

**PUBLIC HEALTH DEPARTMENT[641]**

**Notice of Intended Action**

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code chapters 135, 147A and 613 and 2017 Iowa Acts, House File 393, the Iowa Department of Public Health hereby gives Notice of Intended Action to amend Chapter 143, “Automated External Defibrillator Program,” Iowa Administrative Code.

2017 Iowa Acts, House File 393, repeals the automated external defibrillator (AED) program established in Iowa Code section 135.26. It has been ten years since the funding for the program was eliminated, and the goal of providing defibrillators was achieved. The proposed amendment updates Chapter 143 by amending the chapter title, striking the rules that relate to the purchase and placement of automated external defibrillators, renumbering the rules regarding automated external defibrillator maintenance and amending the parenthetical reference to the statute implemented, and striking the rules concerning fire department response with automated external defibrillator.

Any interested person may make written comments or suggestions on the proposed amendment on or before August 8, 2017. Such written comments or suggestions should be directed to Rebecca Curtiss, Bureau Chief of Emergency and Trauma Services, Department of Public Health, 321 East 12th Street, Des Moines, Iowa 50319. Comments may be sent by e-mail to [rebecca.curtiss@idph.iowa.gov](mailto:rebecca.curtiss@idph.iowa.gov).

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code chapters 135, 147A and 613 and 2017 Iowa Acts, House File 393.

The following amendment is proposed.

Amend **641—Chapter 143** as follows:

CHAPTER 143

AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAM MAINTENANCE

~~AUTOMATED EXTERNAL DEFIBRILLATOR GRANT PROGRAM~~

~~**641—143.1(135) Purpose.** An automated external defibrillator grant program is established to provide matching funds to eligible organizations that are seeking to implement an early defibrillation program. The objective of the grant program is to enhance and supplement the emergency response system in rural areas of the state by providing increased access to automated external defibrillator equipment by rural emergency and community personnel.~~

~~**641—143.2(135) Definitions.** For the purposes of these rules, the following definitions shall apply:~~

~~“Automated external defibrillator” or “AED” means an external semiautomatic device that determines whether defibrillation is required.~~

~~“Community organization” means an educational institution, nonprofit organization, social service agency, philanthropic organization, or business, trade, or professional association.~~

~~“CPR” means cardiopulmonary resuscitation.~~

~~“Department” means the Iowa department of public health.~~

~~“Early defibrillation program” means a program established by the applicant to enhance and supplement the local EMS system.~~

~~“EMS” means emergency medical services.~~

~~“Local board of health” means a county, city, or district board of health.~~

*“Rural”* means a geographic area outside an urban or suburban setting with a population of less than 15,000 persons.

~~641—143.3(135) Application process.~~ To be eligible for an automated external defibrillator program grant, a local board of health, community organization or city shall:

~~143.3(1)~~ Properly complete and submit the department’s AED grant program application, which shall require an applicant to:

- ~~a.~~ Demonstrate the ability to provide matching funds of 50 percent of the cost of the program;
- ~~b.~~ Designate an individual who shall be responsible for the overall supervision of the early defibrillation program; and
- ~~c.~~ Include a plan for increasing rural emergency or community personnel access to automated external defibrillator equipment; and

~~143.3(2)~~ Notify local EMS service programs of the intent to establish an early defibrillation program.

~~641—143.4(135) Early defibrillation program.~~ A local board of health, community organization or city that receives an automated external defibrillator program grant shall:

~~143.4(1)~~ Adopt and implement a policy that ensures establishment of an emergency plan of action; AED maintenance; personnel competency in the use of an AED and CPR; and a method for postevent analysis and staff debriefing.

~~143.4(2)~~ Designate an individual who shall be responsible for the overall supervision of the early defibrillation program.

~~143.4(3)~~ Submit an annual report to the department indicating the number of AED uses, patient outcomes and number of individuals trained.

~~143.4(4)~~ Comply with the terms and conditions of the contract with the department for implementation of the program.

~~641—143.5(135) Review process.~~ The department shall establish a request for proposal and application process for eligible organizations to apply for an automated external defibrillator program grant. The department shall establish a process to review applications, which shall include receiving input from a review committee. The review process and review criteria shall be described in the request for proposals.

~~641—143.6(135) Appeals.~~ An applicant may appeal the denial of a properly submitted grant application. Appeals shall be governed by ~~641—176.8(135,17A)~~.

~~641—143.7 to 143.9~~ Reserved.

#### AUTOMATED EXTERNAL DEFIBRILLATOR MAINTENANCE

~~641—143.10~~ 641—143.1(135 613) **Purpose.** These rules establish standards for the maintenance of automated external defibrillators for 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 accordance with Iowa Code section 613.17 as amended by 2008 Iowa Acts, Senate File 505.

~~641—143.11~~ 641—143.2(135 613) **Definition.** For the purposes of these rules, the following definition shall apply:

*“Automated external defibrillator”* or *“AED”* means an external semiautomatic device that determines whether defibrillation is required.

~~641—143.12~~ 641—143.3(135 613) **AED maintenance.** The person or entity maintaining the AED shall:

~~143.12(1)~~ 143.3(1) Ensure that the AED is maintained and inspected in accordance with the manufacturer’s guidelines.

~~143.12(2) 143.3(2)~~ Maintain records of all maintenance and inspections of the AED for the usable life of the device.

~~143.12(3) 143.3(3)~~ Ensure that the AED is programmed to conform to nationally accepted guidelines for treatment of cardiac arrest patients.

These rules are intended to implement Iowa Code section ~~135.26~~ 613.17.

~~641—143.13 to 143.15~~ Reserved.

FIRE DEPARTMENT RESPONSE WITH AUTOMATED EXTERNAL DEFIBRILLATOR

~~641—143.16(147A) Purpose.~~ The purpose of these rules is to allow a local fire department that is not authorized as an EMS service program and that has an AED to respond to cardiac arrest events in the department's community. These rules are intended to enhance and supplement the local EMS system with nontraditional early defibrillation programs.

~~641—143.17(147A) Definitions.~~ For the purpose of these rules, the following definitions shall apply:

~~“Automated external defibrillator” or “AED” means an external semiautomatic device that determines whether defibrillation is required.~~

~~“CPR” means training and successful course completion in cardiopulmonary resuscitation, AED, and obstructed airway procedures for all age groups according to recognized national standards.~~

~~“Emergency medical care provider” means an individual who has been trained to provide emergency and nonemergency medical care at the first responder, EMT-basic, EMT-intermediate, EMT-paramedic, paramedic specialist or other certification levels recognized by the department before 1984 and who has been issued a certificate by the department.~~

~~“Local fire department” means a paid, volunteer, or combination fire protection service provided by a benefited fire district under Iowa Code chapter 357B or by a county, municipality or township or a private corporate organization that has a valid contract to provide fire protection service for a benefited fire district, county, municipality, township or governmental agency. “Local fire department” does not include a military or private industrial fire department or an authorized Iowa EMS service.~~

~~“Service program” or “service” means any medical care ambulance service or nontransport service that has received authorization by the department.~~

~~641—143.18(147A) Local fire department AED service registration.~~ A local fire department that desires to allow its firefighters to use an AED may register with the department to provide AED coverage.

~~143.18(1) Training requirements.~~ Local fire department personnel wishing to provide AED coverage shall have current course completion in CPR.

~~143.18(2) Local fire department AED service—registration, guidelines, and standards.~~ A local fire department may register with the department to provide AED coverage. Local fire departments seeking registration with the department shall:

~~a.~~ Complete the department's AED service registration form initially and every five years thereafter.

~~b.~~ Provide an AED liaison to be responsible for supervision of the AED service.

~~c.~~ Ensure that the AED is maintained and inspected in accordance with rule ~~641—143.12(135)~~.

~~d.~~ Maintain records of all maintenance and inspections of the AED for the usable life of the device.

~~e.~~ Ensure that the fire department's AED providers maintain AED and CPR skill competency.

~~f.~~ Identify which authorized Iowa ambulance service program(s) will provide patient transportation.

~~g.~~ Ensure that emergency medical care is limited to CPR and AED.

~~143.18(3) Complaints and investigations.~~ Complaints and investigations shall be conducted as with any complaint received against an EMS service program in accordance with rule ~~641—132.10(147A)~~.

These rules are intended to implement Iowa Code chapters 135, 147A and 613.