

May 17, 2000

**S 1269. LIMIT LIABILITY/DEFIBRILLATOR.** *TO LIMIT LIABILITY WHEN A PERSON USES AN AUTOMATED EXTERNAL DEFIBRILLATOR TO RENDER EMERGENCY HEALTH CARE TREATMENT TO ATTEMPT TO SAVE THE LIFE OF A PERSON WHO IS IN OR WHO APPEARS TO BE IN CARDIAC ARREST.* Adds GS 90-21.15, stating that use of automated external defibrillator when used to attempt to save a life or to save a life is "first-aid or emergency health care treatment" under immunity rules of GS 90-21.14. Extends immunity to person using the defibrillator, person or entity providing training for defibrillator, person or entity responsible for site where defibrillator is located, and NC licensed physician writing prescription for defibrillator. Denies immunity to emergency health care provider who receives compensation for rendering cardiac defibrillation to patients as regular part of that provider's services to patients. Also provides that use of such automated external defibrillator is not practice of medicine. Effective Oct. 1, 2000.

**Intro. by Warren.**

Ref. to Judiciary I	GS 90
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May 30, 2000

**S 1269. LIMIT LIABILITY/DEFIBRILLATOR.** Intro. 05/17/00. Senate committee substitute changes 1st edition by deleting provision imposing duty on seller of automated external defibrillator to notify local emergency communications or vehicle dispatch center of existence, location and type of defibrillator.

June 14, 2000

**S 1269. LIMIT LIABILITY/DEFIBRILLATOR.** Intro. 5/17/00. Senate amendment makes the following changes to 2nd edition. Adds definition of "person." Rewrites new GS 90-21.15(d) defining scope of immunity under bill to specify that the following people are immune from civil liability arising from the use of an automated external defibrillator used in accordance with new GS 90-21.15(c): (1) the person who provides the cardiopulmonary resuscitation and automated external defibrillator training to a person using such a defibrillator, (2) the person responsible for the site where the defibrillator is located when the person has provided for a program of training, and (3) an NC-licensed physician writing a prescription without compensation for a defibrillator whether or not required by any federal or state law. Rewrites new GS 90-21.15(e) that lists other immunities; to state that the immunity from civil liability otherwise existing under law is not to be diminished by the provisions of GS 20-21.15. Deletes duplicative reference in GS 90-21.15(f) that specified that use of defibrillator is not the practice of medicine. Adds provision that nothing in GS 90-21.15 applies to a products liability claim against a manufacturer or seller as defined in GS 99B-1. Corrects statutory references and makes other technical and grammatical changes.

June 22, 2000

**S 1269. LIMIT LIABILITY/DEFIBRILLATOR.** Intro. 5/17/00. House committee substitute makes the following changes to 3rd edition. Adds provision that sellers of automated external defibrillators notify Office of Emergency Medical Services, Division of Facilities Services, Dep't of Health and Human Services of existence, location, and type of defibrillator. Makes other stylistic changes.