

HOUSE No. 4121

The Commonwealth of Massachusetts

PRESENTED BY:

Russell E. Holmes

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 adoption of the accompanying bill:

An Act requiring automated external defibrillators at sporting events.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>	<i>9/18/2023</i>

HOUSE No. 4121

By Representative Holmes of Boston, a petition (subject to Joint Rule 12) of Russell E. Holmes for legislation to require automated external defibrillators at sporting events. Public Health.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act requiring automated external defibrillators at sporting events.

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. The General Court hereby finds and declares that:

2 (i) Public settings are the second most common location for persons experiencing out of
3 hospital cardiac arrests (OHCA);

4 (ii) According to the Centers for Disease Control, an estimated 70 per cent of people
5 experiencing OHCA die before reaching the hospital;

6 (iii) Cardiopulmonary resuscitation (CPR) and use of an automated external defibrillator
7 (AED) within minutes of OHCA can dramatically raise survival rates, but AEDs are not
8 commonly used or available;

9 (iv) Every minute a sudden cardiac arrest victim is not defibrillated their chances of
10 survival declines by 7 to 10 per cent. If defibrillation is performed within the first 1 to 3 minutes
11 of the sudden cardiac arrest, there is a 70 to 80 per cent chance of survival; and

12 (v) This act shall be known as the “The Preston Settles ‘Every Minute Counts’ Act”.

13 SECTION 2. Chapter 93 of the General Laws is hereby amended by inserting after
14 section 78A the following section:-

15 Section 78B. (a) Every public stadium, sports center, gymnasium or other facility hosting
16 or providing for an athletic or sporting event shall have and maintain a readily available
17 automatic, external defibrillator (AED) in their facility while any sport activity is taking place or
18 while rendering services to the public for such sport activity. For the purposes of this section the
19 term AED shall be a medical device, approved by the United States Food and Drug
20 Administration, that: (i) is capable of recognizing the presence or absence in a person of
21 ventricular fibrillation and rapid ventricular tachycardia; (ii) is capable of determining, without
22 intervention by an operator, whether defibrillation should be performed on the person; (iii) upon
23 determining that defibrillation should be performed, automatically charges and requests delivery
24 of an electrical impulse to the person’s heart; and (iv) then, upon action by an operator, delivers
25 an appropriate electrical impulse to the person’s heart to perform defibrillation.

26 (b) While any sport activity is taking place there shall be in attendance at least 1
27 employee of the facility or authorized volunteer readily available who is an AED provider having
28 current certification in a training course in CPR and in the use of an AED in accordance with the
29 standards established by the American Heart Association, Inc. or the American National Red
30 Cross.

31 (c) If no such employee or authorized volunteer is available, the operator or designated
32 agent of the facility, shall make an oral public announcement prior to the commencement of the
33 sport activity to identify readily available volunteers trained in the use of an AED. The

34 announcement shall be delivered so that each person in attendance has the opportunity to hear it.

35 The announcement shall include the following:

36 (i) identifying the location of AEDs in the facility;

37 (ii) identifying the employee or authorized volunteer trained in the use of an AED;

38 and

39 (iii) the procedure for identifying readily available volunteers trained in the use of an

40 AED present during the sporting event, which may include: physical recognition such as

41 standing to be recognized, raising a hand or otherwise communicating a willingness to volunteer;

42 or by electronic communication via mobile phone or other device.

43 (d) A placard shall be installed at every facility entryway with a map of the location of

44 any AED at the facility.

45 (e) The following persons and entities are immune from civil liability for damages arising

46 out of acts or omissions that relate to this section:

47 (i) Any person or entity that acquires an AED;

48 (ii) Any person or entity that owns, manages or is otherwise responsible for the facility on

49 which an AED is located;

50 (iii) Any person who retrieves an AED in response to a perceived sudden cardiac arrest

51 emergency;

52 (iv) Any person who uses, attempts to use or fails to use an AED in response to a

53 perceived sudden cardiac arrest emergency;

- 54 (v) Any physician or other authorized person who issues a prescription for the purchase
55 of an AED; or
- 56 (vi) Any person or entity that provides instruction in the use of an AED.