

ENROLLED ACT NO. 67, HOUSE OF REPRESENTATIVES

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2005 GENERAL SESSION

AN ACT relating to public health and safety; amending provisions relating to the possession or use of automated external defibrillators as specified; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 35-26-102(a)(intro), (i), (ii) and (b) and 35-26-103(a) and (b) are amended to read:

35-26-102. Possession of automated external defibrillator.

(a) In order to ensure public health and safety, ~~any person who acquires~~ all persons who possess an AED shall: ~~ensure that:~~

(i) ~~Expected defibrillator users receive~~ Obtain appropriate training in cardiopulmonary resuscitation (CPR) and in the use of an AED by the American Heart Association, American Red Cross or by another nationally recognized, or Wyoming department of health recognized, course in CPR and AED use and maintains currency through refresher training every two (2) years; and

(ii) Ensure that the AED is maintained and tested according to the manufacturer's guidelines. ~~†~~

(b) Any person ~~who acquires~~ or entity in possession of an AED shall notify an agent of the emergency communications center and the local ambulance service of the existence, location and type of AED.

35-26-103. Limited liability for use of automated external defibrillator.

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(a) Any person ~~trained in accordance with W.S. 35-26-102(a)(i) who in good faith and without compensation renders emergency care or treatment by the use of an AED shall be immune from civil liability for any personal injury as a result of such care or treatment, where the person's actions do not amount to willful or wanton misconduct or gross negligence~~ who uses or attempts to use an automated external defibrillator device on a victim of a perceived medical emergency, any prescribing physician who authorizes the purchase of the AED and any individual who provides training in cardiopulmonary resuscitation (CPR) in the use of an AED shall be immune from civil liability for any harm resulting from the use or attempted use of such device, unless the harm involved was caused by willful or criminal misconduct, gross negligence, reckless misconduct or a conscious, flagrant indifference to the safety of the victim who was harmed.

(b) ~~The prescribing physician who authorizes the purchase of the AED, the individual who provides training in cardiopulmonary resuscitation (CPR) and the use of an AED, and the~~ Any person responsible for the site where the AED is located shall ~~also~~ be immune from civil liability for any personal injury that results from any act or omission of acts that do not amount to willful or wanton misconduct or gross negligence if that person complies with the requirements of W.S. 35-26-102.

Section 2. W.S. 35-26-102(a)(iii) is repealed.

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Section 3. This act is effective July 1, 2005.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk