HOUSE DOCKET, NO. 3119 FILED ON: 1/21/2011

HOUSE . . . . . No. 2711

The Commonwealth of Massachusetts

PRESENTED BY:

Cheryl A. Coakley-Rivera

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act enhancing emergency responses for children and seniors.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Cheryl A. Coakley-Rivera	*10th Hampden*
Benjamin Swan	*11th Hampden*

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HOUSE . . . . . No. 2711

By Ms. Coakley-Rivera of Springfield, a petition (accompanied by bill, House, No. 2711) of Cheryl A. Coakley-Rivera and Benjamin Swan relative to enhancing school emergency responses for children and seniors. Education.

The Commonwealth of Massachusetts

An Act enhancing emergency responses for children and seniors.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1: Chapter 71 of the General Laws is hereby amended by inserting after section 90, as so appearing, the following section:-

Section 91. (a) As used in this section, unless the context clearly requires otherwise, "automated external defibrillator" or "AED" shall mean a medical device, approved by the United States food and drug administration, that: (i) is capable of recognizing the presence or absence, in a patient, of ventricular fibrillation and rapid ventricular tachycardia; (ii) is capable of determining, without intervention by an operator, whether defibrillation should be performed on the patient; (iii) upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to the patient's heart; and (iv) then, upon action by an operator, delivers an appropriate electrical impulse to the patient's heart to perform defibrillation.

(b) All public, vocational, technical and charter schools shall provide and maintain on-site in each instructional school facility AED equipment in quantities and types deemed by the commissioner of elementary and secondary education in consultation with the commissioner of public health to be adequate to ensure ready and appropriate access for use during emergencies.

(c) All public, vocational, technical and charter schools shall have AED providers, as defined in section 12V½ of chapter 112, available. The provisions of said section 12V½ shall be applicable to any action under this section.

(d) Whenever school facilities pursuant to this section are used for school-sponsored or school-approved curricular or extracurricular events or activities and whenever a school-sponsored athletic contest is held at any location, the public school officials and administrators responsible for such school facility or athletic contest shall ensure the presence of at least 1 staff

24 person who is an AED provider, as defined in section 12V½ of chapter 112. Where a school-
25 sponsored competitive athletic event is held at a site other than a public school facility, the public
26 school officials shall assure that an AED is provided on-site.

27 (e) Each school facility subject to this section shall be deemed an "AED Agency" as
28 defined in section 12V½ of chapter 112 and shall be subject to the requirements and limitations
29 of such section.

30 (f) Any employee or other agent of the school who, in accordance with the
31 provisions of this section, voluntarily and without expectation of monetary compensation renders
32 emergency medical or first aid treatment using an AED which has been made available pursuant
33 to this section, to a person who is unconscious, ill or injured, shall be liable only pursuant to
34 section 12V of chapter 112.

35 SECTION 2: Chapter 19A of the General Laws is hereby amended by inserting after
36 section 40, as so appearing, the following section:-

37 Section 41. Any senior centers, councils on aging, and elder care drop in centers, as
38 defined by the Executive Office of Elder Affairs, that provide direct care to the elder population
39 by providing supportive day care as well as a safe place for Massachusetts elders to remain
40 independent, productive and in the community for as long as possible, shall provide and
41 maintain, on-site in each facility, an automated external defibrillator (AED), as defined in section
42 91 of chapter 71, on its premises and shall have AED providers, as defined in section 12V½ of
43 chapter 112, available. The provisions of section 12V½ of said chapter 112 shall be applicable to
44 any action under this section.

45 SECTION 3: Chapter 15D of the General Laws is hereby amended by inserting after
46 section 16, as so appearing, the following section:-

47 Section 17. Any child care center subject to the licensing requirements of chapter 15D
48 shall provide and maintain on-site an automated external defibrillator (AED) as defined in
49 section 91 of chapter 71, on its premises and shall have AED providers, as defined in section
50 12V½ of chapter 112, available. The provisions of said section 12V½ of said chapter 112 shall
51 be applicable to any action under this section.