AED/DEFIBRILLATOR MEDICAL AUTHORIZATION

The Food & Drug Administration considers defibrillators to be prescription devices pursuant to 21 CFR 801.109 and medical authorization is required.

This serves as Medical Authorization for External Defibrillators and Automated External Defibrillator(s) ("AED(s)") as indicated below:

1. Recipient of the AED Medical Authorization, recipient must agree to comply with attached state law.

   Individual/Patient _____

   Business/School _____

2. Address for each location at which an AED will be located:

   Location Name:
   Street Address:
   City/State/Zip Code:
   Phone number:
   Contact/Title:

If more locations are provided for under this Medical Authorization, please attach a separate piece of paper listing the required contact information for each location.

Authorizing Physician:
Name:
Facility:
Street:
City/State/Zip Code:
Phone Number:
Fax Number:

Physician's Signature: _____ Date: _____

C.R.S. 13-21-108.1

COLORADO REVISED STATUTES

*** This document reflects changes current through all laws passed at the First Regular

Session
of the Seventieth General Assembly of the State of Colorado (2015) ***

TITLE 13. COURTS AND COURT PROCEDURE
DAMAGES AND LIMITATIONS ON ACTIONS
ARTICLE 21.DAMAGES
PART 1. GENERAL PROVISIONS

C.R.S. 13-21-108.1 (2015)

13-21-108.1. Persons rendering emergency assistance through the use of automated external defibrillators - limited immunity

(1) The general assembly hereby declares that it is the intent of the general assembly to encourage the use of automated external defibrillators for the purpose of saving the lives of people in cardiac arrest.

(2) As used in this section, unless the context otherwise requires:

(a) "**AED**" or "defibrillator" means an automated external defibrillator that:

(I) Has received approval of its premarket notification filed pursuant to 21 U.S.C. sec. 360 (k), from the federal food and drug administration;

(II) Is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia, and is capable of determining, without intervention by an operator, whether defibrillation should be performed; and

(III) Upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to an individual's heart.

(b) "Licensed physician" means a physician licensed to practice medicine in this state.

(3) (a) In order to ensure public health and safety, a person or entity who acquires an **AED** shall ensure that:

(I) Expected **AED** users receive training in cardiopulmonary resuscitation (CPR) and **AED** use through a course that meets nationally recognized standards and is approved by the department of public health and environment;

(II) The defibrillator is maintained and tested according to the manufacturer's operational guidelines and that written records are maintained of this maintenance and testing;

(III) (Deleted by amendment, L. 2009, (SB 09-010), ch. 52, p. 186, § 1, effective March 25, 2009.)

(IV) Written plans are in place concerning the placement of **AEDs,** training of personnel, pre-planned coordination with the emergency medical services system, medical oversight, **AED** maintenance, identification of personnel authorized to use **AEDs,** and reporting of **AED** utilization, which written plans have been reviewed and approved by a licensed physician; and

(V) Any person who renders emergency care or treatment to a person in cardiac arrest by using an **AED** activates the emergency medical services system as soon as possible.

(b) Any person or entity that acquires an **AED** shall notify an agent of the applicable emergency communications or vehicle dispatch center of the existence, location, and type of **AED.**

(4) (a) Any person or entity whose primary duties do not include the provision of health care and who, in good faith and without compensation, renders emergency care or treatment by the use of an **AED** shall not be liable for any civil damages for acts or omissions made in good faith as a result of such care or treatment or as a result of any act or failure to act in providing or arranging further medical treatment, unless the acts or omissions were grossly negligent or willful and wanton.

(b) The limited immunity provided in paragraph (a) of this subsection (4) extends to:

(I) The licensed physician who reviewed and approved the written plans described in subparagraph (IV) of paragraph (a) of subsection (3) of this section;

(II) The person or entity who provides the CPR and **AED** site placement;

(III) Any person or entity that provides teaching or training programs for CPR to the site at which the **AED** is placed, which programs include training in the use of an **AED;** and

(IV) The person or entity responsible for the site where the **AED** is located.

(c) The limited immunity provided in this subsection (4) applies regardless of whether the requirements of subsection (3) of this section are met; except that the person or entity responsible for the site where the **AED** is located shall receive the limited immunity only if the requirements of subparagraph (II) of paragraph (a) of subsection (3) of this section are met.

(5) The requirements of subsection (3) of this section shall not apply to any individual using an **AED** during a medical emergency if that individual is acting as a good samaritan under section 13-21-108.

HISTORY: Source: L. 99: Entire section added, p. 349, § 1, effective April 16.L. 2005: (3)(a)(I) amended, p. 384, § 2, effective August 8.L. 2009: (3)(a)(III), (3)(a)(IV), (3)(a)(V), (4)(b), and (4)(c) amended, (SB 09-010), ch. 52, p. 186, § 1, effective March 25.