

Senate File 505 - Reprinted

SENATE FILE _____
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1318)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to civil liability for damages relating to the
2 use of an automated external defibrillator in sudden cardiac
3 arrest emergencies.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

5 TLSB 2810SV 82

6 rh/gg/14

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1 1 Section 1. Section 613.17, Code 2007, is amended to read
1 2 as follows:

1 3 613.17 EMERGENCY ASSISTANCE IN AN ACCIDENT.

1 4 1. A person, who in good faith renders emergency care or
1 5 assistance without compensation, shall not be liable for any
1 6 civil damages for acts or omissions occurring at the place of
1 7 an emergency or accident or while the person is in transit to
1 8 or from the emergency or accident or while the person is at or
1 9 being moved to or from an emergency shelter unless such acts
1 10 or omissions constitute recklessness or willful and wanton
1 11 misconduct.

1 12 a. For purposes of this ~~section~~ subsection, if a volunteer
1 13 fire fighter, a volunteer operator or attendant of an
1 14 ambulance or rescue squad service, a volunteer paramedic, a
1 15 volunteer emergency medical technician, or a volunteer
1 16 registered member of the national ski patrol system receives
1 17 nominal compensation not based upon the value of the services
1 18 performed, that person shall be considered to be receiving no
1 19 compensation.

1 20 b. ~~The~~ For purposes of this subsection, operation of a
1 21 motor vehicle in compliance with section 321.231 by a
1 22 volunteer fire fighter, volunteer operator, or attendant of an
1 23 ambulance or rescue squad service, a volunteer paramedic, or
1 24 volunteer emergency medical technician shall be considered
1 25 rendering emergency care or assistance ~~for purposes of this~~
1 26 ~~section.~~

1 27 c. For purposes of this ~~section~~ subsection, a person
1 28 rendering emergency care or assistance includes a person
1 29 involved in a workplace rescue arising out of an emergency or
1 30 accident.

1 31 2. The following persons or entities, while acting
1 32 reasonably and in good faith, who render emergency care or
1 33 assistance relating to the preparation for and response to a
1 34 sudden cardiac arrest emergency, shall not be liable for any
1 35 civil damages for acts or omissions occurring at the place of
2 1 an emergency or accident or while such persons are in transit
2 2 to or from the emergency or accident or while such persons are
2 3 at or being moved to or from an emergency shelter:

2 4 a. A person or entity that acquires an automated external
2 5 defibrillator.

2 6 b. A person or entity that owns, manages, or is otherwise
2 7 responsible for the premises on which an automated external
2 8 defibrillator is located.

2 9 c. A person who retrieves an automated external
2 10 defibrillator in response to a perceived sudden cardiac arrest
2 11 emergency.

2 12 d. A person who uses, attempts to use, or fails to use an
2 13 automated external defibrillator in response to a perceived
2 14 sudden cardiac arrest emergency.

2 15 e. A physician or other authorized medical personnel who
2 16 issues a prescription for the purchase of an automated
2 17 external defibrillator.

2 18 f. A person or entity that is involved with the design,
2 19 management, or operation of an automated external
2 20 defibrillator program.

2 21 g. A person or entity that provides instruction in the use
2 22 of an automated external defibrillator.

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2 24 rh:nh/cc/26