
SUBSTITUTE HOUSE BILL 2998

State of Washington 55th Legislature 1998 Regular Session

By House Committee on Law & Justice (originally sponsored by Representatives Sheahan, Costa and K. Schmidt)

Read first time 02/05/98. Referred to Committee on .

1 AN ACT Relating to limited immunity for use of semiautomatic
2 external defibrillators; and adding a new section to chapter 70.54 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.54 RCW
5 to read as follows:

6 (1) As used in this section, "defibrillator" means a semiautomatic
7 external defibrillator as prescribed by a physician licensed under
8 chapter 18.71 RCW or an osteopath licensed under chapter 18.57 RCW.

9 (2) A person or entity who acquires a defibrillator shall ensure
10 that:

11 (a) Expected defibrillator users receive reasonable instruction in
12 defibrillator use and cardiopulmonary resuscitation by a course
13 approved by the department of health;

14 (b) The defibrillator is maintained and tested by the acquirer
15 according to the manufacturer's operational guidelines;

16 (c) Upon acquiring a defibrillator, medical direction is enlisted
17 by the acquirer from a licensed physician in the use of the
18 defibrillator and cardiopulmonary resuscitation;

1 (d) The person or entity who acquires a defibrillator shall notify
2 the local emergency medical services organization about the existence
3 and the location of the defibrillator; and

4 (e) The defibrillator user shall call 911 or its local equivalent
5 as soon as possible after the emergency use of the defibrillator and
6 shall assure that appropriate follow-up data is made available as
7 requested by emergency medical service or other health care providers.

8 (3) A person who uses a defibrillator at the scene of an emergency
9 and all other persons and entities providing services under this
10 section are immune from civil liability for any personal injury that
11 results from any act or omission in the use of the defibrillator in an
12 emergency setting.

13 (4) The immunity from civil liability does not apply if the acts or
14 omissions amount to gross negligence or willful or wanton misconduct.

15 (5) The requirements of subsection (2) of this section shall not
16 apply to any individual using a defibrillator in an emergency setting
17 if that individual is acting as a good samaritan under RCW 4.24.300.

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