

SENATE BILL 990

J1
SB 330/08 – FIN

11r3080

By: **Senator Klausmeier**

Constitutional Requirements Complied with for Introduction in the last 35 Days of
Session

Introduced and read first time: March 16, 2011

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Swimming Pools – Automated External Defibrillator Programs**

3 FOR the purpose of requiring each county or municipality that owns or operates a
4 swimming pool to develop and implement a certain automated external
5 defibrillator program that meets certain requirements for certain swimming
6 pools owned or operated by the county or municipality; requiring the owners
7 and operators of certain swimming pools to develop and implement a certain
8 automated external defibrillator program that meets certain requirements;
9 requiring the Department of Health and Mental Hygiene and the Maryland
10 Institute for Emergency Medical Services Systems jointly to adopt certain
11 regulations; defining a term; and generally relating to requiring certain
12 automated external defibrillator programs for certain swimming pools.

13 BY adding to

14 Article 24 – Political Subdivisions – Miscellaneous Provisions
15 Section 22–101 to be under the new title “Title 22. Automated External
16 Defibrillator Programs”
17 Annotated Code of Maryland
18 (2005 Replacement Volume and 2010 Supplement)

19 BY adding to

20 Article – Health – General
21 Section 13–2401 to be under the new subtitle “Subtitle 24. Automated External
22 Defibrillator Programs”
23 Annotated Code of Maryland
24 (2009 Replacement Volume and 2010 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article 24 – Political Subdivisions – Miscellaneous Provisions

TITLE 22. AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAMS.

22-101.

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

(B) (1) EACH COUNTY OR MUNICIPALITY 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 MUNICIPALITY.

(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

(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 JOINTLY SHALL ADOPT REGULATIONS THAT:

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

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

Article – Health – General

SUBTITLE 24. AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAMS.

13-2401.

(A) (1) IN THIS SECTION, “SWIMMING POOL” MEANS A POOL THAT:

1 **(I) IS OPEN FOR GENERAL ADMISSION TO THE PUBLIC;**

2 **(II) IS PROVIDED AS THE OWNER'S PRIMARY BUSINESS OR**
3 **THE FACILITY'S PRIMARY PURPOSE, INCLUDING A SWIM CLUB OR SIMILAR**
4 **FACILITY;**

5 **(III) IS PROVIDED BY OR USED BY:**

6 1. **A YOUTH CAMP;**

7 2. **A COLLEGE, UNIVERSITY, OR SCHOOL;**

8 3. **A COUNTRY CLUB; OR**

9 4. **A WATER PARK, AN AMUSEMENT PARK, OR A**
10 **WATER RECREATIONAL ATTRACTION; OR**

11 **(IV) IS USED FOR SWIMMING LESSONS, WATER SAFETY**
12 **INSTRUCTION, OR SWIMMING COMPETITIONS.**

13 **(2) IN THIS SECTION, "SWIMMING POOL" DOES NOT MEAN A POOL**
14 **THAT IS LOCATED:**

15 **(I) AT A FACILITY INTENDED FOR THE USE OF INDIVIDUALS**
16 **STAYING AT THE FACILITY, INCLUDING A HOTEL OR MOTEL POOL; OR**

17 **(II) ON RESIDENTIAL PROPERTY.**

18 **(B) (1) THE OWNERS AND OPERATORS OF EACH SWIMMING POOL**
19 **SHALL DEVELOP AND IMPLEMENT AN AUTOMATED EXTERNAL DEFIBRILLATOR**
20 **PROGRAM THAT MEETS THE REQUIREMENTS OF § 13-517 OF THE EDUCATION**
21 **ARTICLE.**

22 **(2) THE PROGRAM REQUIRED UNDER PARAGRAPH (1) OF THIS**
23 **SUBSECTION SHALL INCLUDE PROVISIONS THAT ENSURE:**

24 **(I) AN AUTOMATED EXTERNAL DEFIBRILLATOR IS**
25 **PROVIDED ON-SITE; AND**

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

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

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

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

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2011.