

GENERAL LAWS OF MASSACHUSETTS

TITLE XVI PUBLIC HEALTH

CHAPTER 112. REGISTRATION OF CERTAIN PROFESSIONS AND OCCUPATIONS

Section 12V. Any person who is trained according to the standards and guidelines of the American Heart Association or the American National Red Cross in cardiopulmonary resuscitation or the use of semi-automatic or automatic external defibrillators or any person who has successfully met the training requirements of a course in basic cardiac life support, conducted according to the standard's established by the American Heart Association, who in good faith and without compensation renders emergency cardiopulmonary resuscitation or defibrillation in accordance with his training, other than in the course of his regular professional or business activity, to any person who apparently requires cardiopulmonary resuscitation or defibrillation, shall not be liable for acts of omissions, other than gross negligence or willful or wanton misconduct, resulting from the rendering of such emergency cardiopulmonary resuscitation or defibrillation.

Chapter 112: Section 12V ½ Definitions.

Added by 1999, 142 effective Feb. 22, 2000.

Section 12V½ (a) As used in this section, the following words, shall, unless the context requires otherwise, have the following meanings:

“AED”, a semiautomatic or automatic external defibrillator.

“AED Agency”, a person that (i) possesses an AED that is maintained and tested in accordance with its manufacturer's guidelines, (ii) permits an AED provider to use an AED in its possession, (iii) requires that each AED provider, in each instance of responding to a request for emergency care or treatment, contacts the police or emergency medical services in the city or town in which they are located and provides a report to its AED medical director, (iv) prior to implementation of its public access defibrillation program, notifies the local police and the emergency medical services provider of the number, type and location of the AED in its possession, and (v) contracts with an AED medical director, who shall be responsible for ensuring that the AED agency complies with AED maintenance, AED provider training and notice requirements.

“AED medical director”, a physician practicing in or adjacent to the regional emergency medical service region of the city or town in which the AED agency with which he contracts is located, who (i) is an emergency physician, or cardiologist or a physician having specialized training and knowledge concerning public access defibrillation, (ii) is knowledgeable about emergency medical services protocols established pursuant to chapter 111C, (iii) is familiar with cardiopulmonary resuscitation and AED action sequences, (iv) coordinates the activities of the AED agency with which he contracts and its AED providers, with the protocols described and the action sequences described in this section, and (v) evaluates the activities of the AED agency with which he contracts.

“AED provider”, a person (i) who has successfully completed a course in cardiopulmonary resuscitation and in the use of an AED that meets or exceeds the standards established by the American Heart Association or the American National Red Cross and (ii) whose evidence of successfully course completion has not expired.

“Public access defibrillation program”, a program sponsored by an AED agency, using AED providers and an AED medical director, which makes automatic external defibrillation and AED providers available to the public.

- (b) Any AED provider who in good faith renders emergency cardiopulmonary resuscitation or automatic external defibrillation, in accordance with his training through a public access defibrillation program, to any person who apparently requires cardiopulmonary resuscitation or defibrillation, shall not be liable for acts or omissions, other than gross negligence or willful or wanton misconduct, resulting from the rendering of emergency cardiopulmonary resuscitation or defibrillation.
- (c) An AED medical director and an AED agency who in good faith participates in a public access defibrillator program shall not be liable for acts or omissions, other than gross negligence or willful or wanton misconduct, resulting from such participation.