

HOUSE No. 3663

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas M. Stanley

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 senior housing facilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Thomas M. Stanley	9th Middlesex
Jennifer M. Callahan	18th Worcester
Thomas P. Kennedy	Second Plymouth and Bristol
Richard J. Ross	9th Norfolk
Michael F. Rush	10th Suffolk
Benjamin Swan	11th Hampden
Steven J. D'Amico	4th Bristol
Brian A. Joyce	Norfolk, Bristol and Plymouth

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT REQUIRING DEFIBRILLATORS IN SENIOR HOUSING FACILITIES.

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

- 1 SECTION 1. Section 8B of chapter 40 of the General Laws, as appearing in the 2004 Official
2 Edition, is hereby amended by inserting before the definition of “Buyer” the following definition:-
3 "AED”, an automatic external defibrillator medical device approved by the United States Food and Drug
4 Administration that: (i) is capable of recognizing the presence or absence of ventricular fibrillation and
5 rapid ventricular tachycardia in a patient; (ii) is capable of determining, without intervention by an
6 operator, whether defibrillation should be performed on the patient; (iii) upon determining that
7 defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to
8 the patient’s heart; and (iv) then, upon action by an operator, delivers an appropriate electrical impulse to
9 the patent’s heart to perform defibrillation.
- 10 SECTION 2. Chapter 111 of the General Laws is hereby amended by inserting after section 57D the
11 following section:—
12 Section 57E. All public and private senior housing facilities with an occupancy of 15 or more persons
13 shall have on the premises at least 1 AED and shall have in attendance at least 1 employee or authorized
14 volunteer as an AED provider as defined in section 12V½ of chapter 112. The provisions of said section
15 12V½ of said chapter 112 shall be applicable to any action under this section.
- 16 SECTION 3. Chapter 112 of the General Laws is hereby amended by striking out section 12V, as so
17 appearing, and inserting in place thereof the following section:-
18 Section 12V. Any person, unless the usual and regular duties of such person include providing
19 emergency medical care, who in good faith and without compensation renders emergency
20 cardiopulmonary resuscitation or defibrillation, to any person who apparently requires cardiopulmonary
21 resuscitation or defibrillation, shall not be liable for acts or omissions, other than gross negligence or
22 willful or wanton misconduct, resulting from the rendering of such emergency cardiopulmonary
23 resuscitation or defibrillation.