

State of Arizona  
House of Representatives  
Forty-seventh Legislature  
Second Regular Session  
2006

# HOUSE BILL 2091

AN ACT

AMENDING SECTIONS 36-2262 AND 36-2263, ARIZONA REVISED STATUTES; RELATING TO  
EMERGENCY MEDICAL SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 36-2262, Arizona Revised Statutes, is amended to  
3 read:  
4 36-2262. Automated external defibrillators; training; use;  
5 requirements; definition  
6 A. Except as provided in section 36-2264, a person or entity that  
7 acquires an automated external defibrillator shall:  
8 1. Enter into an agreement with a physician who shall oversee all  
9 aspects of public access to defibrillation, including training, emergency  
10 medical services coordination, protocol approval, standing orders,  
11 communications, protocols and automated external defibrillator deployment  
12 strategies.  
13 2. Limit the use of an automated external defibrillator to trained  
14 responders.  
15 3. Require each trained responder who uses an automated external  
16 defibrillator on a person in cardiac arrest to:  
17 (a) Call telephone number 911 as soon as possible.  
18 (b) Submit a written report to the physician, within five working days  
19 after its use.  
20 B. The physician shall:  
21 1. Establish quality assurance guidelines that include a review of  
22 each use of the automated external defibrillator to evaluate performance.  
23 2. Be proficient in emergency medical services protocols,  
24 cardiopulmonary resuscitation and the use of automated external  
25 defibrillators.  
26 3. Ensure that each trained responder receives training in  
27 cardiopulmonary resuscitation and in the use of an automated external  
28 defibrillator by completing the heart saver automated external defibrillator  
29 course for the lay rescuer and first responder, in effect as of December 31,  
30 1998, adopted by the American heart association or an equivalent course that  
31 meets the same objectives.  
32 4. Ensure that the automated external defibrillator is maintained IN  
33 GOOD WORKING ORDER and tested according to the manufacturer's guidelines.  
34 C. For the purposes of this section, "trained responder" means a  
35 person who meets the requirements of subsection B, paragraph 3 of this  
36 section.  
37 Sec. 2. Section 36-2263, Arizona Revised Statutes, is amended to read:  
38 36-2263. Civil liability; limited immunity; good Samaritan  
39 A. The following persons and entities are not subject to civil  
40 liability for any personal injury that results from any act or omission that  
41 does not amount to ~~wilful~~ WILLFUL misconduct or gross negligence ~~if that~~  
42 ~~person or entity complies with the requirements of section 36-2262:~~  
43 1. A physician who provides supervisory services pursuant to AND IN  
44 COMPLIANCE WITH section 36-2262, subsection B.

1           2. A person or entity that provides training in cardiopulmonary  
2 resuscitation and use of an automated external defibrillator.

3           3. A person or entity that acquires an automated external  
4 defibrillator pursuant to this article IF THE PERSON OR ENTITY COMPLIES WITH  
5 THE REQUIREMENTS OF SECTION 36-2262, SUBSECTION A.

6           4. The owner of the property or facility where the automated external  
7 defibrillator is located.

8           5. A trained responder as defined in section 36-2262, subsection C.

9           6. A PERSON OR ENTITY THAT PROVIDES THE AUTOMATED EXTERNAL  
10 DEFIBRILLATOR PURSUANT TO THIS ARTICLE.

11           7. A NONPROFIT ENTITY THAT, IN THE PLACEMENT OF AN AUTOMATED EXTERNAL  
12 DEFIBRILLATOR PURSUANT TO THIS ARTICLE, ACTS AS AN INTERMEDIARY BETWEEN THE  
13 PROVIDER OF AN AUTOMATED EXTERNAL DEFIBRILLATOR AND THE PERSON OR ENTITY THAT  
14 ACQUIRED THE AUTOMATED EXTERNAL DEFIBRILLATOR OR THE OWNER OF THE PROPERTY OR  
15 FACILITY WHERE THE AUTOMATED EXTERNAL DEFIBRILLATOR IS LOCATED.

16           B. THE EXCEPTION FROM CIVIL LIABILITY PROVIDED IN SUBSECTION A OF THIS  
17 SECTION DOES NOT AFFECT A MANUFACTURER'S PRODUCT LIABILITY REGARDING THE  
18 DESIGN, MANUFACTURING OR INSTRUCTIONS FOR USE AND MAINTENANCE OF AN AUTOMATED  
19 EXTERNAL DEFIBRILLATOR.