

AN ACT

---

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

---

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2008 Fall  
Supp.

West Group  
Publisher

To require, on a temporary basis, the Mayor to establish a program to install and maintain automated external defibrillators in Department of Parks and Recreation facilities, to mandate training in conjunction with existing health training for personnel to operate the defibrillators to ensure the health, safety, and welfare of our citizens, and to provide a model for future automated external defibrillator expansion throughout all public buildings.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “AED Installation for Safe Recreation and Exercise Temporary Act of 2008”.

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Automated external defibrillator" or "AED" or "defibrillator" means a medical device heart monitor and defibrillator that:

(A) Has received approval from the United States Food and Drug Administration of its premarket notification filed pursuant to section 501(k) of the Federal Food, Drug, and Cosmetic Act, approved October 10, 1962 (76 Stat. 794; 21 U.S.C. § 360(k));

(B) Is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia, and determining, without intervention by an operator, whether defibrillation should be performed; and

(C) Upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to an individual's heart.

(2) “Certificate” means a certificate issued by the Mayor to an authorized recreational facility.

(3) “Recreation facility” means staffed Department of Parks and Recreation facilities.

Sec. 3. AED program.

(a) The Mayor shall develop and implement an AED program for each recreation facility within 45 days of the effective date of this act.

(b) The program required under subsection (a) of this section shall include provisions that:

(1) Ensure that an AED is provided on-site; and

(2) An individual trained in the operation and use of an AED is present during hours of operation.

(c) The Mayor shall establish guidelines for periodic inspections and annual maintenance of the automated external defibrillators to ensure each AED is maintained, operated, and tested according to manufacturers' guidelines, including:

(1) Written records of the maintenance and testing of each AED are maintained, as required; and

(2) Proof that each individual who operates an AED for the authorized recreational facility has successfully completed an educational training course in conjunction with health training already received by Department of Parks and Recreation employees and refresher training, as required.

(d) The Mayor shall issue and renew certificates to recreation facilities that meet the requirements of this section.

(e) The Mayor shall approve educational and training programs required under this section that:

(1) Are conducted by any private or public entity;

(2) Include training in cardiopulmonary resuscitation; and

(3) May include courses from nationally recognized entities, such as the American Heart Association, the American Red Cross, and the National Safety Council.

(f) The Mayor shall make best efforts to use uniform equipment pursuant to this act.

Sec. 4. Immunities.

(a) In addition to any other immunities available under statutory or common law, an authorized recreation facility is not civilly liable for any act or omission in the provision of automated external defibrillation if the authorized facility:

(1) Satisfied the requirements for making automated external defibrillation available under section 3; and

(2) Possesses a valid certificate at the time of the act or omission.

(b) The AED program established under this act shall include tort immunity pursuant to section 4 of the Public Access to Automated External Defibrillator Act of 2001, effective April 27, 2001 (D.C. Law 13-278; D.C. Official Code § 44-233).

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

---

Chairman  
Council of the District of Columbia

---

Mayor  
District of Columbia