

AN ACT

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District of
Columbia
Official Code

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Public Access to Automated External Defibrillator Act of 2000 to require the Mayor to establish a program to install and maintain automated external defibrillators in Department of Parks and Recreation facilities, to provide training in conjunction with the department’s existing health training for personnel to operate the defibrillators to ensure the health, safety, and welfare of the department’s patrons, and to prepare a study for possible future placement of automated external defibrillators in all public buildings, and to provide immunity from civil liability for the District under this program when a recreation facility possesses a certificate of compliance from the Mayor.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “AED Installation for Safe Recreation and Exercise Amendment Act of 2008”.

Sec. 2. The Public Access to Automated External Defibrillator Act of 2000, effective April 27, 2001 (D.C. Law 13-278; D.C. Official Code § 44-231 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 44-231) is amended by adding new paragraphs (3) and (4) to read as follows:

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“(3) “Recreation facility” means a Department of Parks and Recreation public facility that is regularly staffed by a paid District government employee.

“(4) “Recreation facility certificate” means a certificate issued by the Mayor to authorize the installation and use of an AED at a recreation facility that has complied with the AED program requirements and guidelines established under section 3a.”

(b) Subsection 3(b) (D.C. Official Code § 44-232(b)) is amended as follows:

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(1) Designate the existing text as paragraph (1).

(2) The newly designated paragraph (1) is amended by striking the word “Upon” and inserting the phrase “Except as provided in paragraph (2) of this subsection, upon” in its place.

(3) A new paragraph (2) is added to read as follows:

“(2) The Mayor shall issue, and reissue every 6 months, a recreation facility certificate to a recreation facility that meets the requirements of subsection (a) of this section and section 3a.”.

(c) New sections 3a and 3b are added to read as follows:

“Sec. 3a. AED program for Department of Parks and Recreation facilities.

“(a) The Mayor shall develop and implement an AED program for each recreation facility. The program shall meet the requirements of section 3, and, in addition, ensure that:

“(1) At least one AED is provided on-site at each recreation facility;

“(2) An individual trained in the operation and use of an AED, pursuant to a training program approved under subsection (c) of this section, is present during the recreation facility’s hours of operation; and

“(3) Each AED is maintained, operated, and tested according to the manufacturers’ guidelines by conducting periodic inspections and annual maintenance of each AED.

“(b) The Mayor shall develop guidelines for the program, including requirements that written records be maintained documenting:

“(1) The maintenance and testing of each AED; and

“(2) That each Department of Parks and Recreation employee assigned to the recreation facility has successfully completed a training program approved under subsection (c) of this section.

“(c)(1) The Mayor shall approve training programs required under this section in accordance with the requirements of section 3. The training programs may be conducted by a private or public entity.

“(2) The training programs shall be in conjunction with health training provided to Department of Parks and Recreation employees, as well as refresher training, as required.

“(d) The Mayor shall comply with this section within 45 days of the effective date of the AED Installation for Safe Recreation and Exercise Amendment Act of 2008, passed on 2nd reading on December 2, 2008 (Enrolled version of Bill 17-635). The Mayor shall expand the AED program to a new recreation facility within 45 days of its opening.

“Sec. 3b. Study to expand AED program throughout public facilities.

“(a) The Mayor shall conduct a study examining the feasibility of installing AED devices in all District public facilities, including the District of Columbia Public Schools system and the Public Charter Schools. The study shall be submitted to the Council no later than 6 months following the effective date of the AED Installation for Safe Recreation and Exercise Amendment Act of 2008, passed on 2nd reading on December 2, 2008 (Enrolled version of Bill 17-635).

“(b) The study shall include:

“(1) An evaluation of the available AED technologies, weighing advantages and disadvantages of these technologies, depending upon the characteristics of likely users within the public facility;

“(2) An analysis of the optimum training program, to include cardiopulmonary resuscitation and AED operation, for obtaining maximum participation among potential rescuers;

“(3) An analysis of the optimum program for maintenance and inspection of AEDs when placed throughout District of Columbia public facilities;

“(4) A feasibility analysis for connecting AEDs, both those privately registered and those potentially placed throughout public facilities, to the District of Columbia emergency responder system;

“(5) An examination of the AED programs in cities of comparable size or larger, including Baltimore, Philadelphia, and New York City;

“(6) An analysis of the costs of different options for implementation, potential cost savings through training, and equipment alternatives; and

“(7) An enumeration of the public facilities recommended for installation of AEDs.”.

(d) Section 4 (D.C. Official Code § 44-233) is amended by adding a new subsection (g) to read as follows:

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“(g) In addition to any other immunities available under statutory or common law, the District is not civilly liable for any act or omission in the provision of automated external defibrillation if, at the time of the act or omission, the recreation facility possessed a valid recreation facility certificate.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia