

HOUSE BILL No. 1534

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-18-2-33.5; IC 16-31.

Synopsis: Automated external defibrillation grants. Changes the terminology from "automatic" and "semiautomatic" defibrillator to "automated external defibrillator". Establishes the automated external defibrillation fund, to be administered by the state emergency management agency, to provide grants to counties, municipalities, and townships for the purchase of automated external defibrillators and to support public awareness, education, and evaluation of the use of automated external defibrillators. Establishes the automated external defibrillation grant fund advisory committee to advise the state emergency medical services commission and the state emergency management agency regarding use of the automated external defibrillation grant fund. Requires the automated external defibrillation
(Continued next page)

Effective: July 1, 1999.

Liggett

January 19, 1999, read first time and referred to Committee on Ways and Means.

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Digest Continued

grant fund committee to set up guidelines for the administration of the fund. Appropriates \$45,000,000 to the state emergency management agency for deposit in the fund.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

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HOUSE BILL No. 1534

A BILL FOR AN ACT to amend the Indiana Code concerning health and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 16-18-2-33.5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 33.5. (a) "Basic life
3 support", for purposes of IC 16-31, means the following:
4 (1) Assessment of emergency patients.
5 (2) Administration of oxygen.
6 (3) Use of mechanical breathing devices.
7 (4) Application of anti-shock trousers.
8 (5) Performance of cardiopulmonary resuscitation.
9 (6) Application of dressings and bandage materials.
10 (7) Application of splinting and immobilization devices.
11 (8) Use of lifting and moving devices to ensure safe transport.
12 (9) Use of an ~~automatic~~ or a ~~semiautomatic~~ **automated external**
13 **defibrillator** if the defibrillator is used in accordance with training
14 procedures established by the Indiana emergency medical
15 services commission.



1 (10) Other procedures authorized by the Indiana emergency
 2 medical services commission, including procedures contained in
 3 the revised national emergency medical technician-basic training
 4 curriculum guide.

5 (b) The term does not include invasive medical care techniques or
 6 advanced life support.

7 SECTION 2. IC 16-31-2-9 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 9. The commission
 9 shall establish the following:

10 (1) Standards for persons who provide emergency medical
 11 services and who are not licensed or regulated under IC 16-31-3.

12 (2) Training and certification standards for the use of ~~automatic~~
 13 ~~and semiautomatic~~ **automated external** defibrillators by first
 14 responders.

15 SECTION 3. IC 16-31-6-2 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) Except for an act
 17 of negligence or willful misconduct, a certified first responder who
 18 uses an ~~automatic or semiautomatic~~ **automated external** defibrillator
 19 on an emergency patient according to the training procedures
 20 established by the commission under IC 16-31-2-9 is immune from
 21 civil liability for acts or omissions when rendering those services.

22 (b) If the first responder is immune from civil liability for the first
 23 responder's act or omission, a person who has only an agency
 24 relationship with the first responder is also immune from civil liability
 25 for the act or omission.

26 SECTION 4. IC 16-31-6.5-3 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. As used in this
 28 chapter, "defibrillator" means an ~~automatic~~ **automated** external
 29 defibrillator.

30 SECTION 5. IC 16-31-6.5-6 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. A person who uses
 32 a defibrillator is required to contact:

33 (1) the ~~ambulance service provider; or state emergency~~
 34 ~~management agency and the local health officer appointed~~
 35 ~~under IC 16-20-2-16; and~~

36 (2) a fire department that provides ambulance service; ~~the~~
 37 ~~ambulance service provider or fire department that provides~~
 38 ~~ambulance service;~~

39 for the area as soon as practicable following the use of the defibrillator.

40 SECTION 6. IC 16-31-6.6 IS ADDED TO THE INDIANA CODE
 41 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 1999]:



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1 **Chapter 6.6. Automated External Defibrillation Grant Fund;**
2 **Advisory Committee**

3 **Sec. 1. The general assembly declares that:**

- 4 (1) sudden cardiac arrest is the leading cause of death among
5 adults in Indiana;
6 (2) rapid defibrillation is the single most important
7 determinant of survival from sudden cardiac arrest;
8 (3) the use of automated external defibrillators by public
9 safety personnel under medical direction is a safe and
10 effective way to provide this emergency care;
11 (4) few public safety agencies in Indiana currently have
12 defibrillation capabilities; and
13 (5) improved defibrillation capabilities at the local level could
14 increase survival rates from less than ten percent (10%) to as
15 high as forty-five percent (45%) and could save hundreds of
16 lives each year.

17 **Sec. 2. As used in this chapter, "committee" refers to the**
18 **automated external defibrillation grant fund advisory committee**
19 **established by section 12 of this chapter.**

20 **Sec. 3. As used in this chapter, "fund" refers to the automated**
21 **external defibrillation grant fund established by section 6 of this**
22 **chapter.**

23 **Sec. 4. As used in this chapter, "grant" refers to a grant from**
24 **the fund.**

25 **Sec. 5. As used in this chapter, "unit" has the meaning set forth**
26 **in IC 36-1-2-23.**

27 **Sec. 6. The automated external defibrillation grant fund is**
28 **established:**

- 29 (1) to provide funding for the purchase of automated external
30 defibrillators for use by public safety personnel under medical
31 direction who have successfully completed training in the use
32 of automated external defibrillators;
33 (2) to support public awareness, education, and evaluation of
34 the use of automated external defibrillators; and
35 (3) to assist units with the initial funding needed to establish
36 rapid defibrillation capabilities in the units.

37 **Sec. 7. The state emergency management agency shall**
38 **administer the fund.**

39 **Sec. 8. The expenses of administering the fund shall be paid**
40 **from the money in the fund.**

41 **Sec. 9. The treasurer of state shall invest the money in the fund**
42 **not currently needed to meet the obligations of the fund in the same**

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1 manner as other public money may be invested. Interest that
2 accrues from these investments shall be deposited in the fund.

3 **Sec. 10.** Money in the fund at the end of a state fiscal year does
4 not revert to the state general fund.

5 **Sec. 11.** A governing body of a unit may apply for grants from
6 the fund to provide funding for the purchase of automated external
7 defibrillators for use by the departments of public safety that the
8 governing body administers, including:

- 9 (1) law enforcement;
10 (2) fire; and
11 (3) emergency medical services.

12 **Sec. 12.** The automated external defibrillation grant fund
13 advisory committee is established.

14 **Sec. 13.** The automated external defibrillation grant fund
15 advisory committee shall advise the state emergency management
16 agency and the commission regarding the committee's
17 recommendations for the use of the fund.

18 **Sec. 14.** (a) The committee is composed of seven (7) members
19 from the medical and public safety communities. The commission
20 shall appoint the members for two (2) year terms. The commission
21 shall annually designate one (1) member to act as the chair of the
22 committee.

23 (b) An appointment to fill a vacancy occurring on the committee
24 is for the unexpired term.

25 (c) A committee member may be reappointed after the
26 expiration of a term.

27 **Sec. 15.** (a) Each member of the committee who is not a state
28 employee is entitled to the minimum salary per diem provided by
29 IC 4-10-11-2.1(b). The member is also entitled to reimbursement
30 for traveling expenses as provided under IC 4-13-1-4 and other
31 expenses actually incurred in connection with the member's duties
32 as provided in the state policies and procedures established by the
33 Indiana department of administration and approved by the budget
34 agency.

35 (b) Each member of the committee who is a state employee is
36 entitled to reimbursement for traveling expenses as provided under
37 IC 4-13-1-4 and other expenses actually incurred in connection
38 with the member's duties as provided in the state policies and
39 procedures established by the Indiana department of
40 administration and approved by the budget agency.

41 **Sec. 16.** The committee may meet as often as necessary upon call
42 of the chair, but meetings shall be held at least four (4) times each

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1 year.

2 **Sec. 17. The committee shall do the following:**

3 (1) Screen grant applications from units to ensure that funds
4 granted have the greatest possible impact on survival from
5 sudden cardiac arrest and advise the commission on its
6 recommendations.

7 (2) Assist the state emergency management agency in
8 providing technical assistance to units interested in improving
9 defibrillation capabilities, including assistance in seeking
10 funds from the public and private sector in order to maximize
11 effectiveness of the ongoing program.

12 **Sec. 18. The committee shall retain final authority on approval
13 or denial of the following:**

14 (1) Applications.

15 (2) Fund expenditures.

16 **Sec. 19. (a) A unit that receives a grant from the fund shall
17 establish in its operating budget a fund designated as the
18 defibrillator fund.**

19 (b) The accumulated funds shall be set aside for the
20 maintenance and replacement of automated external defibrillators
21 by the unit.

22 **Sec. 20. The state emergency management agency may enter
23 into quantity purchase agreements with defibrillator
24 manufacturers, with the option for units to participate in the
25 agreements.**

26 **SECTION 7. [EFFECTIVE JULY 1, 1999] (a) There is
27 appropriated to the state emergency management agency for
28 deposit in the automated external defibrillation grant fund
29 forty-five million dollars (\$45,000,000) from the state general fund
30 to carry out the purposes of IC 16-31-6.6-6, as added by this act,
31 beginning July 1, 1999, and ending June 30, 2000.**

32 (b) This SECTION expires June 30, 2000.

33 **SECTION 8. [EFFECTIVE JULY 1, 1999] (a) Notwithstanding
34 IC 16-31-6.6-14, as added by this act, the initial terms for the seven
35 (7) members of the automated external defibrillation fund advisory
36 committee appointed by the state emergency management
37 commission under IC 16-31-6.6-14, as added by this act, are as
38 follows:**

39 (1) Two (2) members for a term of one (1) year.

40 (2) Five (5) members for a term of two (2) years.

41 (b) The initial terms begin July 1, 1999.

42 (c) This SECTION expires July 1, 2000.



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