

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Require Defibrillators in All Health Club Gyms**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 22 MRSA §2150-C**, as repealed and replaced by PL 2007, c. 267, §2, is amended to read:

### **§ 2150-C. Automated external defibrillators**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Automated external defibrillator" or "AED" means a medical device that combines a heart monitor and a defibrillator approved by the United States Food and Drug Administration that:

- (1) Is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia;
- (2) Is capable of determining, without intervention by an operator, whether defibrillation should be performed on an individual; and
- (3) Upon determination that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to an individual's heart.

**6. Immunity.** The following persons and entities are immune from civil liability for damages relating to the use, possession or purchase of an AED and arising out of acts or omissions relating to preparing for and responding to suspected sudden cardiac arrest emergencies absent gross negligence or willful or wanton misconduct:

- A. Any person or entity that acquires an AED;
- B. Any person or entity that owns, manages or is otherwise responsible for the premises on which an AED is located;
- C. Any person who retrieves an AED in response to a perceived sudden cardiac arrest emergency;
- D. Any person who uses, attempts to use or fails to use an AED in response to a perceived sudden cardiac arrest emergency;
- E. Any physician or other authorized person who issues a prescription for the purchase of an AED;
- F. Any person or entity that is involved with the design, management or operation of an AED program; and

G. Any person or entity that provides instruction in the use of an AED.

**7. Health clubs and gymnasiums.** A health club, gymnasium or other place of exercise and health shall place AEDs in occupied buildings and at athletic events. The Department of Public Safety shall provide training in the use and operation of the AED to health club and gymnasium personnel, and to members of the public who choose to receive training on how to perform cardiopulmonary resuscitation and the use of AEDs in order to acquire the skills and confidence to respond to emergencies.

**8. Rules.** The commissioner shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2A.

## SUMMARY

This bill provides that health clubs and gymnasiums and other places of exercise and health must have automated external defibrillators in place, and requires personnel of the health clubs and gymnasiums to be trained in the use of automated external defibrillators.