

# SENATE BILL 427

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(7lr2375)

## ENROLLED BILL

— Finance/Health and Government Operations —

Introduced by **Senators Klausmeier, Astle, Benson, Feldman, Hershey, King, Lee, Middleton, Peters, and Smith** Smith, Jennings, Mathias, Oaks, Reilly, and Rosapepe

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

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Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Food Service Facilities~~ Maryland Institute for Emergency Medical Services  
3 Systems – Automated External Defibrillator Program Defibrillators – Study  
4 (The Joe Sheya Act)

5 FOR the purpose of ~~requiring the owner and operator of a certain food service facility to~~  
6 ~~develop and, beginning on a certain date, implement an automated external~~  
7 ~~defibrillator program that meets certain requirements; requiring the Department of~~  
8 ~~Health and Mental Hygiene and the Maryland Institute for Emergency Medical~~  
9 ~~Services Systems jointly to adopt certain regulations~~ to conduct a certain study  
10 regarding the location of automated external defibrillators; requiring the Maryland  
11 Institute for Emergency Medical Services Systems to compile certain information and  
12 provide a certain summary; requiring the Maryland Institute for Emergency Medical  
13 Services Systems to use certain data in conducting the study; requiring the Maryland

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



Institute for Emergency Medical Services Systems to report its findings and recommendations to certain committees of the General Assembly on or before a certain date; and generally relating to ~~an a study regarding~~ automated external defibrillator program for food service facilities defibrillators.

~~BY adding to~~

~~Article — Health — General~~

~~Section 21-330.3~~

~~Annotated Code of Maryland~~

~~(2015 Replacement Volume and 2016 Supplement)~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
That ~~the Laws of Maryland read as follows:~~

~~Article — Health — General~~

~~21-330.3.~~

~~(A) THIS SECTION DOES NOT APPLY TO A FOOD SERVICE FACILITY THAT HAS:~~

~~(1) AN ANNUAL GROSS INCOME OF \$400,000 OR LESS; OR~~

~~(2) A SEATING CAPACITY OF LESS THAN 50.~~

~~(B) THE OWNER AND OPERATOR OF A FOOD SERVICE FACILITY SHALL DEVELOP AND, BEGINNING OCTOBER 1, 2018, IMPLEMENT AN AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAM THAT MEETS THE REQUIREMENTS OF § 13-517 OF THE EDUCATION ARTICLE.~~

~~(C) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AND THE MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS JOINTLY SHALL ADOPT REGULATIONS THAT:~~

~~(1) ESTABLISH GUIDELINES FOR PERIODIC INSPECTIONS AND ANNUAL MAINTENANCE OF THE AUTOMATED EXTERNAL DEFIBRILLATORS; AND~~

~~(2) ASSIST THE OWNER AND OPERATOR OF A FOOD SERVICE FACILITY IN CARRYING OUT THE PROVISIONS OF THIS SECTION.~~

(a) The Maryland Institute for Emergency Medical Services Systems shall:

(1) in consultation with interested stakeholders, study and make recommendations regarding locations where automated external defibrillators could be most beneficial;

1           (2) compile information on the cost of automated external defibrillators,  
2 including the cost of installation;

3           (3) compile information on the cost of training individuals to use automated  
4 external defibrillators; and

5           (4) provide a summary of the immunity from liability provisions in State  
6 law regarding the use of automated external defibrillators.

7           (b) In conducting the study required under subsection (a) of this section, the  
8 Maryland Institute for Emergency Medical Services Systems shall use any relevant data  
9 that is available for calendar years 2015, 2016, and 2017.

10           (c) On or before December 1, 2017, the Maryland Institute for Emergency Medical  
11 Services Systems shall report its findings and recommendations to the Senate Finance  
12 Committee and the House Health and Government Operations Committee in accordance  
13 with § 2-1246 of the State Government Article.

14           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 ~~October~~ July 1, 2017.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.