

UNOFFICIAL COPY OF HOUSE BILL 593

HOUSE BILL 593

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CF SB 369

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By: **Delegates Boafu, Holmes, and Taylor**  
Introduced and read first time: January 23, 2025  
Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Public Libraries - Automated External Defibrillator Program**  
3 **(Raymono A. Russell Act)**

4 FOR the purpose of requiring operators of certain libraries, beginning on a certain date, to  
5 place an automated external defibrillator in a certain area, maintain the  
6 functionality of the automated external defibrillator, and ensure a trained individual  
7 is present under certain circumstances; granting certain immunities to libraries and  
8 individuals for certain acts or omissions under certain circumstances; ~~altering the~~  
9 ~~definition of "facility" for the purpose of excluding certain libraries from the Public~~  
10 ~~Access Automated External Defibrillator Program; requiring the Maryland~~  
11 ~~Department of Health and the Maryland Institute for Emergency Medical Services~~  
12 ~~Systems jointly to adopt certain regulations; and generally relating to an automated~~  
13 external defibrillator program for libraries.

14 ~~BY repealing and reenacting, with amendments,~~  
15 ~~Article - Education~~  
16 ~~Section 13-517(a)~~  
17 ~~Annotated Code of Maryland~~  
18 ~~(2022 Replacement Volume and 2024 Supplement)~~

19 BY adding to  
20 Article - Education  
21 Section 23-102.2  
22 Annotated Code of Maryland  
23 (2022 Replacement Volume and 2024 Supplement)

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

26 **Article - Education**

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1 ~~13-517.~~

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

3 (2) ~~"Automated external defibrillator (AED)" means a medical heart~~  
 4 ~~monitor and defibrillator device that:~~

5 (i) ~~Is cleared for market by the federal Food and Drug~~  
 6 ~~Administration;~~

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

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

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

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

15 2. ~~Automatically continues with delivery of electrical~~  
 16 ~~impulse.~~

17 (3) ~~"Certificate" means a certificate issued by the EMS Board to a~~  
 18 ~~registered facility.~~

19 (4) (i) ~~"Facility" means an agency, an association, a corporation, a firm,~~  
 20 ~~a partnership, or any other entity.~~

21 (ii) ~~"Facility" does not include [a]:~~

22 1. ~~A grocery store or restaurant that is subject to §~~  
 23 ~~21-330.3 of the Health General Article; OR~~

24 2. ~~A LIBRARY THAT IS SUBJECT TO § 23-102.2 OF THIS~~  
 25 ~~ARTICLE.~~

26 (5) ~~"Jurisdictional emergency medical services operational program"~~  
 27 ~~means the institution, agency, corporation, or other entity that has been approved by the~~  
 28 ~~EMS Board to provide oversight of emergency medical services for each of the local~~  
 29 ~~government and State and federal emergency medical services programs.~~

30 (6) ~~"Program" means the Public Access Automated External Defibrillator~~  
 31 ~~Program.~~

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1 ~~(7) "Regional administrator" means the individual employed by the~~  
 2 ~~Institute as regional administrator in each EMS region.~~

3 ~~(8) "Regional council" means an EMS advisory body as created by the Code~~  
 4 ~~of Maryland Regulations 30.05.~~

5 ~~(9) "Regional council AED committee" means a committee appointed by the~~  
 6 ~~regional council consisting of:~~

7 ~~(i) The regional medical director;~~

8 ~~(ii) The regional administrator; and~~

9 ~~(iii) Three or more individuals with knowledge of and expertise in~~  
 10 ~~AEDs.~~

11 ~~(10) "Registered facility" means an organization, a business association, an~~  
 12 ~~agency, or any other entity that meets the requirements of the EMS Board for registering~~  
 13 ~~with the Program.~~

14 **23-102.2.**

15 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
 16 **INDICATED.**

17 **(2) "AUTOMATED EXTERNAL DEFIBRILLATOR (AED)" MEANS A**  
 18 **MEDICAL HEART MONITOR AND DEFIBRILLATOR DEVICE THAT:**

19 **(I) IS CLEARED FOR MARKET BY THE FEDERAL FOOD AND**  
 20 **DRUG ADMINISTRATION;**

21 **(II) RECOGNIZES THE PRESENCE OR ABSENCE OF**  
 22 **VENTRICULAR FIBRILLATION OR RAPID VENTRICULAR TACHYCARDIA;**

23 **(III) DETERMINES, WITHOUT INTERVENTION BY AN OPERATOR,**  
 24 **WHETHER DEFIBRILLATION SHOULD BE PERFORMED;**

25 **(IV) ON DETERMINING THAT DEFIBRILLATION SHOULD BE**  
 26 **PERFORMED, AUTOMATICALLY CHARGES; AND**

27 **(V) 1. REQUIRES OPERATOR INTERVENTION TO DELIVER**  
 28 **THE ELECTRICAL IMPULSE; OR**

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2. AUTOMATICALLY CONTINUES WITH DELIVERY OF THE ELECTRICAL IMPULSE.

(3) (I) "LIBRARY" INCLUDES:

- 1. THE STATE LIBRARY RESOURCE CENTER;
- 2. A REGIONAL RESOURCE CENTER;
- 3. A CORRECTIONAL FACILITY LIBRARY;
- 4. A COUNTY LIBRARY SYSTEM AND THE ENOCH PRATT FREE LIBRARY IN BALTIMORE;
- 5. THE MARYLAND STATE LIBRARY FOR THE BLIND AND PRINT DISABLED;
- 6. THE MARYLAND DEAF CULTURE DIGITAL LIBRARY;
- 7. A METROPOLITAN COOPERATIVE SERVICE PROGRAM.

(II) "LIBRARY" DOES NOT INCLUDE A SCHOOL LIBRARY MEDIA PROGRAM ESTABLISHED BY A LOCAL SCHOOL SYSTEM.

(B) BEGINNING JANUARY 1, 2026, EACH OPERATOR OF A LIBRARY SHALL:

(1) PLACE AN AUTOMATED EXTERNAL DEFIBRILLATOR IN A PROMINENT AREA, ACCESSIBLE TO EMPLOYEES AND LIBRARY USERS;

(2) COMPLY WITH § 13-517 OF THIS ARTICLE;

~~(2)~~ (3) MAINTAIN THE FUNCTIONALITY OF THE AUTOMATED EXTERNAL DEFIBRILLATOR; AND

~~(3)~~ (4) ENSURE THAT AN INDIVIDUAL TRAINED IN THE OPERATION OF THE AUTOMATED EXTERNAL DEFIBRILLATOR IS PRESENT AT ANY TIME DURING WHICH THE LIBRARY IS OPEN TO USE.

(C) IN ADDITION TO ANY OTHER IMMUNITIES AVAILABLE UNDER STATUTORY OR COMMON LAW:

(1) A LIBRARY IS NOT CIVILLY LIABLE FOR ANY ACT OR OMISSION IN THE PROVISION OF AUTOMATED EXTERNAL DEFIBRILLATION IF THE LIBRARY HAS SATISFIED THE REQUIREMENTS UNDER THIS SECTION;

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1           **(2) AN INDIVIDUAL IS NOT CIVILLY LIABLE FOR ANY ACT OR**  
 2 **OMISSION IF:**

3           **(I) THE INDIVIDUAL IS ACTING IN GOOD FAITH WHILE**  
 4 **RENDERING AUTOMATED EXTERNAL DEFIBRILLATION TO ANOTHER INDIVIDUAL**  
 5 **WHO IS THE VICTIM OR IS REASONABLY BELIEVED BY THE INDIVIDUAL TO BE A**  
 6 **VICTIM OF A SUDDEN CARDIAC ARREST;**

7           **(II) THE ASSISTANCE OR AID IS PROVIDED IN A REASONABLY**  
 8 **PRUDENT MANNER; AND**

9           **(III) THE AUTOMATED EXTERNAL DEFIBRILLATION IS PROVIDED**  
 10 **WITHOUT FEE OR OTHER COMPENSATION; AND**

11           **(3) A LIBRARY OR INDIVIDUAL IS NOT CIVILLY LIABLE FOR FAILING**  
 12 **TO RENDER AUTOMATED EXTERNAL DEFIBRILLATION TO AN INDIVIDUAL WHO IS A**  
 13 **VICTIM OR IS REASONABLY BELIEVED TO BE A VICTIM OF A SUDDEN CARDIAC**  
 14 **ARREST.**

15           ~~**(D) THE MARYLAND DEPARTMENT OF HEALTH AND THE MARYLAND**~~  
 16 ~~**INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS JOINTLY SHALL ADOPT**~~  
 17 ~~**REGULATIONS THAT:**~~

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

20           ~~**(2) ASSIST THE OPERATOR OF A LIBRARY IN CARRYING OUT THE**~~  
 21 ~~**PROVISIONS OF THIS SECTION; AND**~~

22           ~~**(3) REQUIRE EACH LIBRARY SUBJECT TO THIS SECTION TO REGISTER**~~  
 23 ~~**WITH THE MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS**~~  
 24 ~~**IN ORDER TO:**~~

25           ~~**(i) MAKE ITS LOCATION PUBLICLY AVAILABLE TO EMERGENCY**~~  
 26 ~~**DISPATCHERS; AND**~~

27           ~~**(ii) RECEIVE MAINTENANCE AND RECALL NOTICES FROM THE**~~  
 28 ~~**MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS.**~~

29           SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1,  
 30 2026, the Maryland Institute for Emergency Medical Services Systems shall report to the Senate Committee on  
 31 Education, Energy, and the Environment and the  
 32 House Economic Matters Committee, in accordance with § 2-1257 of the State Government  
 Article, on:

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1           (1)     the libraries that registered automated external defibrillators in  
2 accordance with regulations adopted under § 23-102.2 of the Education Article, as enacted  
3 by Section 1 of this Act; and

4           (2)     the number of adverse cardiac events that required the use of an  
5 automated external defibrillator experienced in the libraries that registered the automated  
6 external defibrillators.

7           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2025.