

CHAPTER 1052**EMERGENCY CARE OR ASSISTANCE LIABILITY
AND AUTOMATED EXTERNAL DEFIBRILLATORS***S.F. 505*

AN ACT relating to civil liability for damages relating to the use of an automated external defibrillator in sudden cardiac arrest emergencies.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 613.17, Code 2007, is amended to read as follows:

613.17 EMERGENCY ASSISTANCE IN AN ACCIDENT.

1. A person, who in good faith renders emergency care or assistance without compensation, shall not be liable for any civil damages for acts or omissions occurring at the place of an emergency or accident or while the person is in transit to or from the emergency or accident or while the person is at or being moved to or from an emergency shelter unless such acts or omissions constitute recklessness or willful and wanton misconduct.

a. For purposes of this section subsection, if a volunteer fire fighter, a volunteer operator or attendant of an ambulance or rescue squad service, a volunteer paramedic, a volunteer emergency medical technician, or a volunteer registered member of the national ski patrol system receives nominal compensation not based upon the value of the services performed, that person shall be considered to be receiving no compensation.

b. The For purposes of this subsection, operation of a motor vehicle in compliance with section 321.231 by a volunteer fire fighter, volunteer operator, or attendant of an ambulance or rescue squad service, a volunteer paramedic, or volunteer emergency medical technician shall be considered rendering emergency care or assistance for purposes of this section.

c. For purposes of this section subsection, a person rendering emergency care or assistance includes a person involved in a workplace rescue arising out of an emergency or accident.

2. The following persons or entities, while acting reasonably and in good faith, who render emergency care or assistance relating to the preparation for and response to a sudden cardiac arrest emergency, shall not be liable for any civil damages for acts or omissions arising out of the use of an automated external defibrillator, whether occurring at the place of an emergency or accident or while such persons are in transit to or from the emergency or accident or while such persons are at or being moved to or from an emergency shelter:

a. A person or entity that acquires an automated external defibrillator.

b. A person or entity that owns, manages, or is otherwise responsible for the premises on which an automated external defibrillator is located if the person or entity maintains the automated external defibrillator in a condition for immediate and effective use at all times, subject to standards developed by the department of public health by rule.

c. A person who retrieves an automated external defibrillator in response to a perceived sudden cardiac arrest emergency.

d. A person who uses, attempts to use, or fails to use an automated external defibrillator in response to a perceived sudden cardiac arrest emergency.

e. A person or entity that provides instruction in the use of an automated external defibrillator.

Approved April 11, 2008