

HOUSE No. 2103

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act requiring automatic external defibrilators in health and wellness facilities..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Subsection (a) of section 12V1/2 of the General Laws, as appearing in the
2 2006 Official Edition, is hereby amended by inserting, after the definition of an “AED provider”,
3 the following definition:-

4 “Charitable organization”, a non-profit organization, subject to the provisions of section 6
5 of chapter 180, whose direct services include health and wellness programming for the
6 community.

7 SECTION 2. Said section 12V1/2 of said chapter 112, as so appearing, is further
8 amended by adding the following subsections:-

9 (d) a charitable organization shall have on the premises at least 1 AED, as defined in this
10 section, and shall have in attendance during staffed business hours at least 1 employee or
11 authorized volunteer as an AED provider.

12 (e) Absent a showing of gross negligence or willful or wanton misconduct, no cause of
13 action against an organization or its employees may arise in connection with the use or non-use
14 of a defibrillator.

15 SECTION 3. All organizations addressed within this act shall comply with the
16 provisions of this section by January 31, 2011.