

JAN 24 2007

A BILL FOR AN ACT

RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 663-1.5, Hawaii Revised Statutes, is
2 amended by amending subsections (e) and (f) to read as follows:
3 "(e) Any person who successfully completes training under
4 any [~~automatic~~] automated external defibrillator program
5 [~~administered by a physician~~] shall not be liable for any civil
6 damages resulting from any act or omission while attempting in
7 good faith, without remuneration or expectation of remuneration,
8 to resuscitate a person in immediate danger of loss of life when
9 administering any [~~automatic~~] automated external defibrillator,
10 regardless of where the [~~automatic~~] automated external
11 defibrillator that is used is located, except as may result from
12 the person's gross negligence or wanton acts or omissions.

13 Any person, including an employer, who establishes an
14 [~~automatic~~] automated external defibrillator program shall not
15 be liable for any civil damages resulting from any act or
16 omission of the persons or employees trained under the program
17 who, in good faith and without remuneration or the expectation
18 of remuneration, attempt to resuscitate a person in immediate



1 danger of loss of life by administering an [~~automatic~~] automated
2 external defibrillator.

3 (f) Any [~~physician~~] person who administers an [~~automatic~~]
4 automated external defibrillator program without remuneration or
5 expectation of remuneration shall not be liable for any civil
6 damages resulting from any act or omission involving the use of
7 an [~~automatic~~] automated external defibrillator, except as may
8 result from the [~~physician's~~] person's gross negligence or
9 wanton acts or omissions."

10 SECTION 2. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: Amrit Singh
Francine Chun Dalland
Jim
Clemente
Anne Mercedes
Mike Goffard



Report Title:

Automated External Defibrillators; Liability

Description:

Abolishes requirement that automated external defibrillator program be administered by physician to be immune from tort liability under certain circumstances.

