

HCS HB 1460 -- AUTOMATED EXTERNAL DEFIBRILLATORS

SPONSOR: Shaul (113)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Health and Mental Health Policy by a vote of 14 to 0. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 9 to 0.

The following is a summary of the House Committee Substitute for HB 1460.

This bill modifies the Public Access to Automated External Defibrillator Act.

The bill states that a person or entity that acquires an automated external defibrillator (AED) shall:

- (1) Comply with regulations regarding the placement of the AED;
- (2) Notify an agent of the local EMS agency of the AED and the AED's location, including any change of locations or removal of an AED;
- (3) Ensure that the AED is maintained and tested according to the guidelines set forth by the manufacturer;
- (4) Ensure that the AED is tested at least biannually and after each use; and
- (5) Ensure that an inspection is made of all AEDs at least every 90 days.

The bill removes provisions that AED users receive training from the American Red Cross or American Heart Association, that any person who uses an AED activates the emergency medical services system as soon as possible and that any person who has an AED for use outside of a health care facility must have a physician review and approve the clinical protocol for use of the AED.

The bill removes liability for a criminal penalty for any person who gratuitously and in good faith renders emergency care by use of an AED. The bill also removes liability for a criminal penalty for a person who provides AED training, the person who owns the AED, and the person who is responsible for the site where the AED is located.

The bill requires that any training course in CPR must also include training on the proper use of AEDs. Any training course in CPR must

follow the standards created by the American Red Cross or the American Heart Association or equivalent standards from a nationally-recognized organization.

This bill is similar to HB 1038 (2019).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that currently a lot of businesses or employers do not use AEDs because they are worried about liability; however, AED use is safe and their availability will save lives.

Testifying for the bill were Representative Shaul; Emergency Room Physicians; Fire Service Alliance; Missouri State Medical Association; Missouri Pharmacy Association; Justin Duncan, Washington County Ambulance and Missouri Emergency Medical Staff Association; Matthew Cushman, Missouri Emergency Medical Staff Association Marcer; and Missouri Ambulance Association.

OPPOSERS: Those who oppose the bill say that the provision of the bill that removes training will put people at risk because AED use can be intimidating to untrained individuals; training provides skills to remain calm and assess an emergency situation.

Testifying against the bill was Gabriel Hulsey, American Red Cross Of Central And Northern Missouri.

OTHERS: Others testifying on the bill gave a demonstration on AED use and locations within the capitol building.

Testifying on the bill were John Fisher, Missouri Capitol Police and Rich Beckwith.