

Risk Management Guideline

BACKGROUND: **AEDs (*Automated External Defibrillators*)**

AEDs have become more popular since the early 2000's and the technological advances in their automation have increased the safety level of their use. Unfortunately misuse and failures have also contributed to recent litigation. Broader protection now exists under the Good Samaritan law for individuals who administer them. As a result, schools have been approached by a variety of vendor and community groups to install AEDs at a reduced cost or even as a donated apparatus.

It is very important to note that along with the broader protection for those that utilize AEDs, comes significant requirements that must be met in order to qualify for the protection given. School districts should use caution and research thoroughly the requirements for and who should be assigned to use an AED. As an example, Health & Safety Code 1797.196 requires the following:

- Compliance with all regulations governing the training, use, and placement of and AED
- Notification of an agent of the local EMS agency of the existence, location and type of AED
- Specific training (compliance with regulations adopted by the EMS authority and standards of the AHA-American Heart Association or Red Cross) for all individuals using an AED
- Maintenance and regular testing that complies with manufacturer, AHA, Red Cross and FDA as well as any other applicable state and federal authorities
- Recordkeeping of and performance of readiness checks after each use and at least every 30 days.
- Requirement for the activation of the EMS system as soon as possible by the individual that uses the device and requirement that the individual reports any use to the licensed physician and local EMS agency.
- Requirement that there be involvement by a licensed physician in developing a compliance program that ensures compliance with regulations, requirements for training, notification and maintenance.

AB254 brings additional operation requirements in the areas of who must be trained, the ratio of employees to AEDs on site, the written plan, a written brochure that is annually disseminated to all employees, posting of notices.

RECOMMENDATION:

While AEDs are popular, the requirements surrounding their use are not simple and must receive dedicated commitment by a school district that considers their installation. Even though vendors and service groups are willing to donate the devices, it is important for the district to recognize their responsibility for administering the use of the device and protect students and staff from the potential for misuse. In addition, the district must protect itself from allegations of negligence that can arise out of training, maintenance, testing and application. Keep in mind, the application of an AED is only protected if the user and agency meet ALL of the requirements for immunity.

GUIDELINE:

CRSIG's recommendation is that defibrillators should be made available only to the properly trained and authorized EMTs or other first responders at CRSIG school sites. This would include school nurses and other emergency specifically trained personnel such as coaches. In addition, if AEDs are instituted, one administrator at the school district should be charged with the responsibility for ensuring complete compliance with current regulations and reporting compliance to the school board on an annual basis.