

Title 44 - Health
CHAPTER 76.
AUTOMATED EXTERNAL DEFIBRILLATORS

SECTION 44-76-10. Short title.

This act may be cited as the "South Carolina Automated External Defibrillator Act".

SECTION 44-76-20. Definitions.

For purposes of this chapter:

(1) "Automated external defibrillator" or "AED" means an automated external defibrillator which is a medical device heart monitor and defibrillator that:

(a) has received approval of its pre-market notification filed pursuant to the United States Code, Title 21, Section 360(k), from the United States Food and Drug Administration;

(b) is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia and is capable of determining, without intervention by an operator, whether defibrillation should be performed; and

(c) upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to an individual's heart.

(2) "Health care professional" means a licensed physician, surgeon, physician's assistant, nurse practitioner, or nurse.

(3) "Designated AED user" means a person identified by the person or entity acquiring an AED who has received training in the use of an AED pursuant to this chapter.

SECTION 44-76-30. Training, maintenance, testing, use and reporting requirements for automated external defibrillators.

(A) A person or entity that acquires an AED shall:

(1) require its designated AED users to have current training in CPR and AED use by the American Heart Association, American Red Cross, or National Safety Council;

(2) maintain and test the AED according to the manufacturer's operational guidelines and keep written records of maintenance and testing;

(3) employ or obtain a health care professional to serve as its AED liaison;

(4) have in place an AED program approved by its AED liaison which includes CPR and AED training, AED protocol or guidelines, AED deployment strategies, and an AED equipment maintenance plan;

(5) include in its AED protocol or guidelines that a person who renders emergency care or treatment to a person in cardiac arrest caused by ventricular fibrillation/tachycardia by using an AED must activate the emergency medical services system or 911 as soon as possible;

(6) report any clinical use of the AED to the AED liaison.

SECTION 44-76-40. Immunity from civil liability for use of AED in compliance with requirements.

(1) Any person or entity acting in good faith and gratuitously shall be immune from civil liability for the application of an AED unless the person was grossly negligent in the application.

(2) Any designated AED users meeting the requirements of Section 44-76-30(1) and acting according to the required training shall be immune from civil liability for the application of an AED unless the application was grossly negligent.

(3) A person or entity acquiring an AED and meeting the requirements of Section 44-76-30 or an AED liaison meeting the requirements of Section 44-76-30 shall be immune from civil liability for the application of an AED by any person or entity described in items (1) or (2) of this section.

(4) A prescribing physician shall be immune from civil liability for authorizing the purchase of an AED, unless the authorization was grossly negligent.

SECTION 44-76-50. Applicability of chapter.

The provisions of this chapter do not apply to emergency medical services, a physician's office, or a health care facility as defined in Section 44-7-130(10).

South Carolina General Assembly

117th Session, 2007-2008

(Text matches printed bills. Document has been reformatted to meet World Wide Web specifications.)

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(A278, R322, H3723)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION [59-17-155](#) SO AS TO REQUIRE, SUBJECT TO APPROPRIATIONS BY THE GENERAL ASSEMBLY, EACH SCHOOL DISTRICT IN THIS STATE TO DEVELOP AND IMPLEMENT AN AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAM FOR EACH HIGH SCHOOL IN THE DISTRICT WHICH REQUIRES THAT SUCH A DEFIBRILLATOR IS PROVIDED ON THE GROUNDS OF EACH HIGH SCHOOL, THAT DISTRICT EMPLOYEES AND VOLUNTEERS REASONABLY EXPECTED TO USE THE DEVICE, AS DETERMINED BY THE DISTRICT SUPERINTENDENT OR THE SUPERINTENDENT'S DESIGNEE, ARE TRAINED IN ITS USE, AND THAT THESE DEVICES ARE PERIODICALLY INSPECTED AND MAINTAINED, TO PROVIDE THE DISTRICT SHALL DEFINE THE PROGRAM AND THE MANNER IN WHICH IT OPERATES, TO PROVIDE IMMUNITY FROM CIVIL LIABILITY WITH RESPECT TO THIS PROGRAM EXCEPT FOR GROSSLY NEGLIGENT ACTS, AND TO AUTHORIZE THE STATE BUDGET AND CONTROL BOARD TO ESTABLISH A STATE CONTRACT FOR THE PROCUREMENT OF AUTOMATED EXTERNAL DEFIBRILLATORS.

Be it enacted by the General Assembly of the State of South Carolina:

School districts, automated external defibrillators

SECTION 1. Chapter 17, Title 59 of the 1976 Code is amended by adding:

"Section [59-17-155](#). (A) Subject to appropriations by the General Assembly, each school district shall develop and implement an automated external defibrillator program meeting the requirements of Chapter 76 of Title 44 of the 1976 Code for each high school in the district. The program must include provisions that:

- (1) require an operational automatic external defibrillator on the grounds of the high school;
- (2) require all persons who are reasonably expected to use the device to obtain appropriate training, including completion of a course in cardiopulmonary resuscitation or a basic first aid course that includes cardiopulmonary resuscitation training and demonstrated proficiency in the use of an automated external defibrillator. The school

district superintendent, or the superintendent's designee, shall determine who is reasonably expected to use the device;

(3) establish guidelines for periodic inspections and maintenance of the defibrillators;
and

(4) define the purpose of the program and the manner in which the program will operate.

(B)(1) Any person or entity acting in good faith and gratuitously shall be immune from civil liability for the use of an automated external defibrillator unless the person was grossly negligent in the use.

(2) Any designated automated external defibrillator user meeting the requirements of Section [44-76-30](#)(1) and acting according to the required training shall be immune from civil liability for the application of an automated external defibrillator unless the application was grossly negligent.

(3) A person or entity acquiring an automated external defibrillator and meeting the requirements of Section [44-76-30](#) or an automated external defibrillator liaison meeting the requirements of Section [44-76-30](#) shall be immune from civil liability for the use of an automated external defibrillator by any person or entity described in items (1) or (2) of this subsection.

(4) A prescribing physician shall be immune from civil liability for authorizing the purchase of an automated external defibrillator, unless the authorization was grossly negligent.

(C) Any person or entity, acting in good faith and gratuitously, that teaches or provides a training program for cardiopulmonary resuscitation that includes training in the use of automated external defibrillator is immune from civil liability for providing this training for use if the:

(1) person or entity has provided the training in accordance with the guidelines and policies of a national training organization, as defined in Section [44-76-30](#)(1);

(2) person providing the training is authorized to deliver that course or curriculum; and

(3) training delivery was not grossly negligent.

(D) The Budget and Control Board may establish a state contract for the purchase of automated external defibrillators."

Time effective

SECTION 2. This act takes effect upon approval by the Governor and first applies for the 2008-2009 school year.

Ratified the 29th day of May, 2008.

Vetoed by the Governor -- 6/4/08.

Veto overridden by House -- 6/5/08.

Veto overridden by Senate -- 6/5/08.

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AED (Automated External Defibrillator) Program Steps

Each school implementing an AED program shall:

- Create policies, procedures and protocols for an AED program.
- Complete the notification form and submit it to each emergency medical service and local emergency dispatch center servicing the geographic location of the AED.
- Purchase, deploy and maintain the AEDs.
- Obtain medical oversight (AED liaison) for the Program.
- Train individuals in the use of AEDs with a certified training program.
- Submit a list of trained individuals to the offices designated AED Site Coordinator.
- Ensure compliance with local, state and federal policy and laws.
- Review the policy and program annually.

Attachments:

- AED Policy and Protocol
- AED Written Plan Instructions
- AED Program Written Plan
- AED Operator's Checklist / Infrequent Use (Non-Rechargeable Battery)
- Emergency Medical Service Notification Form
- AED Use Report

Automated External Defibrillator Policy and Protocol

_____ School District

Purpose:

To improve the survivability of personnel and visitors suffering from Sudden Cardiac Arrest (SCA) by providing Automated External Defibrillation (AED) in our school facilities.

Policy:

1. Create an AED program
2. At District discretion, install AEDs in school facilities and athletic areas.
3. The AEDs used for this program will be _____ AEDs.
4. The AEDs will be maintained and operated as outlined in the _____ operation and service manuals.
5. Secure medical oversight of the AED program by a licensed physician who will review policy, procedures, and incident use of the AEDs.
6. Designate an AED Site Coordinator for each school.
7. Designate AED Responder Team members.
8. The AED Responder Team members will receive initial training and annual training thereafter, following American Red Cross or American Heart standards and guidelines.
9. The use of the AED by volunteer personnel is protected under the SC Law Section 44-76-40 – “Immunity from civil liability for use of AED in compliance with requirements.”

AED Locations:

Quality Assurance:

1. The AED will automatically perform a _____ self-test while in standby mode with battery inserted. If a self-test failure is detected, the system status indicator will display the red DO NOT USE indicator. A monthly inspection will be done by the AED Site Coordinator following the AED checklist, attached to the written plan.
2. Any time the AED is attached to a patient, an AED Use Report will be filled out. It shall be forwarded to the District office and AED Liaison providing medical oversight.
3. Determine which employees are interested in serving on AED Responder Teams. Ensure their training is current and documented and that all Manufacturer's written instructions are followed.
4. Develop a written, site-specific AED Program plan and review it annually.

Automated External Defibrillator Protocol:

Cardiac Arrest. The AED is intended to treat patients in cardiac arrest. Use of the AED is authorized for Trained Operators and emergency responders trained in CPR and use of the AED.

If defibrillation with the AED is indicated, all of the following conditions must be present:

- patient lying on a hard, flat surface
- unconscious
- no pulse
- no breathing

AUTOMATED EXTERNAL DEFIBRILLATOR WRITTEN PLAN INSTRUCTIONS AND SAMPLE

These instructions are provided to assist you in completing the AED Program Written Plan. They are a reference only, and should be completed with site-specific information suitable to the individual facility or operation.

1. Specify physical location of the AED.
2. Specify location or geographic location the AED will be utilized.
3. Specify by what means the AED will be transported to the scene of a cardiac arrest.
4. List, by name, individuals trained and authorized to use the AED.
5. Describe how the AED-related information will be coordinated between your organization and your local EMS.
6. Specify how the EMS will be contacted when the AED is utilized.
7. Provide name, address, and phone number of Medical Supervisor for the AED Program.
8. Explain, in detail, how the Medical Supervisor will be involved in the AED Program oversight.
9. Provide name, address, and phone number of Medical Supervisor's designee (if there is one).
10. Identify the AED Site Coordinator for your facility.
11. Describe the maintenance procedure that will be used for your AED Program.
12. Describe the plan for keeping required written records, and where records will be located.
13. Specify all records that will be maintained related to your AED Program.
14. Explain how required reports will be made to the Medical Supervisor.

AED PROGRAM WRITTEN PLAN

_____ School has established an AED Program.

The AED is located at (street, city, state).

The AED will be used within the physical boundaries of the _____ School Building or _____ Athletic Fields.

The AED will be transported to the scene of a cardiac arrest by an employee (AED responder) who is trained in the use of the AED.

A list of individuals currently trained and authorized to use the AED is attached as part of this Plan. All team members must have current certification in CPR and AED use.

The _____ Ambulance Service will be formally advised that we have AEDs on site by sending them a copy of our EMS and PSAP Notification Form.

Anytime the AED is removed from its location, 9-1-1 will be called and an ambulance will be requested to respond to the _____ School Building or _____ Athletic Fields.

The 9-1-1 dispatcher will be advised of all information available related to the ambulance request.

Medical supervision of the AED program will be provided by _____ or the on-call physician;

- Address:
- Telephone #:
- Fax #:
- Website:

The AED Site Coordinator for this School/District is _____.

The AED will be maintained, tested, and operated in conformance with the manufacturer's recommendations of best practice (see attached manufacturer's specifications).

Written records will be kept of all maintenance and testing performed on the AED. These records will be kept by the AED Site Coordinator at the School/District Office.

In addition to records for maintenance and testing of the AED, written records of initial training and continuing training and/or proficiency evaluations will be kept for each employee who is an AED Responder.

Required reports of AED use will be submitted to the District's AED liaison.

**INDIVIDUALS CURRENTLY TRAINED AND
AUTHORIZED IN AED USE**

Name	Date Trained	Name	Date Trained

AED Site Coordinator

Date

Cleaning and Disinfecting AED

Clean and disinfect AEDs regularly and observe the following cleaning and disinfecting guidelines:

- Clean the unit with the battery in place to keep liquids out of the battery contact area. Make sure liquid does not get into the electrode pads connector.
- Use a soft cloth. Do not use abrasive materials, cleaners, or strong solvents such as acetone or acetone-based cleaners.

Caution

Do not immerse any portion of the AED in water or other liquids. Avoid spilling any liquids on the AED or its accessories. Liquids may damage the unit or present a fire or shock hazard.

Do not autoclave or gas sterilize the AED or accessories.

The following are recommended cleaning agents for use on the exterior of the AEDs:

Never use any of the following cleaning agents on the AEDs:

Automated External Defibrillators Operator's Checklist Infrequent Use (Non-Rechargeable Battery)

Date: _____ Location: _____

AED Serial No. / Facility ID No. _____

Description	OK as Found	Corrective Action/Remarks
Defibrillator Unit Clean, no spills, clear of objects on top, casing intact		
Cables/Connectors <ol style="list-style-type: none"> a. Inspect for cracks, broken wire, or damage b. Connectors engaged securely and are not damaged. 		
Supplies <ol style="list-style-type: none"> a. Two sets of pads in sealed packages within expiration date. b. Hand towel c. Scissors d. Razor e. Alcohol wipes f. Spare battery 		
Power Supply <ol style="list-style-type: none"> a. Verify non-rechargeable (long storage life) battery inserted and within the expiration date. a. Verify that the system ready indicator shows READY. 		

Signature

Print Name

EMERGENCY MEDICAL SERVICE (EMS) AND PUBLIC SAFETY ANSWERING POINT (PSAP) NOTIFICATION FORM

Any school facility wishing to use or allow the use of an AED shall provide the following information to each licensed emergency medical service and Public Safety Answering Point (PSAP, 911, local emergency dispatch center) in the area where the AED is intended to be used.

Name of School Establishing the AED Program

School Address, Physical Address, and Telephone Number of the Entity

Name, Address, and Phone Number of the Individual Responsible for On-Site Management of the AED Program

Starting date of the AED Program _____

Physical Location of the AED

AED #1 is located at the xxxxxxxxxxxx (e.g., west entrance to the xxxxxxxxxxxxxxxx),
AED #2 is located at the xxxxxxxxxxxx (e.g., receptionist's desk in the main office)

X Copy of Written Plan Attached?

Form provided to the following EMS and PSAPs:

XYZ Ambulance
P.O. Box 2222
Defibville, USA

Defibville 911
333 Some St.
Defibville, USA

Mailed May 20, 2004

Mailed May 20, 2004

AED USE REPORT

To Be Filled Out Each Time an AED is attached to a Patient

PATIENT NAME: _____

DATE OF INCIDENT: _____

REPORTING OFFICE: _____

Pulse After Shocking: YES NO If yes, was pulse sustained? YES NO

Patient Transported: YES NO

If transported, to where and by who?

SUPERVISING PHYSICIAN:

Name: _____

Address: _____

Phone No: _____

Patient Age: _____ Patient Sex: Male Female

Location of Cardiac Arrest: _____

: _____

Estimated Time of Cardiac Arrest: _____ (use 24 hour time)

CPR Initiated Prior to Application of the AED: YES NO

Cardiac Arrest Witnessed? YES NO

Time First Shock Delivered: (use 24 hour time)

Total Number of Shocks and Joules Delivered:

_____/_____
_____/_____
_____/_____
_____/_____
_____/_____

_____/_____
_____/_____
_____/_____
_____/_____
_____/_____

INSTRUCTIONS:

1. Make one copy of this report for district office files.
2. Send one copy of this report to the AED Liaison.