

HOUSE BILL NO. 4

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES WILSON, Millett

Introduced: 1/21/15

Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to automated external defibrillators."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 09.65.087(b) is amended to read:

4 (b) A person who acquires or provides an automated external defibrillator
5 device for use on a victim of a perceived medical emergency is not liable for civil
6 damages resulting from the use or attempted use of the device. This subsection does
7 not apply to civil damages resulting from **gross negligence** [THE FAILURE OF THE
8 PERSON WHO ACQUIRES OR PROVIDES THE DEVICE TO

9 (1) NOTIFY THE LOCAL EMERGENCY MEDICAL RESPONSE
10 AUTHORITY OR OTHER APPROPRIATE ENTITY OF THE MOST RECENT
11 PLACEMENT OF THE DEVICE WITHIN 30 DAYS FOLLOWING PLACEMENT
12 OF THE DEVICE;

13 (2) PROPERLY MAINTAIN AND TEST THE DEVICE;

14 (3) PROVIDE, WITHIN A REASONABLE PROXIMITY TO THE
15 DEVICE'S USUAL LOCATION, A MEANS OF NOTIFYING THE LOCAL

1 EMERGENCY MEDICAL RESPONSE AUTHORITY THAT AN EMERGENCY
2 EXISTS IN THE EVENT THAT A MEDICAL EMERGENCY OCCURS WHERE
3 THE DEVICE IS USED; OR

4 (4) PROVIDE APPROPRIATE TRAINING IN THE USE OF THE
5 DEVICE TO AN EMPLOYEE OR AGENT OF THE PERSON WHO ACQUIRES
6 OR PROVIDES THE DEVICE; HOWEVER, THIS PARAGRAPH DOES NOT
7 APPLY AND IMMUNITY IS PROVIDED UNDER THIS SUBSECTION IF THE
8 PERIOD OF TIME ELAPSING BETWEEN HIRING THE PERSON AS AN
9 EMPLOYEE OR AGENT AND THE OCCURRENCE OF THE HARM, OR
10 BETWEEN THE ACQUISITION OF THE DEVICE AND THE OCCURRENCE OF
11 THE HARM IN ANY CASE IN WHICH THE DEVICE WAS ACQUIRED AFTER
12 HIRING THE EMPLOYEE OR AGENT, WAS NOT IN EXCESS OF SIX
13 MONTHS].

14 * **Sec. 2.** AS 09.65.087(d) is repealed.