

2387

2011-2012 Regular Sessions

I N   S E N A T E

January 19, 2011

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Introduced by Sens. SEWARD, DeFRANCISCO, HANNON, JOHNSON, LARKIN,  
O'MARA, RANZENHOFER, SALAND -- read twice and ordered printed, and  
when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to the possession of  
external defibrillators

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Paragraph (a) of subdivision 3 of section 3000-b of the  
2     public health law, as amended by chapter 243 of the laws of 2010, is  
3     amended to read as follows:  
4     (a) No person may operate an automated external defibrillator unless  
5     the person has successfully completed a training course in the operation  
6     of an automated external defibrillator approved by a nationally-recog-  
7     nized organization or the state emergency medical services council.  
8     However, this section shall not prohibit THE POSSESSION OR operation of  
9     an automated external defibrillator, (i) by a health care practitioner  
10    licensed or certified under title VIII of the education law or a person  
11    certified under this article acting within his or her lawful scope of  
12    practice; (ii) by a person acting pursuant to a lawful prescription; or  
13    (iii) by a person who operates the automated external defibrillator  
14    other than as part of or incidental to his or her employment or regular  
15    duties, who is acting in good faith, with reasonable care, and without  
16    expectation of monetary compensation, to provide first aid that includes  
17    operation of an automated external defibrillator; nor shall this section  
18    limit any good samaritan protections provided in section three thou-  
19    sand-a of this article.  
20    S 2. This act shall take effect immediately.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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