

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH LEGISLATURE

S.F. No. 926

(SENATE AUTHORS: NELSON)

DATE	D-PG	OFFICIAL STATUS
02/28/2013	457	Introduction and first reading Referred to Judiciary

A bill for an act
relating to public safety; requiring all 911 public safety answering points
to provide for emergency medical instruction for certain emergency calls;
specifically providing that any expenses related to this change be covered under
the current allowable expenditures for 911 funds; providing for the registration
of automatic external defibrillators; providing for a criminal penalty; amending
Minnesota Statutes 2012, section 403.113, subdivision 3; proposing coding for
new law in Minnesota Statutes, chapter 403.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2012, section 403.113, subdivision 3, is amended to read:

Subd. 3. **Local expenditures.** (a) Money distributed under subdivision 2 for
enhanced 911 service may be spent on enhanced 911 system costs for the purposes stated
in subdivision 1. In addition, money may be spent to lease, purchase, lease-purchase, or
maintain enhanced 911 equipment, including telephone equipment; recording equipment;
computer hardware; computer software for database provisioning, addressing, mapping,
and any other software necessary for automatic location identification or local location
identification; trunk lines; selective routing equipment; the master street address guide;
dispatcher public safety answering point equipment proficiency and operational skills;
pay for long-distance charges incurred due to transferring 911 calls to other jurisdictions;
and the equipment necessary within the public safety answering point for community
alert systems and to notify and communicate with the emergency services requested by
the 911 caller. In addition to the other purposes specified in this subdivision, the money
also may be used for any expenses related to providing prearrival emergency medical
instructions under section 403.50.

(b) Money distributed for enhanced 911 service may not be spent on:

(1) purchasing or leasing of real estate or cosmetic additions to or remodeling of communications centers;

(2) mobile communications vehicles, fire engines, ambulances, law enforcement vehicles, or other emergency vehicles;

(3) signs, posts, or other markers related to addressing or any costs associated with the installation or maintenance of signs, posts, or markers.

EFFECTIVE DATE. This section is effective January 1, 2014.

Sec. 2. **[403.50] EMERGENCY MEDICAL INSTRUCTIONS REQUIRED.**

All 911 public safety answering points shall provide emergency prearrival medical instruction to callers reporting a cardiac arrest, respiratory arrest, uncontrolled bleeding, or shock. Each jurisdiction operating a 911 public safety answering point may provide emergency medical prearrival instruction services directly or by agreement with a hospital, advanced life support emergency medical service provider recognized by the Emergency Medical Services Regulatory Board, or other nationally recognized emergency medical dispatch service provider. If the local jurisdiction provides emergency medical prearrival instruction services through an agreement with another entity, the actual service provider must be available through a single button telephone transfer connection at all times.

EFFECTIVE DATE. This section is effective January 1, 2014.

Sec. 3. **[403.51] AUTOMATIC EXTERNAL DEFIBRILLATION; REGISTRATION.**

Subdivision 1. **Definitions.** (a) For the purposes of this section, the terms in this subdivision have the meanings given them.

(b) "Automatic external defibrillator" or "AED" means an electronic device designed and manufactured to operate automatically or semiautomatically for the purpose of delivering an electrical current to the heart of a person to stop ventricular fibrillation.

(c) "Local AED registration authority" means a chief of police or sheriff who has operational control of the 911 public safety answering point in the area where an AED is located or that person's designee or other person who has general oversight authority over all day-to-day operations of a 911 public safety answering point or that person's designee.

(d) "Person" means an individual, corporation, school district, organization, or business entity.

(e) "Public access AED" means any AED that is purchased with the intent of being for the general benefit of employees of a business or organization or the general public

that may happen to be in the vicinity of that AED or an AED that is maintained, displayed, or kept in an area other than a private residence or apartment unit, that by the nature of its location may be presumed to be intended for the potential benefit of the general public near that location. It does not include any AED that is owned or used by a hospital that is intended to be used by hospital staff and is not marked or displayed in a manner to encourage public access.

Subd. 2. **Registration.** A person who purchases or obtains an AED, except an AED intended for private use, shall register that device with the local AED registration authority within five working days of receiving the AED. The local AED registration authority may not require a registration fee.

Subd. 3. **Required information.** A person registering an AED shall provide the following information for each AED:

- (1) AED manufacturer, model, and serial number;
- (2) date of purchase;
- (3) date of installation;
- (4) specific location where the AED will be kept so that it may be quickly located in an emergency;
- (5) the names, addresses, telephone numbers, and other reasonable contact information for persons responsible for the maintenance of the AED at that location;
- (6) the schedule of the availability of the AED, a description of how the AED is to be accessed, and emergency contact telephone number or numbers in order to obtain immediate access to the AED; and
- (7) the name and contact information of the physician or provider of medical oversight for the owner of the AED.

Subd. 4. **Information changes.** The owner of any AED shall notify the registering authority of any changes in the information that is required in the registration within five working days of the change occurring.

Subd. 5. **Public access AED requirements.** A public access AED:

- (1) may be inspected by the registering authority during the hours that the AED is intended to be available to the public. The registering authority may, in writing, designate or delegate this inspection authority;
- (2) must be kept in the location specified in the registration;
- (3) must be maintained in fully operational condition in accordance with the manufacturer's specifications;

(4) must have at least two sets of AED electrode pads in the AED case. These pads must show the manufacturer's expiration date and must not be kept in the AED case beyond the expiration date indicated by the manufacturer;

(5) must have a charged battery installed in the AED. All AED batteries must show the manufacturer's expiration date. A battery may not be kept in the AED case beyond the expiration date. A dead battery may not be kept in the AED or in the AED case; and

(6) shall be inspected by the owner at least quarterly. Documentation of inspections shall be noted upon a card kept with each AED or otherwise immediately available for inspection by the local AED registration authority.

Subd. 6. **Removal of AED.** The local AED registration authority may direct the owner of an AED to comply with this section. The local AED registration authority may direct the owner of any AED to remove an AED from the premises if the local AED registration authority has determined that the AED is not ready for immediate use and to remove any public signs relating to that AED.

Subd. 7. **Private use of AED.** The owner of an AED intended for private use is not subject to the requirements of this section but is encouraged to maintain the AED in a consistent manner.

Subd. 8. **Signs.** A person acquiring an AED intended for public use is encouraged, but not required, to post signs bearing the universal AED symbol in order to increase the ease of access to the AED in the event of an emergency. A person may not post any AED sign or allow any AED sign to remain posted if there is no functional AED present at that location or upon being ordered to remove or cover any AED signs by the local registration authority.

Subd. 9. **Emergency response plans.** The owner of one or more AED intended for public use shall develop an emergency response plan appropriate for the location of each AED and the nature of the facility the AED is intended to serve. The response plan must include:

(1) emphasis placed upon calling 911 immediately or as soon as can be reasonably accomplished;

(2) notifying the 911 answering point that an AED is on site and may be used upon a person;

(3) a method to ensure that the AED may be used safely in an emergency;

(4) a method to keep the 911 answering point informed of the patient's condition including whether the patient is conscious or unconscious, whether pulses are detected, whether cardiopulmonary resuscitation (CPR) is being performed, whether shocks are delivered, and any other information relevant to an appropriate medical response;

5.1 (5) a method for getting the AED to the person suffering a potential cardiac
5.2 emergency and alerting others in the facility of the need for the AED in the vicinity;

5.3 (6) a method for directing emergency medical responders to the patient in the most
5.4 expeditious and safe manner; and

5.5 (7) a process for providing appropriate training to employees or others who are
5.6 likely to be regularly in the area of the AED in the use of the AED and of the emergency
5.7 response plan.

5.8 Subd. 10. **AED registration data.** The data collected under this section may be
5.9 used by the 911 public safety answering point to help facilitate an appropriate emergency
5.10 response in the event of a cardiac incident occurring near any public access AED, to
5.11 facilitate inspections of public access AEDs, and to execute and enforce this section. A
5.12 911 public safety answering point may share AED registration data with vendors as may be
5.13 necessary or beneficial to that public safety answering point in managing this information.

5.14 Subd. 11. **Penalty.** A person who knowingly violates a provision of this section
5.15 after receiving a written warning of a violation from the local AED registration authority
5.16 and failing to correct the violation within five business days of the date of receipt of
5.17 the warning is guilty of a misdemeanor.

5.18 **EFFECTIVE DATE.** This section is effective January 1, 2014, and applies to
5.19 crimes committed on or after that date.