

SENATE No. 1191

The Commonwealth of Massachusetts

PRESENTED BY:

Mark C. Montigny

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act requiring automated external defibrillators in schools.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|------------------------|-----------------------------|
| Mark C. Montigny | Second Bristol and Plymouth |
| Barbara L'Italien | Second Essex and Middlesex |
| Angelo J. Puppolo, Jr. | 12th Hampden |
| John C. Velis | 4th Hampden |
| James B. Eldridge | Middlesex and Worcester |
| John J. Lawn, Jr. | 10th Middlesex |
| Colleen M. Garry | 36th Middlesex |
| Danielle W. Gregoire | 4th Middlesex |
| Robert M. Koczera | 11th Bristol |
| Ryan C. Fattman | Worcester and Norfolk |
| Marjorie C. Decker | 25th Middlesex |
| Patricia A. Haddad | 5th Bristol |
| Susan Williams Gifford | 2nd Plymouth |
| Marcos A. Devers | 16th Essex |
| Michael F. Rush | Norfolk and Suffolk |
| Walter F. Timilty | 7th Norfolk |
| Kate Hogan | 3rd Middlesex |
| Marc R. Pacheco | First Plymouth and Bristol |

Brian M. Ashe

2nd Hampden

Jeffrey Sánchez

15th Suffolk

Carole A. Fiola

6th Bristol

SENATE No. 1191

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 1191) of Mark C. Montigny, Barbara L'Italien, Angelo J. Puppolo, Jr., John C. Velis and other members of the General Court for legislation to require automated external defibrillators in schools. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1049 OF 2013-2014.]

The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**
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An Act requiring automated external defibrillators in schools.

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. Chapter 111 of the General Laws, as appearing in the 2012 official edition, is
2 hereby amended by inserting after section 57D the following section:—

3 Section 57E. All public schools shall have a automatic external defibrillator on its
4 premises and shall have AED providers, as defined in section 12V½ of chapter 112 available.
5 The provisions of said section 12V½ of said chapter 112 shall be applicable to any action under
6 this section.

7 Section 2. On-site cardiac automated external defibrillator. 1. All Schools as defined by
8 Chapter 32 Section 1 shall provide and maintain on-site in each instructional school facility
9 automated external defibrillator (AED) equipment, as defined in section (1) in quantities and

10 types deemed by the commissioner of education in consultation with the commissioner of health
11 to be adequate to ensure ready and appropriate access for use during emergencies. 2. Whenever
12 public school facilities pursuant to subdivision one of this section are used for school sponsored
13 or school approved curricular or extracurricular events or activities and whenever a school-
14 sponsored athletic contest is held at any location, the public school officials and administrators
15 responsible for such school facility or athletic contest shall ensure the presence of at least one
16 staff person who is trained, as defined in Chapter 112 section 12V in the operation and use of an
17 AED. Where a school-sponsored competitive athletic event is held at a site other than a public
18 school facility, the public school officials shall assure that an AED is provided on-site. 3. Public
19 school facilities and staff pursuant to subdivisions one and two of this section shall be deemed a
20 "public access defibrillation provider" as defined in Chapter 112 Section 12V1/2 subject to the
21 requirements and limitations of such section. 4. Pursuant to Chapter 112 Section 12V any public
22 access defibrillation provider, or any employee or other agent of the provider who, in accordance
23 with the provisions of this section, voluntarily and without expectation of monetary
24 compensation renders emergency medical or first aid treatment using an AED which has been
25 made available pursuant to this section, to a person who is unconscious, ill or injured, shall be
26 liable only pursuant to section 12V of Chapter 112.