

Chapter 91

(House Bill 276)

AN ACT concerning

State Emergency Medical Services Board – Public Access Automated External Defibrillator Program – Revisions

FOR the purpose of altering the Public Access Automated External Defibrillator Program, including by establishing requirements regarding an automated external defibrillator (AED) coordinator, repealing certain provisions of law regarding regional council AED committees, and exempting certain law enforcement agencies from being required to obtain a certificate for an AED deployed in a patrol vehicle of the law enforcement agency; establishing certain certification qualifications for grocery stores and restaurants under the Program; and generally relating to the Public Access Automated External Defibrillator Program.

BY repealing and reenacting, with amendments,
Article – Education
Section 13–517
Annotated Code of Maryland
(2022 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–330.3(c)
Annotated Code of Maryland
(2023 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 2–101(a) and (g)
Annotated Code of Maryland
(2022 Replacement Volume and 2025 Supplement)

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

Article – Education

13–517.

(a) (1) In this section the following words have the meanings indicated.

(2) “AED COORDINATOR” MEANS THE INDIVIDUAL DESIGNATED BY A REGISTERED ENTITY TO ENSURE COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION.

[(2)] (3) “Automated external defibrillator (AED)” means a medical heart monitor and defibrillator device that:

(i) Is cleared for market by the **[federal] U.S.** Food and Drug Administration;

(ii) Recognizes the presence or absence of ventricular fibrillation or rapid ventricular tachycardia;

(iii) Determines, without intervention by an operator, whether defibrillation should be performed;

(iv) On determining that defibrillation should be performed, automatically charges; and

(v) 1. Requires operator intervention to deliver the electrical impulse; or

2. Automatically continues with delivery of electrical impulse.

[(3)] (4) “Certificate” means a certificate issued by the EMS Board to a registered **[facility] ENTITY**.

[(4) (i)] (5) **["Facility"] “ENTITY”** means **AN ORGANIZATION, A BUSINESS, AN ASSOCIATION,** an agency, **[an association,]** a corporation, a firm, **OR** a partnership**[, or any other entity] IN THE STATE.**

[(ii) “Facility” does not include a grocery store or restaurant that is subject to § 21–330.3 of the Health – General Article.]

[(5)] (6) “Jurisdictional emergency medical services operational program” means the institution, agency, corporation, or other entity that has been approved by the EMS Board to provide oversight of emergency medical services for each of the local government and State and federal emergency medical services programs.

(7) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN § 2–101 OF THE PUBLIC SAFETY ARTICLE.

[(6)] (8) “Program” means the Public Access Automated External Defibrillator Program.

[(7) “Regional administrator” means the individual employed by the Institute as regional administrator in each EMS region.

(8) “Regional council” means an EMS advisory body as created by the Code of Maryland Regulations 30.05.

(9) “Regional council AED committee” means a committee appointed by the regional council consisting of:

- (i) The regional medical director;
- (ii) The regional administrator; and
- (iii) Three or more individuals with knowledge of and expertise in AEDs.]

[(10)] **(9)** “Registered [facility] ENTITY” means an [organization, a business association, an agency, or any other] entity that meets the requirements of the EMS Board for registering with the Program.

- (b) (1) There is a Public Access Automated External Defibrillator Program.
- (2) The purpose of the Program is to:
 - (i) Coordinate an effective statewide public access defibrillation program; and
 - (ii) Implement the initiative to co-locate naloxone with automated external defibrillators placed in public buildings, as required under § 13–518 of this subtitle.
- (3) The Program shall be administered by the EMS Board.

- (c) The EMS Board may:
 - (1) Adopt regulations for the administration of the Program;
 - (2) Issue and renew certificates to [facilities] ENTITIES that meet the requirements of this section;
 - (3) Deny, suspend, revoke, or refuse to renew the certificate of a registered [facility] ENTITY for failure to meet the requirements of this section;
 - (4) Approve educational and training programs required under this section that:

(i) Are conducted by any private or public entity; **AND**

(ii) [Include training in cardiopulmonary resuscitation and automated external defibrillation; and

(iii)] May include courses from nationally recognized [entities] **ORGANIZATIONS** such as the American Heart Association, the American Red Cross, and the National Safety Council; **AND**

[(5) Approve the protocol for the use of an AED; and]

[(6)] **(5)** Delegate to the Institute any portion of its authority under this section.

(d) (1) [Each facility] **EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, EACH ENTITY** that desires to make automated external defibrillation available shall possess a valid certificate from the EMS Board.

(2) This subsection does not apply to:

(i) A jurisdictional emergency medical services operational program;

(ii) A licensed commercial ambulance service;

(iii) A health care facility as defined in § 19–114 of the Health – General Article; or

(iv) A place of business for health care practitioners who are licensed as dentists under Title 4 of the Health Occupations Article or as physicians under Title 14 of the Health Occupations Article and are authorized to use an AED in accordance with that license.

(3) A LAW ENFORCEMENT AGENCY MAY NOT BE REQUIRED TO OBTAIN A CERTIFICATE FOR AN AED DEPLOYED IN A PATROL VEHICLE OF THE LAW ENFORCEMENT AGENCY.

(e) **(1)** ~~Te~~ **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, TO** qualify for **AND RETAIN** a certificate [a facility] **AN ENTITY** shall:

~~(1)~~ **(1)** [Comply with the written protocol approved by the EMS Board] **HAVE A WRITTEN PLAN** for the use of an AED [which] **THAT** includes [notification of] **A REQUIREMENT THAT THE ENTITY NOTIFY** the emergency medical services system

through the use of the 911 universal emergency access number as soon as possible on the use of an AED;

~~(2)~~ **(II)** Have established [automated external defibrillator] **AED** maintenance, placement, operation, **AND** reporting[, and quality improvement] procedures as required by the EMS Board;

~~(3)~~ **(III)** [Maintain] **REQUIRE THE AED COORDINATOR TO MAINTAIN THE FUNCTIONALITY OF** each AED and all related equipment and supplies in accordance with the standards established by the device manufacturer and the [federal] **U.S.** Food and Drug Administration;

[(4) Ensure that each individual who is expected to operate an AED for the registered facility has successfully completed an educational training course and refresher training as required by the EMS Board; and]

~~(4)~~ **(IV)** **REQUIRE THE AED COORDINATOR TO PROMOTE AWARENESS OF THE LOCATION AND OPERATION OF THE AED AMONG POTENTIAL OR FORESEEABLE AED OPERATORS IN CASE OF EMERGENCY; AND**

~~(5)~~ **(V)** If the [facility] **ENTITY** is a public building, meet any requirements established under § 13–518 of this subtitle relating to the co–location of naloxone with each AED maintained [in] **BY** the [facility] **ENTITY**.

(2) FOR AN ENTITY THAT IS A GROCERY STORE OR RESTAURANT, TO QUALIFY FOR AND RETAIN A CERTIFICATE, THE ENTITY SHALL:

(I) REGISTER THE NAME OF THE ENTITY WITH THE PROGRAM;
AND

(II) MAINTAIN THE FUNCTIONALITY OF EACH AED AND ALL RELATED EQUIPMENT AND SUPPLIES IN ACCORDANCE WITH THE STANDARDS ESTABLISHED BY THE DEVICE MANUFACTURER AND THE U.S. FOOD AND DRUG ADMINISTRATION.

(f) **IN ADDITION TO THE REQUIREMENTS ESTABLISHED IN THIS SECTION, AN ENTITY OTHER THAN A GROCERY STORE OR RESTAURANT THAT IS SUBJECT TO § 21–330.3 OF THE HEALTH – GENERAL ARTICLE SHALL ENSURE THAT THE AED COORDINATOR HAS SUCCESSFULLY COMPLETED AN EDUCATIONAL TRAINING COURSE AND ANY REFRESHER TRAINING COURSES AS REQUIRED BY THE EMS BOARD.**

(G) A registered [facility] **ENTITY** shall report the use of an AED to the Institute [for review by the regional council AED committee] **USING THE FORM PROVIDED BY THE INSTITUTE.**

[(g)] (H) [A facility] **AN ENTITY** that desires to [establish] **OBTAIN** or renew a certificate shall:

- (1) Submit an application on the form that the EMS Board requires; and
- (2) Meet the requirements under this section.

[(h)] (I) (1) The EMS Board shall issue a new or a renewed certificate to [a facility] **AN ENTITY** that meets the requirements of this section.

- (2) Each certificate shall include:
 - (i) The type of certificate;
 - (ii) The full name and address of the [facility] **ENTITY**;
 - (iii) A unique identification number; and
 - (iv) The dates of issuance and expiration of the certificate.
- (3) A certificate is valid for 3 years.

[(i)] (J) The EMS Board may issue a cease and desist order or obtain injunctive relief if [a facility] **AN ENTITY** makes automated external defibrillation available in violation of this section.

[(j)] (K) (1) In addition to any other immunities available under statutory or common law, a registered [facility] **ENTITY** is not civilly liable for any act or omission in the provision of automated external defibrillation if the registered [facility] **ENTITY**:

- (i) Has satisfied the requirements for making [automated external defibrillation] **AN AED** available under this section; and
- (ii) Possesses a valid certificate at the time of the act or omission.

[(2)] In addition to any other immunities available under statutory or common law, a member of the regional council AED committee is not civilly liable for any act or omission in the provision of automated external defibrillation.]

[(3)] (2) In addition to any other immunities available under statutory or common law, an individual is not civilly liable for any act or omission if:

(i) The individual is acting in good faith while rendering automated external defibrillation to a person who is a victim or reasonably believed by the individual to be a victim of a sudden cardiac arrest;

(ii) The assistance or aid is provided in a reasonably prudent manner; and

(iii) The automated external defibrillation is provided without fee or other compensation.

~~[(4)]~~ **(3)** The immunities in this subsection are not available if the conduct of the registered [facility] ENTITY or an individual amounts to gross negligence, willful or wanton misconduct, or intentionally tortious conduct.

~~[(5)]~~ **(4)** This subsection does not affect, and may not be construed as affecting, any immunities from civil or criminal liability or defenses established by any other provision of the Code or by common law to which a registered [facility, a member of the regional council AED committee,] ENTITY or an individual may be entitled.

~~[(k)]~~ **(L)** (1) A registered [facility] ENTITY aggrieved by a decision of the Institute acting under the delegated authority of the EMS Board under this section shall be afforded an opportunity for a hearing before the EMS Board.

(2) A registered [facility] ENTITY aggrieved by a decision of the EMS Board under this section shall be afforded an opportunity for a hearing in accordance with Title 10, Subtitle 2 of the State Government Article.

Article – Health – General

21–330.3.

(c) ~~[(Beginning January 1, 2025, each)]~~ **EACH** owner and operator of a grocery store or restaurant shall:

(1) Place an automated external defibrillator in a prominent area, accessible to employees and customers; ~~and~~

~~[(2)]~~ Maintain the functionality of the automated external defibrillator; ~~;~~
AND

~~[(2)]~~ **(3)** **COMPLY WITH THE APPLICABLE REQUIREMENTS OF THE PUBLIC ACCESS AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAM PROVIDED UNDER § 13–517 OF THE EDUCATION ARTICLE.**

Article – Public Safety

2–101.

(a) In this title the following words have the meanings indicated.

(g) (1) “Law enforcement agency” means a law enforcement agency of a department, county, or municipal corporation of the State.

(2) “Law enforcement agency” includes:

(i) sheriffs; and

(ii) similar agencies of other states and the United States.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.

Approved by the Governor, April 14, 2026.