

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

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

**Peter J. Koutoujian**

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*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.

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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

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In the Year Two Thousand and Nine  
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### 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:*

- 1 SECTION 1. Subsection (a) of section 12V1/2 of the General Laws, as appearing in the 2006  
2 Official Edition, is hereby amended by inserting, after the definition of an “AED provider”, the  
3 following definition:-
- 4 “Charitable organization”, a non-profit organization, subject to the provisions of section 6 of  
5 chapter 180, whose direct services include health and wellness programming for the community.
- 6 SECTION 2. Said section 12V1/2 of said chapter 112, as so appearing, is further amended by  
7 adding the following subsections:-
- 8 (d) a charitable organization shall have on the premises at least 1 AED, as defined in this section,  
9 and shall have in attendance during staffed business hours at least 1 employee or authorized  
10 volunteer as an AED provider.
- 11 (e) Absent a showing of gross negligence or willful or wanton misconduct, no cause of action  
12 against an organization or its employees may arise in connection with the use or non-use of a  
13 defibrillator.
- 14 SECTION 3. All organizations addressed within this act shall comply with the provisions of this  
15 section by January 31, 2011.