

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 434

(Senator Raskin, *et al.*)

Finance

Health and Government Operations

Food Service Facilities - Automated External Defibrillator Program (The Joe Sheya Act)

This bill requires the owner and operator of a food service facility to develop and, beginning October 1, 2017, implement an automated external defibrillator (AED) program consistent with the AED program under current law. Food service facilities with an annual gross income of \$400,000 or less or a seating capacity of less than 50 are exempt from this requirement.

The Department of Health and Mental Hygiene (DHMH) and the Maryland Institute for Emergency Medical Services Systems (MIEMSS) must jointly adopt regulations that establish guidelines for periodic inspections and annual maintenance of the AEDs and assist owners and operators in carrying out the requirements of the bill.

Fiscal Summary

State Effect: DHMH and MIEMSS can adopt additional regulations with existing resources. Revenues are not affected.

Local Effect: No material fiscal impact; local health departments can handle enforcement with existing resources during regular food service facility inspection visits.

Small Business Effect: Potential meaningful to purchase AEDs and train staff.

Analysis

Current Law: Chapter 167 of 1999, which created the AED program, authorizes a facility to make AEDs available to victims of sudden cardiac arrest. The program is administered

by the Emergency Medical Services Board, which certifies facilities to operate AEDs. A certificate is valid for three years and is not required for a health care facility, a licensed commercial ambulance service, or a jurisdictional emergency medical service. The board formerly set fees for certificates for other AED program services to approximate program costs, but program fees were eliminated by Chapter 593 of 2008.

Background: Most AEDs are about the size of a laptop computer. They analyze a cardiac arrest victim's cardiac rhythm, charge to an appropriate energy level, and deliver an electric charge, as directed by the operator, through adhesive pads placed on the victim's chest. According to DHMH, AED units generally cost between \$1,200 and \$2,000.

The American Red Cross of Central Maryland offers on-site AED operation training. The cost of an AED training course ranges from \$70 to \$110 per person.

The American Heart Association (AHA) advises AED placement in all emergency medical services first-response vehicles and targeted public areas such as sports arenas, gated communities, office complexes, doctor's offices, and shopping malls. If an AED is placed in a business or facility, AHA recommends that (1) a local emergency medical services office be notified; (2) a licensed physician or medical authority provide medical oversight; and (3) the individuals responsible for using the AED be properly trained.

Additional Information

Prior Introductions: None.

Cross File: HB 1194 (Delegate Cullison) - Health and Government Operations.

Information Source(s): Maryland Association of County Health Officers, Maryland Institute for Emergency Medical Services Systems, Department of Health and Mental Hygiene, Department of Legislative Services

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