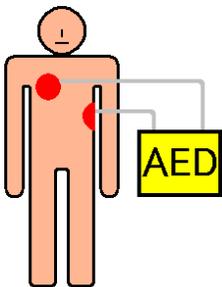


Automatic External Defibrillators

Background: Automatic External Defibrillators (AEDs) increase the chance of surviving Sudden Cardiac Arrest (SCA) by 70 percent. For that reason, AEDs are becoming more and more common in our daily travels and in a number of public housing authorities. These small, portable devices save lives by delivering an electric shock to the heart in those crucial few minutes when someone experiences SCA. AEDs are lifesaving devices that can mean the difference between life and death. Treatment of witnessed ventricular fibrillation with immediate defibrillation can result in greater than 90 percent survival. With each minute of delay in defibrillation, nearly 10 percent fewer survive, so that at 10 minutes, survival is dismal. In June 1999, Chicago's O'Hare and Midway Airports installed automated external defibrillators (AEDs) to respond in 1 minute to cardiac arrest. In the first 10 months, 14 cardiac arrests occurred, and 9 of the 14 victims (64 percent) survived.



AEDs improve survival after an out-of-hospital cardiac arrest. Their presence reduces the critical time for treatment. Less time to defibrillation improves victims' chances of survival. Having the devices appropriately located in a residence improves the survivability of people experiencing a cardiac crisis.

Sudden cardiac arrest (SCA) is different from a heart attack. A heart attack is caused by some sort of plumbing problem and is usually the result of heart disease. On the other hand, SCA can strike anyone at any time. When a person experiences SCA, the heart's electrical impulses suddenly misfire. As a result, the heart "flutters" uncontrollably and cannot pump blood. When the heart cannot pump blood, the body is deprived of oxygen. For every minute the brain is deprived of oxygen, the likelihood of severe brain damage increases dramatically, which often results in death. When sudden cardiac arrest happens, only an electric shock from an AED can get the heart back on track and beating normally again. That is how AEDs save lives.

Legislation and Liability

Choosing to have an AED available for use is an important decision for a public housing authority. The choice is not without consequences.

The Federal Cardiac Arrest Survival Act (2000) provides AED users and acquirers with liability protection. All 50 U.S. states have specific AED laws and regulations. Most state laws require medical authorization, oversight, EMS notification, and/or AED registration. Also required is basic training as simple as CPR/AED courses for lay responders and for AED owners, including basic recordkeeping and tracking of AEDs. Many state and local laws have gone to great lengths to encourage the placement of AEDs. While the specific requirements vary from state to state, none has regulations that are burdensome in a way that would prevent anyone desiring to install AEDs from doing so. In fact, AEDs have become so commonplace, the standard of care has now shifted **creating a potential liability for organizations that do not have AEDs installed.**

OSHA bulletin #3174, published in 2001, recommends AEDs, stating that "devices appropriately located in a business or workplace improves the survivability of people

experiencing a cardiac crisis." OSHA bulletin 3185 (<https://www.osha.gov/Publications/3185.html>), published in 2003, states:

"These devices have a proven track record of saving lives in public places as well as in the workplace. They can do the same for you and your employees. Please consider installing AEDs in your workplace."

New Jersey

NJSA 2A:62A-25 sets forth specific requirements for New Jersey deployment of AEDs. An entity that acquires an AED must:

- **Ensure** that employee who is anticipated to be in a position to use the AED must have successfully completed and hold current certification from the American Red Cross, American Heart Association or other program recognized by NJDHSS in cardio-pulmonary resuscitation and use of an AED.
- **Maintain and test** the AED according to manufacturer operational guidelines.
- **Notify** the local ambulance or rescue squad of the acquisition, the type of device, and its physical location. A copy of the notification should be retained by the authority.

Having fulfilled these requirements, the entity and its employees who use these devices are immune from any personal injury arising out of their use. The entity is not responsible for any act or omission involving a lay person (resident). These immunities **do not apply** if the entity has not met the requirements above, or if the user acts with gross negligence or willful or wanton misconduct.

If you have any questions or would like additional information, please contact your risk management consultant, or NJPHA JIF safety director, Jim Rhoads at 610-937-2694 or by e-mail at james_rhoads@pmagroup.com.

IMPORTANT NOTICE - *The information and suggestions presented by PMA Insurance Group in this risk control technical guide are for your consideration in your loss prevention efforts. They are not intended to be complete or definitive in identifying all hazards associated with your business, preventing workplace accidents, or complying with any safety related or other laws or regulations. You are encouraged to alter the information and suggestions to fit the specific hazards of your business and to have your legal counsel review all of your plans and company policies.*