

House Bill 1032

By: Representatives Hembree of the 67th, Wilkinson of the 52nd, Rogers of the 26th, Lunsford of the 110th, and Millar of the 79th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated,
2 relating to the regulation and construction of hospitals and other health care facilities, so as
3 to require each hospital in this state to have at least one functional automated external
4 defibrillator on site at all times for use during emergencies; to define a term; to provide for
5 requirements on use of defibrillators; to provide for penalties; to provide for related matters;
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to the
10 regulation and construction of hospitals and other health care facilities, is amended by adding
11 a new Code section to read as follows:

12 "31-7-17.

13 (a) As used in this Code section, the term 'automated external defibrillator' means a
14 defibrillator which:

15 (1) Is capable of cardiac rhythm analysis;

16 (2) Will charge and be capable of being activated to deliver a countershock after
17 electrically detecting the presence of certain cardiac dysrhythmias; and

18 (3) Is capable of continuously recording cardiac dysrhythmia at the scene with a
19 mechanism for transfer and storage or for printing for review subsequent to use.

20 (b) No later than July 1, 2008, each hospital in this state licensed under this article shall
21 have at least one functional automated external defibrillator on site at all times for use
22 during emergencies. The automated external defibrillator shall be placed in an easily
23 accessible location in the intensive care unit or other appropriate location. In order to
24 ensure public health and safety, it is recommended that all persons who have access to or
25 use an automated external defibrillator obtain appropriate training as set forth in the Rules

1 and Regulations of the Department of Human Resources Chapter 290-5-30. It is further
2 recommended that such training include at a minimum the successful completion of:

3 (1) A nationally recognized health care provider/professional rescuer level
4 cardiopulmonary resuscitation course; and

5 (2) A department established or approved course which includes demonstrated
6 proficiency in the use of an automated external defibrillator.

7 (c) All persons who provide instruction to others in the use of the automated external
8 defibrillator shall have completed an instructor course established or approved by the
9 department.

10 (d) No hospital staff persons shall be authorized to use an automated external defibrillator
11 to defibrillate a person unless that automated external defibrillator is properly maintained
12 and that individual:

13 (1) Successfully completes an automated external defibrillator training program
14 established or approved by the department; and

15 (2) Obtains a passing score on an annual automated external defibrillator proficiency
16 exam given in connection with that program.

17 (e) Any hospital staff person who violates the provisions of this Code section shall be
18 subject to having revoked by the department that person's authority to use an automated
19 external defibrillator. Such a violation shall also be grounds for the appropriate regulatory
20 board, if applicable, to take disciplinary action against such person, including but not
21 limited to suspension or revocation of that individual's license or certificate. Such a
22 violation shall also be grounds for the employer of such hospital staff person to impose any
23 sanction available thereto, including but not limited to dismissal."

24 **SECTION 2.**

25 All laws and parts of laws in conflict with this Act are repealed.