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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 1971

02/25/2014 Authored by Liebling

The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy By motion, recalled and re-referred to Health and Human Services Policy

03/03/2014 Adoption of Report: Re-referred to the Committee on Civil Law

1.1 A bill for an act
1.2 relating to public safety; providing for the registration of automatic external
1.3 defibrillators; proposing coding for new law in Minnesota Statutes, chapter 403.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. [403.51] AUTOMATIC EXTERNAL DEFIBRILLATION;
1.6 REGISTRATION.

1.7 Subdivision 1. Definitions. (a) For purposes of this section, the following terms
1.8 have the meanings given them.

1.9 (b) "Automatic external defibrillator" or "AED" means an electronic device designed
1.10 and manufactured to operate automatically or semiautomatically for the purpose of
1.11 delivering an electrical current to the heart of a person in sudden cardiac arrest.

1.12 (c) "AED registry" means a registry of AEDs that requires a maintenance program
1.13 or package, and includes, but is not limited to, the following registries: the Minnesota
1.14 AED Registry, the National AED Registry, iRescU, or a manufacturer-specific program.

1.15 (d) "Person" means a natural person, partnership, association, corporation, or unit
1.16 of government.

1.17 (e) "Public access AED" means any AED that is purchased with the intent of being
1.18 for the general benefit of employees of a business or organization or the general public that
1.19 may happen to be in the vicinity of that AED, or an AED that is maintained, displayed, or
1.20 kept in an area other than a private residence, that by the nature of its location may be
1.21 presumed to be intended for the potential benefit of the general public near that location. It
1.22 does not include an AED that is owned or used by a hospital or clinic that is intended to be
1.23 used by staff and is not marked or displayed in a manner to encourage public access.

2.1 (f) "Maintenance program or package" means a program that will alert the AED
2.2 owner when the AED has electrodes and batteries due to expire or replaces those expiring
2.3 electrodes and batteries for the AED owner.

2.4 (g) "Public safety agency" means local law enforcement, county sheriff, municipal
2.5 police, tribal agencies, state law enforcement, fire departments, including municipal
2.6 departments, industrial fire brigades, and nonprofit fire departments, joint powers agencies,
2.7 and licensed ambulance services.

2.8 (h) "Mobile AED" means an AED that (1) is purchased with the intent of being
2.9 located in a vehicle, including, but not limited to, public safety agency vehicles; or (2)
2.10 will not be placed in stationary storage, including, but not limited to, an AED used by an
2.11 athletic trainer at a sporting event.

2.12 (i) "Private use AED" means an AED purchased with the intent of not being
2.13 available for the general benefit of employees of a business or organization or the general
2.14 public. This may include, but is not limited to, AEDs found in private residences.

2.15 Subd. 2. **Registration.** A person who purchases or obtains an AED, except an AED
2.16 intended for private use or use as a mobile AED, shall register that device with an AED
2.17 registry within five working days of receiving the AED.

2.18 Subd. 3. **Required information.** A person registering an AED shall provide the
2.19 following information for each AED:

2.20 (1) AED manufacturer, model, and serial number;

2.21 (2) specific location where the AED will be kept so that it may be quickly located in
2.22 an emergency;

2.23 (3) the names, addresses, telephone numbers, and other contact information for
2.24 individuals responsible for the maintenance of the AED at that location; and

2.25 (4) the schedule of the availability of the AED, a description of how the AED is to
2.26 be accessed, and emergency contact telephone number or numbers.

2.27 Subd. 4. **Information changes.** The owner of an AED shall notify their AED
2.28 registry of any changes in the information that is required in the registration within five
2.29 working days of the change occurring.

2.30 Subd. 5. **Public access AED requirements.** A public access AED:

2.31 (1) may be inspected by a public safety agency during the hours that the AED is
2.32 intended to be available to the public;

2.33 (2) shall be kept in the location specified in the registration;

2.34 (3) shall be maintained in fully operational condition in accordance with the
2.35 manufacturer's specifications; and

3.1 (4) shall have a charged battery installed in the AED. A battery may not be kept in
3.2 the AED case beyond the "use-by date." A dead battery may not be kept in the AED
3.3 or in the AED case.

3.4 Subd. 6. **Removal of AED.** An authorized agent of a public safety agency may
3.5 direct the owner of an AED to comply with this section. An authorized agent of a public
3.6 safety agency may direct the owner of an AED to remove the AED from the premises
3.7 and to remove any public signs relating to that AED if it is determined that the AED
3.8 is not ready for immediate use.

3.9 Subd. 7. **Private use of AED.** The owner of an AED intended for private use is
3.10 not subject to the requirements of this section but is encouraged to maintain the AED in a
3.11 consistent manner.

3.12 Subd. 8. **AEDs for mobile use.** The owner of a mobile AED is not subject to the
3.13 requirements of this section but is encouraged to maintain the AED in a consistent manner.

3.14 Subd. 9. **Signs.** A person acquiring an AED intended for public use is encouraged
3.15 but is not required to post signs bearing the universal AED symbol in order to increase
3.16 the ease of access to the AED in the event of an emergency. A person may not post any
3.17 AED sign or allow any AED sign to remain posted if there is no functional AED present at
3.18 that location, or upon being ordered to remove or cover any AED signs by an authorized
3.19 agent of a public safety agency.

3.20 Subd. 10. **Emergency response plans.** The owner of one or more AEDs intended
3.21 for public use shall develop an emergency response plan appropriate for the location
3.22 of each AED and the nature of the facility the AED is intended to serve. The response
3.23 plan must include:

3.24 (1) emphasis placed upon calling 911 immediately or as soon as can be reasonably
3.25 accomplished;

3.26 (2) notifying the 911 answering point that an AED is on site and may be used upon
3.27 a person;

3.28 (3) a method to ensure that the AED may be used safely in an emergency;

3.29 (4) a method to keep the 911 public safety answering point informed of the
3.30 patient's condition, including whether the patient is conscious or unconscious, whether
3.31 cardiopulmonary resuscitation (CPR) is being performed, whether shocks are delivered,
3.32 and any other information relevant to an appropriate medical response;

3.33 (5) a method for getting the AED to the person suffering a potential cardiac
3.34 emergency and alerting others in the facility of the need for the AED in the vicinity;

3.35 (6) a method for directing emergency medical responders to the patient in the most
3.36 expeditious and safe manner; and

4.1 (7) a process to train employees, or others who are likely to regularly be in the area
4.2 of the AED, how to use the AED and execute the emergency response plan.

4.3 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2014.