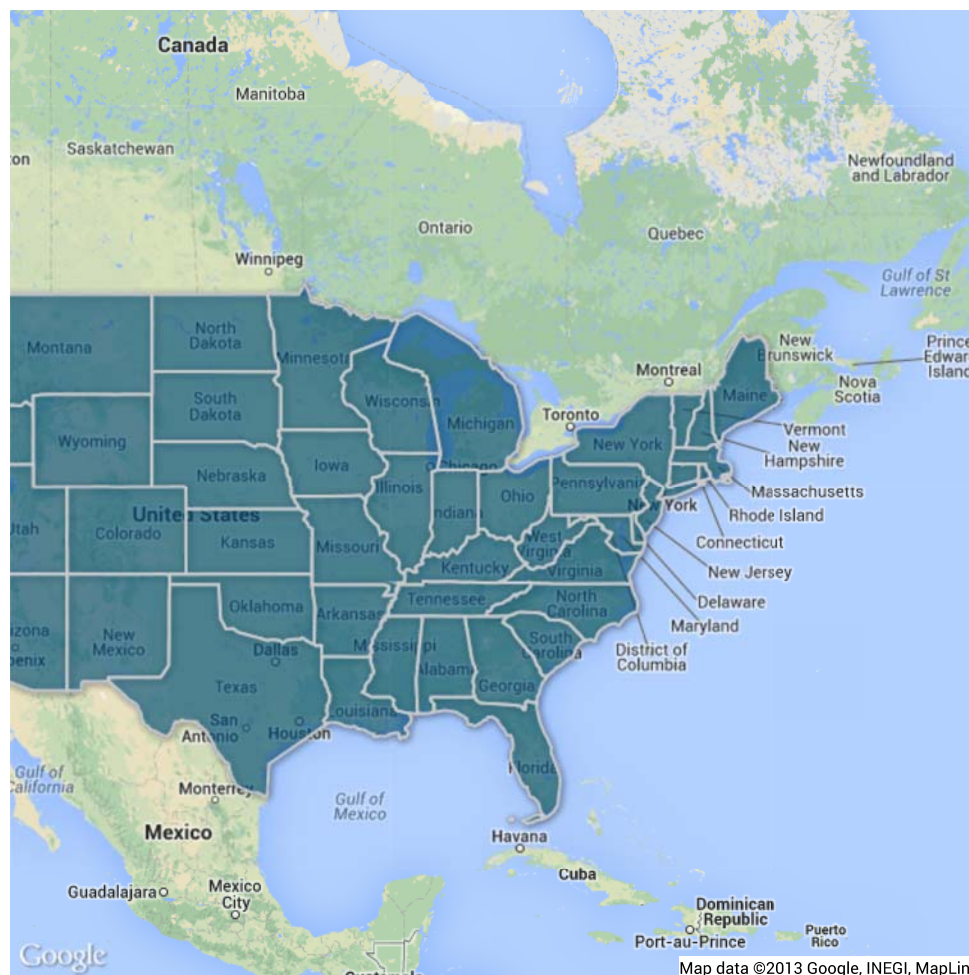


To save one life is as if to save the world.

- The Talmud

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AED Laws



Courtesy of Scripps Howard News Service

Where AEDs Are Required

Schools

Only 19 states in the U.S. require that at least some of their schools have automated external defibrillators (AEDs), according to research by Scripps Howard News Service. In some states, AEDs are required in public, but not private schools. In other states, AEDs are required in high schools, but not elementary schools. Some states require AEDs only in schools offering athletics.

Only two states, Hawaii and Oregon, mandate AEDs not only in all public and private schools, but also in

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colleges. Connecticut mandates AEDs in higher education athletic departments.

Following is a list of states that require AEDs in at least some schools:

- Alabama: Public schools serving grades K-12
- Arkansas: Schools
- Connecticut: All schools, higher education athletic departments
- Florida: All public high schools offering athletics
- Georgia: All public high schools
- Hawaii: All public and private schools including colleges
- Kentucky: Public and private schools and their athletic events
Description:
https://mts0.googleapis.com/maps!t?hl=en-US&lyrs=ft%3A1cIlynxHbp0FSx8CKh_WJlvpPx9t9qoR9MIRGmno%7Csc%3Acol3%253E%253E1%7Csg%3A%7Ctmplt%3A2%7Cy%3A2&x=3&y=7&z=4&w=256&h=256&source=apiv3&token=27998
- Louisiana: Any institution of higher education that competes in intercollegiate athletics, high schools participating in interscholastic athletics, if funding is available
- Maine: Schools serving grades K-12 and at school-sponsored athletic events
- Maryland: Schools and school-sponsored athletic events
- Massachusetts: All public schools
- Nevada: Public schools
- New Jersey: All public and private K-12 schools
- New York: Schools
- North Dakota: Public and private schools
- Oregon: Public and private schools, colleges and schools of higher education
- South Carolina: High schools
- Tennessee: Public schools
- Texas: All schools, including charter schools.



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Health Clubs

Fourteen states require AEDs in health clubs, though most exempt spas in hotels. They are: Arkansas, California, Connecticut, Illinois, Indiana, Iowa, Maryland, Massachusetts, Michigan, New Jersey, New York, Pennsylvania, Oregon and Rhode Island. The District of Columbia requires them in recreational facilities.

SOURCE: Scripps Howard News Service

Where AEDs Are Not Required

Nineteen states have no mandates. These include: Alaska, Colorado, Delaware, Idaho, Kansas, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Mexico, Ohio, South Dakota, Utah, Vermont, Virginia, Washington and Wyoming.

SOURCE: Scripps Howard News Service

The Current State of AED Laws

Generally, Good Samaritan immunity laws are enacted by policymakers to encourage particular types of conduct. For example, the first Good Samaritan law, enacted in California during the 1950s, offered immunity to physicians who voluntarily stopped to render aid to accident victims. The goal of this approach was to encourage physicians to act by reducing the risk of negligence lawsuits.

Similarly, starting in the mid-1990s, legislatures throughout the U.S. began enacting AED-related laws, including Good Samaritan immunity laws, presumably with the intent that such laws would reduce liability risks and therefore encourage more organizations and individuals to buy, place, and use AEDs in public settings. Such laws now exist in every state and vary widely in structure, content, complexity, and scope of coverage. The level of legislative activity in this area continues to be robust with continuous efforts to modify existing laws or add AED placement mandates.

Unfortunately, many existing AED laws actually increase rather than decrease liability risks facing AED owners and users and act as a barrier to those organizations considering the purchase of AEDs. Further, these laws are misunderstood by many in the AED industry. Indeed, persistent myths and misinformation about the true scope and presumed benefits of these laws can be found on the websites of many AED program services and AED training vendors.

For more information, see the attached white papers:

- [The Current State of U.S. AED Laws: Risk and Uncertainty for Public Access Defibrillation Programs](#)
- [Legislative Strategies for Modernizing U.S. AED Laws.](#)

By Richard A. Lazar, Readiness Systems, LLC, Member, Sudden Cardiac Arrest Foundation Advisory Council

To learn more about your state's AED Laws, subscribe to [ReadiSource™](#), a members-only online portal specifically designed for individuals and organizations responsible for AED program operational readiness, provided by [Readiness Systems](#). The ReadiSource AED Law Center™ is a repository of selected AED laws from all 50 states and the District of Columbia, along with profiles to help decipher the laws, and report cards to see how these laws stack up. This information is intended to help you better understand the legal framework within which your AED program operates. Receive a 15% discount on a one-year subscription to ReadiSource by using subscription key **SCAF200.15** when you register for [ReadiSource](#).

Addressing Legal Concerns About AED Programs in Educational Settings

On any given day, educational institutions house more than 20% of the U.S. population. As such, educational settings are ideal locations for AED deployment. In the past, concerns regarding legal liability and litigation have been perceived as a barrier to purchasing and deploying AEDs.

However, a shifting paradigm has occurred during the past few years. Due to the increasing availability of AEDs, coupled with their proven success rate and low cost, organizations are now finding themselves having to justify the absence or non-use of an AED. This recent trend has seen lawsuits filed when AEDs haven't been used, aren't available or are available but their presence isn't advertised to the general public. As such, many entities are now acquiring AEDs and developing policies and procedures related to their storage, use and maintenance.

[More...](#)

By Andrew R. Roszak, JD, MPA, EMT-P, National Association of County and City Health Officials, Member, Sudden Cardiac Arrest Foundation Advisory Council

Additional Resources

[Legislation: Federal Laws](#)

[Legislation: State Laws & Bills](#)

[Links to State Legislatures](#)

Legislation: Federal Laws

Following are links to federal laws addressing the use of automated external defibrillators (AEDs).

[US CODE: TITLE 42,238Q. LIABILITY REGARDING EMERGENCY USE OF AUTOMATED EXTERNAL DEFIBRILLATORS](#)

TITLE 42 - THE PUBLIC HEALTH AND WELFARE/CHAPTER 6A - PUBLIC HEALTH SERVICE/SUBCHAPTER I - ADMINISTRATION AND MISCELLANEOUS PROVISIONS/Part B - Miscellaneous Provisions

[US CODE: TITLE 42,238P. RECOMMENDATIONS AND GUIDELINES REGARDING AUTOMATED EXTERNAL DEFIBRILLATORS FOR FEDERAL BUILDINGS](#)

TITLE 42 - THE PUBLIC HEALTH AND WELFARE/CHAPTER 6A - PUBLIC HEALTH SERVICE/SUBCHAPTER I - ADMINISTRATION AND MISCELLANEOUS PROVISIONS/Part B - Miscellaneous Provisions

[US CODE: TITLE 42,254C. RURAL HEALTH CARE SERVICES OUTREACH, RURAL HEALTH NETWORK DEVELOPMENT, AND SMALL HEALTH CARE PROVIDER QUALITY IMPROVEMENT GRANT PROGRAMS](#)

TITLE 42 - THE PUBLIC HEALTH AND WELFARE/CHAPTER 6A - PUBLIC HEALTH SERVICE/SUBCHAPTER II - GENERAL POWERS AND DUTIES/Part D - Primary Health Care/subpart i - health centers

[US CODE: TITLE 42,238P. RECOMMENDATIONS AND GUIDELINES REGARDING AUTOMATED EXTERNAL DEFIBRILLATORS FOR FEDERAL BUILDINGS](#)

TITLE 42 - THE PUBLIC HEALTH AND WELFARE/CHAPTER 6A - PUBLIC HEALTH SERVICE/SUBCHAPTER I - ADMINISTRATION AND MISCELLANEOUS PROVISIONS/Part B - Miscellaneous Provisions

[US CODE: TITLE 42,245. PUBLIC ACCESS DEFIBRILLATION DEMONSTRATION PROJECTS](#)

TITLE 42 - THE PUBLIC HEALTH AND WELFARE/CHAPTER 6A - PUBLIC HEALTH SERVICE/SUBCHAPTER II - GENERAL POWERS AND DUTIES/Part B - Federal-State Cooperation

[US CODE: TITLE 42,244. PUBLIC ACCESS DEFIBRILLATION PROGRAMS](#)

TITLE 42 - THE PUBLIC HEALTH AND WELFARE/CHAPTER 6A - PUBLIC HEALTH SERVICE/SUBCHAPTER II - GENERAL POWERS AND DUTIES/Part B - Federal-State Cooperation

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Legislation: State Laws & Bills

To view a summary of public access defibrillation laws as of 2010-2011, see attachments.

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strategies_for_modernizing_u.s._aed_laws_readiness_systems_03-2013.pdf	1000.51 KB

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