11 subdivision one of this section are used for school sponsored or school approved curricular or
12 extracurricular events or activities and whenever a school-sponsored athletic contest is held at any
13 location, the public school officials and administrators responsible for such school facility or athletic

14 contest shall ensure the presence of at least one staff person who is trained, as defined in Chapter 112
15 section 12V in the operation and use of an AED. Where a school-sponsored competitive athletic event is
16 held at a site other than a public school facility, the public school officials shall assure that an AED is
17 provided on-site. 3. Public school facilities and staff pursuant to subdivisions one and two of this section
18 shall be deemed a "public access defibrillation provider" as defined in Chapter 112 Section 12V1/2
19 subject to the requirements and limitations of such section. 4. Pursuant to Chapter 112 Section 12V any
20 public access defibrillation provider, or any employee or other agent of the provider who, in accordance
21 with the provisions of this section, voluntarily and without expectation of monetary compensation renders
22 emergency medical or first aid treatment using an AED which has been made available pursuant to this
23 section, to a person who is unconscious, ill or injured, shall be liable only pursuant to section 12V of
24 Chapter 112.

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

27 (16) (a) An amount equal to the cost of purchase, not to exceed \$1,000 of a Automated External
28 Defibrillator donated to and public, private or parochial school in the Commonwealth of Massachusetts;
29 any Municipal Senior Center operating in the Commonwealth of Massachusetts; any municipal or state-
30 owned public swimming pool or beach, and Municipal Library in the Commonwealth of Massachusetts;
31 or any Municipally operated Community Center in the Commonwealth.

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