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# A BILL FOR AN ACT

RELATING TO TORTS.

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

1           SECTION 1. The legislature finds that every day, over  
2 seven hundred lives are lost to sudden cardiac arrest in the  
3 United States. Two out of three deaths occur before a victim  
4 can reach a hospital. More than ninety-five per cent of cardiac  
5 arrest victims will die; many die due to the lack of readily  
6 available life saving medical equipment. Up to thirty per cent  
7 of cardiac arrest victims could be saved if they had access to  
8 immediate medical response, including defibrillation and  
9 cardiopulmonary resuscitation.

10           Lay rescuer programs that provide early recognition of  
11 cardiac arrest, early cardiopulmonary resuscitation, and early  
12 defibrillation within the first minutes of cardiac arrest can  
13 increase survival by seven times or more. Communities that have  
14 implemented programs ensuring widespread public access to  
15 defibrillators, combined with appropriate training, maintenance,  
16 and coordination with local emergency medical systems, have  
17 dramatically improved the survival rates for victims in cardiac  
18 arrest. In Hawaii, the promotion of early cardiopulmonary



1 resuscitation and defibrillation use could save an additional  
2 one hundred victims of sudden cardiac arrest each year.

3       Accordingly, the purpose of this Act is to encourage people  
4 to conduct early cardiopulmonary resuscitation for individuals  
5 in emergency situations by excepting from liability persons who,  
6 in good faith, perform cardiopulmonary resuscitation.

7       SECTION 2. Section 663-1.5, Hawaii Revised Statutes, is  
8 amended by amending subsection (a) to read as follows:

9       "(a) Any person who in good faith renders emergency care,  
10 including but not limited to the administration of  
11 cardiopulmonary resuscitation, without remuneration or  
12 expectation of remuneration, at the scene of an accident or  
13 emergency to a victim of the accident or emergency shall not be  
14 liable for any civil damages resulting from the person's acts or  
15 omissions, except for such damages as may result from the  
16 person's gross negligence or wanton acts or omissions."

17       SECTION 3. This Act does not affect rights and duties that  
18 matured, penalties that were incurred, and proceedings that were  
19 begun before its effective date.

20       SECTION 4. New statutory material is underscored.

21       SECTION 5. This Act shall take effect upon its approval.



**Report Title:**

Liability; Good Faith; Cardiopulmonary Resuscitation

**Description:**

Specifies that the exemption from liability for civil damages resulting from a person's acts or omissions in rendering emergency care also applies to the person's acts or omissions in administering cardiopulmonary resuscitation, under certain conditions. (SD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

