

## CHAPTER 349

(Senate Bill 742)

AN ACT concerning

### Swimming Pools - Automated External Defibrillator Programs - *Study*

FOR the purpose of ~~requiring each county or municipal corporation that owns or operates a swimming pool to develop and implement a certain automated external defibrillator program that meets certain requirements for certain swimming pools owned or operated by the county or municipal corporation; requiring the owners and operators of certain swimming pools to develop and implement a certain automated external defibrillator program that meets certain requirements; requiring the Department of Health and Mental Hygiene and the Maryland Institute for Emergency Medical Services Systems to jointly adopt certain regulations; defining certain terms; *requiring the Maryland Institute for Emergency Medical Services Systems to conduct a certain study regarding automated external defibrillators; requiring the Maryland Institute for Emergency Medical Services Systems to make a certain report to certain committees of the General Assembly on or before a certain date;* and generally relating to requiring certain automated external defibrillator programs for certain swimming pools.~~

~~BY adding to~~

~~Article 24 - Political Subdivisions - Miscellaneous Provisions~~

~~Section 20-101 to be under the new title "Title 20. Automated External Defibrillator Programs"~~

~~Annotated Code of Maryland~~

~~(2005 Replacement Volume and 2006 Supplement)~~

~~BY adding to~~

~~Article - Health - General~~

~~Section 13-2501 to be under the new subtitle "Subtitle 25. Automated External Defibrillator Programs"~~

~~Annotated Code of Maryland~~

~~(2005 Replacement Volume and 2006 Supplement)~~

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

~~Article 24 — Political Subdivisions — Miscellaneous Provisions~~

~~TITLE 20. AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAMS.~~

~~20-101.~~

~~(A) IN THIS SECTION, “SWIMMING POOL” MEANS A POOL THAT IS OWNED AND OPERATED BY THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION.~~

~~(B) (1) EACH COUNTY OR MUNICIPAL CORPORATION THAT OWNS OR OPERATES A SWIMMING POOL SHALL DEVELOP AND IMPLEMENT AN AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAM THAT MEETS THE REQUIREMENTS OF § 13-517 OF THE EDUCATION ARTICLE FOR EACH SWIMMING POOL OWNED OR OPERATED BY THE COUNTY OR MUNICIPAL CORPORATION.~~

~~(2) THE PROGRAM REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE PROVISIONS THAT:~~

~~(I) ENSURE THAT AN AUTOMATED EXTERNAL DEFIBRILLATOR IS PROVIDED ON-SITE; AND~~

~~(H) AN INDIVIDUAL TRAINED IN THE OPERATION AND USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR IS PRESENT AT EACH SWIMMING POOL.~~

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

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

~~(2) ASSIST EACH COUNTY OR MUNICIPAL CORPORATION IN CARRYING OUT THE PROVISIONS OF THIS SECTION.~~

~~Article — Health — General~~

~~SUBTITLE 25. AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAMS.~~

~~13-2501.~~

- ~~(A) (1) IN THIS SECTION, "SWIMMING POOL" MEANS A POOL THAT:~~
- ~~(I) IS OPEN FOR GENERAL ADMISSION TO THE PUBLIC;~~
  - ~~(II) IS PROVIDED AS THE OWNER'S PRIMARY BUSINESS OR THE FACILITY'S PRIMARY PURPOSE, INCLUDING A SWIM CLUB OR SIMILAR FACILITY;~~
  - ~~(III) IS PROVIDED BY OR USED BY A:~~
    - ~~1. YOUTH CAMP;~~
    - ~~2. COLLEGE, UNIVERSITY, OR SCHOOL;~~
    - ~~3. COUNTRY CLUB; OR~~
    - ~~4. WATER PARK, AMUSEMENT PARK, OR WATER RECREATIONAL ATTRACTION; OR~~
  - ~~(IV) IS USED FOR SWIMMING LESSONS, WATER SAFETY INSTRUCTION, OR SWIMMING COMPETITIONS.~~
- ~~(2) IN THIS SECTION, "SWIMMING POOL" DOES NOT MEAN A POOL THAT IS LOCATED:~~
- ~~(I) AT A FACILITY INTENDED FOR THE USE OF INDIVIDUALS STAYING AT THE FACILITY, INCLUDING A HOTEL OR MOTEL POOL; OR~~
  - ~~(II) ON RESIDENTIAL PROPERTY.~~
- ~~(B) (1) THE OWNERS AND OPERATORS OF EACH SWIMMING POOL SHALL DEVELOP AND IMPLEMENT AN AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAM THAT MEETS THE REQUIREMENTS OF § 13-517 OF THE EDUCATION ARTICLE.~~
- ~~(2) THE PROGRAM REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE PROVISIONS THAT ENSURE:~~

~~(I) AN AUTOMATED EXTERNAL DEFIBRILLATOR IS PROVIDED ON-SITE; AND~~

~~(II) AN INDIVIDUAL TRAINED IN THE OPERATION AND USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR IS PRESENT AT EACH SWIMMING POOL.~~

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

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

~~(2) ASSIST THE OWNERS AND OPERATORS OF EACH SWIMMING POOL IN CARRYING OUT THE PROVISIONS OF THIS SECTION.~~

SECTION 1. AND BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) The Maryland Institute for Emergency Medical Services Systems in consultation with interested stakeholders shall study whether automated external defibrillators should be provided on-site at swimming pools in State.

(b) In conducting the study required under subsection (a) of this section, the Maryland Institute for Emergency Medical Services Systems shall examine:

(i) which swimming pools should be required to provide automated external defibrillators;

(ii) whether the presence of individuals trained in the use of automated external defibrillators should be required by swimming pools; and

(iii) the safety of providing automated external defibrillation at a swimming pool.

(c) In addition to the study required under subsection (a) of this section, the Maryland Institute for Emergency Medical Services Systems shall make recommendations on locations, other than swimming pools, where automated external defibrillators should be required.

(d) On or before December 1, 2007, the Maryland Institute for Emergency Medical Services Systems shall report its findings and recommendations, in accordance with § 2-1246 of the State Government Article, to the House Health and Government Operations Committee and the Senate Finance Committee.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2007.

**Approved by the Governor, May 8, 2007.**