

SENATE BILL NO. 244—SENATORS CEGAVSKE AND NOLAN

MARCH 13, 2009

Referred to Committee on Health and Education

SUMMARY—Revises provisions governing automated external defibrillators. (BDR 40-277)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to public health; requiring the Health Division of the Department of Health and Human Services, within the limitations of available funding, to establish and maintain a database of certain owners of automated external defibrillators for use in an emergency; providing for the registration of automated external defibrillators with the Health Division; authorizing all public schools in this State to acquire automated external defibrillators under certain circumstances; providing for the placement of automated external defibrillators in medical facilities and health clubs in this State; providing a civil penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 **Section 3** of this bill: (1) requires the Health Division of the Department of
2 Health and Human Services to establish and maintain, within the limitations of
3 available funding, a database containing certain information concerning automated
4 external defibrillators in this State and to make the information in the database
5 available to each agency and facility that employs an emergency medical dispatcher
6 in this State; (2) authorizes an emergency medical dispatcher to disclose the
7 information in the database to any person for the purpose of providing emergency
8 medical care; (3) requires a manufacturer that sells an automated external
9 defibrillator for commercial use in this State to provide certain information to the
10 purchaser and the Health Division; (4) authorizes the owner of an automated
11 external defibrillator in this State to register the defibrillator with the Health
12 Division; and (5) provides for the imposition of civil penalties against
13 manufacturers for violations. **Section 4** of this bill authorizes the board of trustees
14 of each school district in this State, to the extent that money is available, to provide
15 for the placement of automated external defibrillators in certain locations. **Section 4**



16 also provides for the placement of automated external defibrillators in medical
17 facilities and health clubs in this State.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 450B of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2, 3 and 4 of this act.

3 **Sec. 2.** *As used in NRS 450B.600 and sections 2, 3 and 4 of*
4 *this act, unless the context otherwise requires, “automated*
5 *external defibrillator” or “defibrillator” means a medical device*
6 *that:*

7 1. *Has been approved by the United States Food and Drug*
8 *Administration;*

9 2. *Is capable of recognizing the presence or absence of*
10 *ventricular fibrillation and rapid ventricular tachycardia in a*
11 *patient;*

12 3. *Is capable of determining, without intervention by the*
13 *operator of the device, whether defibrillation should be performed*
14 *on a patient;*

15 4. *Upon determining that defibrillation should be performed*
16 *on a patient, automatically charges and requests delivery of an*
17 *electrical impulse to the patient’s heart; and*

18 5. *Upon appropriate action by the operator of the device,*
19 *delivers an appropriate electrical impulse to the patient’s heart.*

20 **Sec. 3.** 1. The Health Division shall:

21 (a) *Within the limitations of available funding, establish and*
22 *maintain a database containing:*

23 (1) *The name and address of each person who owns an*
24 *automated external defibrillator for commercial use in this State;*

25 (2) *If the defibrillator has been registered with the Health*
26 *Division pursuant to subsection 4, the name, street address and*
27 *telephone number of the business or organization that has placed*
28 *the defibrillator for use on its premises, and the specific location at*
29 *which the defibrillator is stored; and*

30 (3) *If the defibrillator has been registered with the Health*
31 *Division pursuant to subsection 5, the information concerning the*
32 *defibrillator that was required for registration by the Health*
33 *Division.*

34 (b) *Make the information in the database available to each*
35 *agency and facility that employs an emergency medical dispatcher*
36 *in this State.*

37 (c) *Apply for and accept any gifts, grants or donations to*
38 *establish and maintain the database.*



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2. An emergency medical dispatcher may disclose the information in the database to any person for the purpose of providing emergency medical care.

3. A manufacturer that sells an automated external defibrillator for commercial use in this State shall:

(a) Notify the purchaser in writing of the opportunity to register the defibrillator pursuant to subsection 4;

(b) On or before January 10, April 10, July 10 and October 10 of each year, notify the Health Division of the name and address of each person who purchased such a defibrillator from the manufacturer during the immediately preceding 3 calendar months; and

(c) Provide to each person who purchases such a defibrillator from the manufacturer information regarding the installation, use, maintenance and operation of the defibrillator and any related training that is available.

4. A person who purchases an automated external defibrillator for commercial use in this State may register the defibrillator with the Health Division by providing the Health Division with his name, street address and telephone number, the name, street address and telephone number of the business or organization on whose premises the defibrillator will be placed for use, and the specific location at which the defibrillator will be stored.

5. A person who owns an automated external defibrillator for use in a private residence may register the defibrillator with the Health Division by providing such information concerning the defibrillator as required by the Health Division.

6. The Health Division may impose a civil penalty upon a manufacturer of not more than \$500 for each violation of this section by the manufacturer. All money collected from the imposition of a civil penalty must be used for the maintenance of the database established pursuant to subsection 1.

Sec. 4. 1. Except as otherwise provided in NRS 450B.600, the board of trustees of each school district in this State, to the extent that money is available, may provide for the placement of an automated external defibrillator in each public school in the school district and at each athletic facility maintained by the school district at a location that is separate from a public school. Each defibrillator must be appropriate for use on children and adults and be limited to use on school property and at school events. The board of trustees may accept:

(a) The donation of a defibrillator that complies with the standards established by the United States Food and Drug Administration; and



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(b) Gifts, grants and donations for use in obtaining, inspecting and maintaining a defibrillator.

2. Each medical facility and health club in this State may provide for the placement of an automated external defibrillator in a central location at the medical facility or health club.

3. Each school district, medical facility and health club that provides for the placement of one or more automated external defibrillators pursuant to this section shall:

(a) Ensure that each defibrillator is inspected and maintained on a regular basis; and

(b) Require any employee who will use a defibrillator to complete the training requirements of a course in basic emergency care of a person in cardiac arrest that includes training in the operation and use of an automated external defibrillator and is conducted in accordance with the standards of the American Heart Association, the American National Red Cross or any similar organization.

4. As used in this section:

(a) "Health club" has the meaning ascribed to it in NRS 598.9415.

(b) "Medical facility" means:

(1) A facility for hospice care as defined in NRS 449.0033;

(2) A facility for intermediate care as defined in NRS 449.0038;

(3) A facility for skilled nursing as defined in NRS 449.0039;

(4) A hospital as defined in NRS 449.012;

(5) An independent center for emergency medical care as defined in NRS 449.013; or

(6) A surgical center for ambulatory patients as defined in NRS 449.019.

(c) "School property" has the meaning ascribed to it in NRS 701B.350.

Sec. 5. NRS 450B.600 is hereby amended to read as follows:

450B.600 1. Not later than July 1, 2004, and thereafter:

(a) The board of trustees of a school district in a county whose population is 100,000 or more shall ensure that at least one automated external defibrillator is placed in a central location at each high school within the district.

(b) The Reno-Tahoe Airport Authority shall ensure that at least three automated external defibrillators are placed in central locations at the largest airport within the county.

(c) The board of county commissioners of each county whose population is 400,000 or more shall ensure that at least seven



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1 automated external defibrillators are placed in central locations at
2 the largest airport within the county.

3 (d) The Board of Regents of the University of Nevada shall
4 ensure that at least two automated external defibrillators are placed
5 in central locations at each of:

6 (1) The largest indoor sporting arena or events center
7 controlled by the University in a county whose population is
8 100,000 or more but less than 400,000; and

9 (2) The largest indoor sporting arena or events center
10 controlled by the University in a county whose population is
11 400,000 or more.

12 (e) The Health Division shall ensure that at least one automated
13 external defibrillator is placed in a central location at each of the
14 following state buildings:

15 (1) The Capitol Building in Carson City;

16 (2) ~~The Kinkead Building in Carson City;~~

17 ~~(3)~~ The Legislative Building in Carson City; and

18 ~~(4)~~ (3) The Grant Sawyer Building in Las Vegas.

19 (f) The board of county commissioners of each county whose
20 population is 100,000 or more shall:

21 (1) Identify five county buildings or offices in each of their
22 respective counties which are characterized by large amounts of
23 pedestrian traffic or which house one or more county agencies that
24 provide services to large numbers of persons; and

25 (2) Ensure that at least one automated external defibrillator is
26 placed in a central location at each county building or office
27 identified pursuant to subparagraph (1).

28 2. Each governmental entity that is required to ensure the
29 placement of one or more automated external defibrillators pursuant
30 to subsection 1:

31 (a) May accept gifts, grants and donations for use in obtaining,
32 inspecting and maintaining the defibrillators;

33 (b) Shall ensure that those defibrillators are inspected and
34 maintained on a regular basis; and

35 (c) Shall encourage the entity where the automated external
36 defibrillator is placed to require any employee who will use the
37 automated external defibrillator to successfully complete the
38 training requirements of a course in basic emergency care of a
39 person in cardiac arrest that includes training in the operation and
40 use of an automated external defibrillator and is conducted in
41 accordance with the standards of the American Heart Association,
42 the American National Red Cross or any ~~other~~ similar
43 organization.

44 ~~[3. As used in this section, "automated external defibrillator"~~
45 ~~means a medical device that:~~



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- 1 ~~—(a) Has been approved by the United States Food and Drug~~
2 ~~Administration;~~
3 ~~—(b) Is capable of recognizing the presence or absence, in a~~
4 ~~patient, of ventricular fibrillation and rapid ventricular tachycardia;~~
5 ~~—(c) Is capable of determining, without intervention by the~~
6 ~~operator of the device, whether defibrillation should be performed~~
7 ~~on the patient;~~
8 ~~—(d) Upon determining that defibrillation should be performed,~~
9 ~~automatically charges and requests delivery of an electrical impulse~~
10 ~~to the patient's heart; and~~
11 ~~—(e) Upon action by the operator of the device, delivers to the~~
12 ~~patient's heart an appropriate electrical impulse.]~~

(30)

