

HOUSE No. 4719

The Commonwealth of Massachusetts

House of Representatives, November 7, 2016.

The committee on Ways and Means to who was referred the Bill requiring automated external defibrillators in schools (Senate No. 2449), reports recommending the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of House document numbered 4719.

For the committee,

BRIAN S. DEMPSEY

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In the One Hundred and Eighty-Ninth General Court
(2015-2016)

By striking out all after the enacting clause and inserting in place there of the following:

1 “SECTION 1. Chapter 71 of the General Laws is hereby amended by inserting after
2 section 54B the following section:-

3 Section 54C. (a) Each school district, vocational district, charter school, approved
4 private day or residential school and collaborative school shall provide and maintain at least 1
5 automated external defibrillator, or AED, on site at each school facility where instruction is
6 provided. Each school shall have on staff a person who is an AED provider having current
7 certification in a training course in cardiopulmonary resuscitation and in the use of an AED in
8 accordance with the standards established by the American Heart Association or the American
9 National Red Cross. The administration of a school shall ensure that an AED, and AED
10 provider, is readily available at any school-sponsored athletic event.

11 (b) If a school system is unable to comply with the requirements of this section, the
12 superintendent of the school district, the administration of a private day or residential school or
13 the board of trustees of a charter school, shall request a hardship waiver from the department of
14 elementary and secondary education. The request shall be accompanied by an action and
15 timeframe to achieve compliance. The department of elementary and secondary education, in

16 consultation with the department of public health, shall make available to public schools a list of
17 grants and other funding sources that a public school may access to facilitate the purchase of
18 AEDs.

19 (c) An AED provider on staff by a school subject to this section who, in good faith,
20 attempts to render emergency care, including cardiopulmonary resuscitation or defibrillation, and
21 does so without compensation, shall not be liable for acts or omissions, other than gross
22 negligence or willful or wanton misconduct, resulting from the attempt to render such emergency
23 care.

24 (d) The department of elementary and secondary education, in consultation with the
25 department of public health, shall establish regulations and guidelines for the implementation,
26 training, support and supervision of this section.

27 SECTION 2. The department of elementary and secondary education shall promulgate
28 regulations to implement section 54C of chapter 71 of the General Laws on or before June 30,
29 2017.

30 SECTION 3. This act shall take effect July 1, 2018.”.