

JAN 17 2014

A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. Chapter 302A, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§302A- Automated external defibrillators; requirements;
5 training. (a) By the end of the 2015-2016 school year:

6 (1) All public schools shall have an automated external
7 defibrillator situated in a permanent location on
8 campus;

9 (2) All public schools that have an athletic trainer shall
10 ensure that at every sporting event, an additional
11 automated external defibrillator is available and the
12 athletic trainer is trained and certified at all times
13 in the use of automated external defibrillators; and

14 (3) All public schools that do not have an athletic
15 trainer shall ensure that at every sporting event, at
16 least two faculty members of the school are trained
17 and certified at all times in the use of automated
18 external defibrillators.



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- 1 (b) The department shall ensure that the automated
2 external defibrillator is:
- 3 (1) Maintained and regularly tested according to the
4 operation and maintenance guidelines set forth by the
5 manufacturer; and
- 6 (2) Checked for readiness after each use and at least once
7 every thirty days if the automated external
8 defibrillator has not been used in the preceding
9 thirty days; provided that records of the checks shall
10 be maintained by the department and the individual
11 school.
- 12 (c) For purposes of this section, "sporting event"
13 includes competitions, scrimmages, and practices."

14 SECTION 2. Chapter 302D, Hawaii Revised Statutes, is
15 amended by adding a new section to be appropriately designated
16 and to read as follows:

- 17 "**§302D- Automated external defibrillators; requirements;**
18 **training.** (a) By the end of the 2015-2016 school year:
- 19 (1) All charter schools shall have an automated external
20 defibrillator situated in a permanent location at the
21 charter school;



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- 1 (2) All charter schools that have an athletic trainer
2 shall ensure that at every sporting event, an
3 additional automated external defibrillator is
4 available and the athletic trainer is trained and
5 certified at all times in the use of automated
6 external defibrillators; and
- 7 (3) All charter schools that do not have an athletic
8 trainer shall ensure that at every sporting event, at
9 least two faculty members of the charter school are
10 trained and certified at all times in the use of
11 automated external defibrillators.
- 12 (b) Each charter school shall ensure that the automated
13 external defibrillator is:
- 14 (1) Maintained and regularly tested according to the
15 operation and maintenance guidelines set forth by the
16 manufacturer; and
- 17 (2) Checked for readiness after each use and at least once
18 every thirty days if the automated external
19 defibrillator has not been used in the preceding
20 thirty days; provided that records of the checks shall
21 be maintained by the charter school.



1 (c) For purposes of this section, "sporting event"
2 includes competitions, scrimmages, and practices."

3 SECTION 3. Chapter 304A, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§304A- Automated external defibrillators; requirements;
7 training. (a) By the end of the 2015-2016 school year:

8 (1) All divisions and campuses of the University of Hawaii
9 system shall have an automated external defibrillator
10 situated in a permanent location on campus; and

11 (2) The athletic department of the University of Hawaii,
12 with regard to each institution under the University
13 of Hawaii system, shall ensure that:

14 (A) There is an automated external defibrillator
15 available to the athletic trainer present at
16 every sporting event; and

17 (B) Every athletic trainer is trained and certified
18 at all times in the use of automated external
19 defibrillators.

20 (b) The University of Hawaii and each institution under
21 the University of Hawaii system shall ensure that the automated
22 external defibrillator is:



1 (1) Maintained and regularly tested according to the
2 operation and maintenance guidelines set forth by the
3 manufacturer; and

4 (2) Checked for readiness after each use and at least once
5 every thirty days if the automated external
6 defibrillator has not been used in the preceding
7 thirty days; provided that records of the checks shall
8 be maintained by the University of Hawaii.

9 (c) For purposes of this section, "sporting event"
10 includes competitions, scrimmages, and practices."

11 SECTION 4. Section 663-1.5, Hawaii Revised Statutes, is
12 amended by amending subsection (e) to read as follows:

13 "(e) Any person who in good faith, without remuneration or
14 expectation of remuneration, attempts to resuscitate a person in
15 immediate danger of loss of life when administering any
16 automated external defibrillator, regardless of where the
17 automated external defibrillator that is used is located, shall
18 not be liable for any civil damages resulting from any act or
19 omission except as may result from the person's gross negligence
20 or wanton acts or omissions[-]; provided that an athletic
21 trainer or faculty member who administers an automated external
22 defibrillator pursuant to section 302A- , 302-D , or 304A- ,



1 shall be considered to be doing so without remuneration or
2 expectation of remuneration.

3 Any person, including an employer, who provides for an
4 automated external defibrillator or an automated external
5 defibrillator training program shall not be vicariously liable
6 for any civil damages resulting from any act or omission of the
7 persons or employees who, in good faith and without remuneration
8 or the expectation of remuneration, attempt to resuscitate a
9 person in immediate danger of loss of life by administering an
10 automated external defibrillator, except as may result from a
11 person's or employer's gross negligence or wanton acts or
12 omissions."

13 SECTION 5. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 6. This Act shall take effect upon its approval.

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S.B. NO. 2616

Report Title:

Education; Automated External Defibrillators

Description:

Requires, by the end of the 2015-2016 school year, that: (1) Every public school, charter school, and the University of Hawaii shall have one automated external defibrillator (AED) situated in a permanent location on campus; (2) Public schools and charter schools that have athletic trainers, as well as the University of Hawaii, to have an additional AED available at every sporting event; (3) Athletic trainers shall be trained and certified on the use of AEDs; and (4) Public and charter schools that do not have athletic trainers to have at least two faculty members at every sporting event who are trained and certified on the use of AEDs.

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

