

JAN 23 2009

S.B. NO. 727

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 subsection (e) to read as follows:

3 "(e) Any person who in good faith, without remuneration or
4 expectation of remuneration, attempts to resuscitate a person in
5 immediate danger of loss of life when administering any
6 automated external defibrillator, regardless of where the
7 automated external defibrillator that is used is located, shall
8 not be liable for any civil damages resulting from any act or
9 omission except as may result from the person's gross negligence
10 or wanton acts or omissions.

11 Any person, including an employer, who provides for an
12 automated external defibrillator or an automated external
13 defibrillator program shall not be vicariously liable for any
14 civil damages resulting from any act or omission of the persons
15 or employees who, in good faith and without remuneration or the
16 expectation of remuneration, attempt to resuscitate a person in
17 immediate danger of loss of life by administering an automated



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1 external defibrillator, except as may result from a person's or
2 employer's gross negligence or wanton acts or omissions."

3 SECTION 2. New statutory material is underscored.

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

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INTRODUCED BY:

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Report Title:

Automated External Defibrillator Training; Immunity from Civil Liability

Description:

Specifies that any person who provides for an automated external defibrillator training program is generally immune from vicarious civil liability resulting from any act or omission of a Good Samaritan attempting to use the device to resuscitate a person.

