HOUSE DOCKET, NO. FILED ON: 1/10/2009

**HOUSE . . . . . . . . . . . . . . . No.**

|  |
| --- |
|  |

The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PRESENTED BY:

**Peter J. Koutoujian**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General  
 Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act requiring automatic external defibrilators in health and wellness facilities.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Peter J. Koutoujian | 10th Middlesex |

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3888 OF 2007-2008.]

The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act requiring automatic external defibrilators in health and wellness facilities.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Subsection (a) of section 12V1/2 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting, after the definition of an “AED provider”, the following definition:-

“Charitable organization”, a non-profit organization, subject to the provisions of section 6 of chapter 180, whose direct services include health and wellness programming for the community.

SECTION 2. Said section 12V1/2 of said chapter 112, as so appearing, is further amended by adding the following subsections:-

(d) a charitable organization shall have on the premises at least 1 AED, as defined in this section, and shall have in attendance during staffed business hours at least 1 employee or authorized volunteer as an AED provider.

(e) Absent a showing of gross negligence or willful or wanton misconduct, no cause of action against an organization or its employees may arise in connection with the use or non-use of a defibrillator.

SECTION 3.  All organizations addressed within this act shall comply with the provisions of this section by January 31, 2011.