MAR 24 2000

The Honorable Joanne M. S. Brown
Legislative Secretary
I Mina'Bente Singko na Liheslaturan Guåhan
Twenty-Fifth Guam Legislature
Suite 200
130 Aspinal Street
Hagåtña, Guam 96910

Dear Legislative Secretary Brown:

Enclosed please find Bill No. 220 (COR), "AN ACT TO ADD CHAPTER 96 TO DIVISION 4, PART 2 OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROVIDING FOR PUBLIC ACCESS TO AUTOMATED EXTERNAL DEFIBRILLATORS", which I have signed into law today as Public Law No. 25-113.

This legislation establishes a manner for members of the public to obtain and use defibrillators, devices which administer an electrical impulse to an individual's heart in order to stop conditions in which the heart's electrical impulses become chaotic and the heartbeat is arrhythmic or even stops.

The devices are used in emergency care, and often save a person's life when they are away from a hospital or even a doctor's care.

This legislation sets up a requirement for persons who will use defibrillators to undergo a knowledge and skills course based upon current American Heart Association scientific guidelines, standards, and recommendations. Those who are trained and use the defibrillators must report the usage of the devices.

The legislation is analogous to situations where persons who take first aid or first responder courses become competent in furnishing an emergency
technique when needed and therefore are able to save lives in emergency situations. This will also allow those who learn the technique to save lives.

There are 2 amendments which will need to be made to the legislation. The first is to the definition of defibrillators, since some are fully automatic and some are manual. The second amendment is that the proper place for persons who use the devices to report their use is to the Office of Emergency Services at the Department of Public Health and Social Services, rather than reporting the use to the 911 center.

Very truly yours,

Madeleine Z. Bordallo
Acting Governor of Guam

Attachment: copy attached for signed bill or overridden bill
original attached for vetoed bill

cc: The Honorable A.R. Unpingco
Speaker
MINA’BENTE SINGKO NA LIHESLATURAN GUAHAN
2000 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO IMGA’LAHEN GUAHAN

This is to certify that Bill No. 220 (COR) “AN ACT TO ADD CHAPTER 96 TO DIVISION 4, PART 2 OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROVIDING FOR PUBLIC ACCESS TO AUTOMATED EXTERNAL DEFIBRILLATORS,” was on the 9th day of March 2000, duly and regularly passed.

ANTONIO R. UEPINGCO
Speaker

Attested:
JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by I Maga’lahen Guahan this 14th day of March, 2000, at 2:35 o’clock P.M.

APPROVED:

MADELEINE Z. BORBALLO
Akto I Maga’lahen Guahan

Date: 3/29/2000
Public Law No. 25-113
Bill No. 220 (COR)
As amended on the Floor.

Introduced by:

L. F. Kasperbauer
S. A. Sanchez, II
V. C. Pangelinan
F. B. Aguon, Jr.
E. C. Bermudes
A. C. Blaz
J. M.S. Brown
E. B. Calvo
M. G. Camacho
Mark Forbes
A. C. Lamorena, V
C. A. Leon Guerrero
K. S. Moylan
J. C. Salas
A. R. Unpingco

AN ACT TO ADD CHAPTER 96 TO DIVISION 4,
PART 2 OF TITLE 10 OF THE GUAM CODE
ANNOTATED, RELATIVE TO PROVIDING FOR
PUBLIC ACCESS TO AUTOMATED EXTERNAL
DEFIBRILLATORS.
BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Chapter 96 is hereby added to Division 4, Part 2 of Title 10 of the Guam Code Annotated to read as follows:

"CHAPTER 96.

THE PUBLIC ACCESS TO AUTOMATED EXTERNAL DEFIBRILLATION ACT OF 2000.

Section 96101. Short Title. This Act may be cited as 'The Public Access to Automated External Defibrillation Act of 2000.'

Section 96102. Legislative Intent. I Liheslaturan Guåhan finds that early defibrillation can sustain the life of, and temporarily stabilize, a person in cardiac arrest, and that early defibrillation operates as an extension of a physician in sustaining the life of and stabilizing a person in cardiac arrest, thus helping to preserve the Guam family.

It is the intent of I Liheslaturan Guåhan that the public have access to automated external defibrillators for the purpose of saving the lives of persons in cardiac arrest.

Section 96103. Definitions. For purposes of this Act:

(a) 'Automated external defibrillator' ('AED') means a device which:

(1) is used to administer an electric shock through the chest wall to the heart;
(2) has built-in computers within the device to assess the patient’s heart rhythm, judge whether defibrillation is needed and then administers the shock;

(3) has audible and/or visual prompts to guide the user through the process;

(4) has received approval of its pre-market modification, filed pursuant to 21 U.S.C. §360(k), from the United States Food and Drug Administration;

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

(6) upon determining that defibrillation should be performed, either automatically charges and delivers an electrical impulse to an individual’s heart, or charges and delivers an electrical impulse at the command of the operator; and

(7) in the case of a defibrillator that may be operated in either an automatic or a manual mode, is set to operate in the automatic mode.

(b) ‘Cardiac arrest’ means a condition, often sudden, that is due to abnormal heart rhythms called arrhythmias. It is generally the result of some underlying form of heart disease.
(c) 'CPR' means a combination of rescue breathing and chest compressions/external cardiac massage used to sustain a person's life until advanced assistance arrives.

(d) 'Defibrillation' means administering an electrical impulse to an individual's heart in order to stop ventricular fibrillation or rapid ventricular tachycardia.

(e) 'Emergency medical services system' means the transportation and medical care provided the critically ill or injured prior to arrival at a medical facility by a certified emergency medical technician, or other health care provider, and continuation of the initial emergency care within a medical facility, subject to the approval of the medical staff and governing board of that facility.

(f) 'Medical authority' means a health services organization or medical organization, with physician medical direction.

(g) 'Physician' means a Guam-licensed Doctor of Medicine ('M.D.') or Doctor of Osteopathy ('D.O.').

(h) 'Person' means any individual, partnership, association, corporation or any organized group of persons whether incorporated or not.

(i) 'Ventricular fibrillation' means the most common arrhythmia that causes cardiac arrest. It is a condition in which the heart's electrical impulses suddenly become chaotic, often
without warning, causing the heart’s pumping action to stop abruptly.

Section 96104. Access by Public to Defibrillators. (a) In order to ensure the public health and safety, a person or entity who acquires an AED shall ensure that:

(1) expected AED users complete a knowledge and skills course in CPR and AED use based upon current American Heart Association scientific guidelines, standards and recommendations for providing CPR, and the use of AEDs as published in the American Heart Association, the American Red Cross, or equivalent course materials;

(2) the defibrillator is maintained and tested according to the manufacturer’s operational guidelines and instructions;

(3) there is the involvement of a physician or medical authority to the site’s AED program to ensure compliance with requirements for training, notification and maintenance;

(4) any person who renders emergency care or treatment on a person in cardiac arrest by using an AED activates the emergency medical services system as soon as possible, and reports any clinical use of the AED to the physician or medical authority, as well as to emergency medical services providers.
(b) Any person or entity who acquires an AED shall notify an agent of emergency communications, 911, or vehicle dispatch center of the existence, location and type of AED.

Section 96105. AED Use and Tort Immunity. (a) Any person or entity who in good faith and without compensation renders emergency care or treatment by the use of an automated external defibrillator is immune from civil liability for any personal injury as a result of the care or treatment, or as a result of any act or failure to act in providing or arranging further medical treatment, if the person acts as an ordinary, reasonably prudent person would have acted under the same or similar circumstances.

(b) The immunity from civil liability for any personal injury under Subsection (a) of this Section includes: (i) the physician or medical authority who is involved with AED site placement, (ii) the person or entity who provides the CPR and AED training, and (iii) the person or entity responsible for the site where the AED is located.

(c) The immunity from civil liability under Subsection (a) of this Section does not apply if the personal injury results from the gross negligence, or willful or wanton misconduct of the person rendering the emergency care.”
March 13, 2000

The Honorable Carl T.C. Gutierrez
I Maga’lahen Guåhan
Ufisinan I Maga’lahi
Hagåtña, Guam 96910

Dear Maga’lahi Gutierrez:

Transmitted herewith are Bill Nos. 195(COR), 212(COR) and 220(COR) and Substitute Bill No. 360(COR) which were passed by I Mina’Bente Singko Na Liheslaturan Guåhan on March 9, 2000.

Sincerely,

[Signature]

JOANNE M.S. BROWN
Senator and Legislative Secretary

Enclosure (4)
MINA'BENTE SINGKO NA LIHESLATURAN GUAN
2000 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA’LAHEN GUAN

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ANTONIO R. UNPINGCO
Speaker

Attested:
JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by I Maga'lahen Guahan this __th day of March, 2000, at __:__ o'clock A.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

CARL T. C. GUTIERREZ
I Maga'lahen Guahan

Date: ______________________

Public Law No. _______________
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(e) ‘Emergency medical services system’ means the transportation and medical care provided the critically ill or injured prior to arrival at a medical facility by a certified emergency medical technician, or other health care provider, and continuation of the initial emergency care within a medical facility, subject to the approval of the medical staff and governing board of that facility.

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(c) The immunity from civil liability under Subsection (a) of this Section does not apply if the personal injury results from the gross negligence, or willful or wanton misconduct of the person rendering the emergency care.”
FINAL PROOF-READING OF BLUEBACK COPY

Initialed by: and Date:

☐ EXHIBITS ATTACHED
☐ CONFIRM NUMBER OF PAGES
☐ CAPTION ON CERTIFICATION MATCHES BILL CAPTION
☐ ENGROSSED SIGN "*" REMOVED FROM BILL
☐ 15 SENATORS IN SPONSORSHIP OR CONFIRM OTHERWISE
☐ CERTIFICATION SIGNED BY SPEAKER & LEGIS. SECRETARY
☐ EMERGENCY DECLARATION, if any

Confirmed By: ___________________________ Dated: ___________________________

☐ HAND CARRY BILL IN BLUEBACK (ORIGINAL & COPY)
   TO THE GOVERNOR. (DANNY, ROBERT OR OTHERS)
☐ ACKNOWLEDGED COPY W/ ORIGINAL BLUEBACK
   PLACED ON CLERK'S DESK. (Same copy given to Susan)

☐ FILED by: Danny, Robert or others

Office of the Speaker
ANTONIO R. UNPINGCO
Date: 03-16-02
Time: 10:00
Rec'd by: Signature
Print Name: Antonio
MINA’BENTE SINGKO NA LIHESLATURAN GUAHAN
2000 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA’LAHEN GUAHAN

This is to certify that Bill No. 220 (COR) "AN ACT TO ADD CHAPTER 96 TO DIVISION 4, PART 2 OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROVIDING FOR PUBLIC ACCESS TO AUTOMATED EXTERNAL DEFIBRILLATORS," was on the 9th day of March 2000, duly and regularly passed.

Attested:

ANTONIO R. UNPINGCO
Speaker

This Act was received by I Maga’lahen Guahan this ______ day of ______________, 2000, at ____________ o’clock ______.M.

Assistant Staff Officer
Maga’lahi’s Office

APPROVED:

CARL T. C. GUTIERREZ
I Maga’lahen Guahan

Date: ______________________

Public Law No. ______________
**I MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN**
2000 (SECOND) Regular Session

**DATE:** 3/9/00

**VOTING SHEET**

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**TOTAL**

14 0 0 0 1

CERTIFIED TRUE AND CORRECT:

_________________________________________________________
Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence
February 9, 2000
(DATE)

Memorandum

To: Senator LAWRENCE F. KASPERBAUER

From: Clerk of the Legislature

Subject: Report on Bill No. 220(COR)

Pursuant to §7.04 of Rule VII of the 25th Standing Rules, transmitted herewith is a copy of the Committee Report on Bill No. 220(COR), for which you are the prime sponsor.

Should you have any questions or need further information, please call the undersigned at 472-3464/5.

Attachment
February 8, 2000

Speaker Antonio R. Unpingco
I Mina’ Bente Singko Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guåhan 96910

Dear Mr. Speaker:

I Kumiten Salut, Setbision Tinaotao yan Iremsian Chamorro has completed its evaluation of Bill 220 (COR) “An Act to add a new Chapter 96 to Title 10, Guam Code annotated relative to providing for public access to automated external defibrillators.”

A public hearing was held on September 3, 1999.

Committee Members voted as follows:

To pass   --8--
Not to pass --0--
Abstain   --0--
Inactive File --0--

Consequently, the Committees submits its recommendation “TO PASS” Bill 220 (COR).

Your kind attention to this matter is immensely appreciated.

Saina Ma’âse’ yan Magof Ha’ânen Yu’os,

SIMON A. SANCHEZ II
MEMORANDUM

TO: Committee Members

FROM: Chairperson

SUBJECT: Committee Report – Bill 220 (COR) “An Act to add a new Chapter 96 to Title 10, Guam Code annotated relative to providing for public access to automated external defibrillators.”

Attached hereto is the Committee Report for the Bill No. 220 (COR), for your review and consideration. Please call me if you need clarification or additional information. Then, please mark and sign the accompanying Voting Sheet.

Saina Ma’ase’ yan Magof Ha’anen Yu’os,

SIMON A. SANCHEZ II
**Bill 220 (COR) “An Act to add a new Chapter 96 to Title 10, Guam Code annotated relative to providing for public access to automated external defibrillators.”**

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Committee Report

BILL NO. 220 (COR)

AN ACT TO ADD A NEW CHAPTER 96 TO TITLE 10, GUAM CODE ANNOTATED RELATIVE TO PROVIDING FOR PUBLIC ACCESS TO AUTOMATED EXTERNAL DEFIBRILLATORS.

Simon A. Sanchez II, Chairperson
Joanne M.S. Brown, Vice Chairperson

Members

Frank B. Aguon, Jr. Eulogio C. Bermudes
Anthony C. Blaz Eduardo B. Calvo
Marcel G. Camacho Mark Forbes
Lawrence F. Kasperbauer Alberto C. Lamorena V
Carlotta A. Leon Guerrero Kaleo S. Moylan
Vicente C. Pangelinan
I. OVERVIEW

Bill No. 220 (COR) was referred to this Committee on July 12, 1999 for disposition. A public hearing was conducted on September 3, 1999 at 9:00 AM in the Legislative Public Hearing Room. The hearing attendance record is attached to this report.

II. COMMITTEE FINDINGS

The intent of this bill is to grant the public access to automated external defibrillators for the purpose of saving lives during a cardiac arrest. This measure would facilitate installation, and use, of AEDs in stadiums, shopping centers, hotels and other commercial establishments which take the initiative to offer on-the-spot life-saving equipment in a limited, yet timely, fashion.

There are a few expectations entailed in the law. The first is that AED users undergo a knowledge and skills course in CPR and AED based upon current American Heart Association scientific guidelines. The second is that the defibrillator be tested according to the manufacturers’ recommendations. Third, involvement of a physician or medical authority is necessary to ensure compliance with requirements, training, notification and maintenance. The law also makes those who use the defibrillator, for purposes intended, immune to any civil liability except in cases of gross negligence or willful or wanton misconduct.

Christine Gyulavics-Reyes, representing the government of Guam’s Emergency Medical Technician training and regulatory program, testified in support of the Bill. She did point out to the Committee that training resources in Guam were limited, a point those business establishments interested in these devices must address and overcome so that the use of defibrillators is both efficient and effective.

III. COMMITTEE RECOMMENDATIONS

The Committee on Health, Human Services, and Chamorro Heritage recommends to the full body, on the voting of Bill 220 “An Act to add a new Chapter 96 to Title 10, Guam Code annotated relative to providing for public access to automated external defibrillators.” “TO PASS.”
MEMORANDUM

TO: Chairman
   Committee on Health, Human Services & Chamorro Heritage

FROM: Chairman
   Committee on Rules, Government Reform, Reorganization and Federal Affairs

SUBJECT: Principal Referral – Bill No. 220

The above bill is referred to your Committee as the Principal Committee. In accordance with Section 6.04.05. of the Standing Rules, your Committee “shall be the Committee to perform the public hearing and have the authority to amend or substitute the bill, as well as report the bill out to the Body.” It is recommended that you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

MARK FORBES

Attachment
Bill No. 220(cof)

Introduced by: L.F. Kasperbauer
S.A. Sanchez, II

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§96102. Legislative Intent. I Lihesluran Guåhan finds that early defibrillation can sustain the life of and temporarily stabilize a person in cardiac arrest, and that early defibrillation operates as an extension of a physician in sustaining the life of and stabilizing a person in cardiac arrest, thus helping to preserve the Guam family.

It is the intent of I Lihesluran Guåhan that the public have access to automated external defibrillators for the purpose of saving the lives of persons in cardiac arrest.
§96103. Definitions. For purposes of this act:

(a) Automated External Defibrillator (AED) means a device which:

(1) is used to administer an electric shock through the chest wall to the heart;

(2) has built-in computers within the device to assess the patient’s heart rhythm, judge whether defibrillation is needed and then administers the shock;

(3) has audible and/or visual prompts to guide the user through the process;

(4) has received approval of its premarket modification, filed pursuant to 21 U.S.C. Section 360 (k), from the United States Food and Drug Administration;

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

(6) upon determining that defibrillation should be performed, either automatically charges and delivers an electrical impulse to an individual’s heart, or charges and delivers an electrical impulse at the command of the operator; and

(7) in the case of a defibrillator that may be operated in either an automatic or a manual mode, is set to operate in the automatic mode.

(b) Cardiac arrest means a condition, often sudden, that is due to abnormal heart rhythms called arrhythmias. It is generally the result of some underlying form of heart disease.
(c) CPR means a combination of rescue breathing and chest compressions/external cardiac massage used to sustain a person's life until advanced assistance arrives.

(d) Defibrillation means administering an electrical impulse to an individual's heart in order to stop ventricular fibrillation or rapid ventricular tachycardia.

(e) Emergency medical services system means the transportation and medical care provided the critically ill or injured prior to arrival at a medical facility by a certified emergency medical technician or other health care provider and continuation of the initial emergency care within a medical facility subject to the approval of the medical staff and governing board of that facility.

(f) Medical authority means a health services organization or medical organization, with physician medical direction.

(g) Physician means a Guam licensed doctor of Medicine (M.D.) or Doctor of Osteopathy (D.O.).

(h) Person means any individual, partnership, association, corporation or any organized group of persons whether incorporated or not.

(i) Ventricular fibrillation means the most common arrhythmia that causes cardiac arrest. It is a condition in which the heart's electrical impulses suddenly become chaotic, often without warning, causing the heart’s pumping action to stop abruptly.

§96104. Access by the public to defibrillators. (a) In order to ensure the public health and safety, a person or entity who acquires an AED shall ensure that:
(1) expected AED users complete a knowledge and skills course in CPR and
AED use based upon current American Heart Association scientific guidelines,
standards, and recommendations for providing CPR and the use of AEDs as
published in American Heart Association, American Red Cross, or equivalent
course materials;

(2) the defibrillator is maintained and tested according to the manufacturer’s
operational guidelines and instructions;

(3) there is the involvement of a physician or medical authority to the site’s
AED program to ensure compliance with requirements for training, notification,
and maintenance;

(4) any person who renders emergency care or treatment on a person in
cardiac arrest by using an AED activates the emergency medical services system
as soon as possible, and reports any clinical use of the AED to the physician or
medical authority as well as to emergency medical services providers.

(b) Any person or entity who acquires an AED shall notify an agent of
emergency communications, 911, or vehicle dispatch center of the existence,
location, and type of AED.

§96105. AED use and tort immunity. (a) Any person or entity who in
good faith and without compensation renders emergency care or treatment by the
use of an automated external defibrillator is immune from civil liability for any
personal injury as a result of the care or treatment, or as a result of any act or
failure to act in providing or arranging further medical treatment, if the person acts
as an ordinary, reasonably prudent person would have acted under the same or
similar circumstances.

(b) The immunity from civil liability for any personal injury under (a) of
this section includes: the physician or medical authority who is involved with
AED site placement, the person or entity who provides the CPR and AED training, and the person or entity responsible for the site where the AED is located.

(c) The immunity from civil liability under (a) of this section does not apply if the personal injury results from the gross negligence or willful or wanton misconduct of the person rendering the emergency care.
TESTIMONY RECORD for
PUBLIC HEARING, September 3, 1999, 9:00 AM, Legislative Hearing Room, Hagåtña, Guam
Bill No. 220 – An act to add a new Chapter 96 to Title 10, Guam Code Annotated relative to providing for public access to automated external defibrillators; by L.F. Kasperbauer and S.A. Sanchez II.

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<td>Christine Gyulawics Reyes</td>
<td>DR. P.A.</td>
<td>FOR or AGAINST? [please circle one]</td>
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<tr>
<td>P.O. Box 2026</td>
<td>Hagåtña, Guam</td>
<td>785-73634</td>
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Fax: (671) 647-3267
AN ACT ADD A NEW CHAPTER 96 TO TITLE 10, GUAM CODE ANNOTATED RELATIVE TO PROVIDING FOR PUBLIC ACCESS TO AUTOMATED EXTERNAL DEFIBRILLATORS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new Chapter 96 is hereby added to Title 10, Guam Code Annotated to read:

§96101. Short Title. This act may be cited as "The Public Access to Automated External Defibrillation Act of 1999."

§96102. Legislative Intent. I Liheslaturan Guåhan finds that early defibrillation can sustain the life of and temporarily stabilize a person in cardiac arrest, and that early defibrillation operates as an extension of a physician in sustaining the life of and stabilizing a person in cardiac arrest, thus helping to preserve the Guam family.

It is the intent of I Liheslaturan Guåhan that the public have access to automated external defibrillators for the purpose of saving the lives of persons in cardiac arrest.
§96103. Definitions. For purposes of this act:

(a) *Automated External Defibrillator (AED)* means a device which:

1. is used to administer an electric shock through the chest wall to the heart;
2. has built-in computers within the device to assess the patient’s heart rhythm, judge whether defibrillation is needed and then administers the shock;
3. has audible and/or visual prompts to guide the user through the process;
4. has received approval of its premarket modification, filed pursuant to 21 U.S.C. Section 360 (k), from the United States Food and Drug Administration;
5. is capable of recognizing the presence or absence of ventricular fibrillation and rapid ventricular tachycardia, and is capable of determining, without intervention by an operator, whether defibrillation should be performed;
6. upon determining that defibrillation should be performed, either automatically charges and delivers an electrical impulse to an individual’s heart, or charges and delivers an electrical impulse at the command of the operator; and
7. in the case of a defibrillator that may be operated in either an automatic or a manual mode, is set to operate in the automatic mode.

(b) *Cardiac arrest* means a condition, often sudden, that is due to abnormal heart rhythms called arrhythmias. It is generally the result of some underlying form of heart disease.
(c) **CPR** means a combination of rescue breathing and chest compressions/external cardiac massage used to sustain a person’s life until advanced assistance arrives.

(d) **Defibrillation** means administering an electrical impulse to an individual’s heart in order to stop ventricular fibrillation or rapid ventricular tachycardia.

(e) **Emergency medical services system** means the transportation and medical care provided the critically ill or injured prior to arrival at a medical facility by a certified emergency medical technician or other health care provider and continuation of the initial emergency care within a medical facility subject to the approval of the medical staff and governing board of that facility.

(f) **Medical authority** means a health services organization or medical organization, with physician medical direction.

(g) **Physician** means a Guam licensed doctor of Medicine (M.D.) or Doctor of Osteopathy (D.O.).

(h) **Person** means any individual, partnership, association, corporation or any organized group of persons whether incorporated or not.

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(2) the defibrillator is maintained and tested according to the manufacturer’s operational guidelines and instructions;

(3) there is the involvement of a physician or medical authority to the site’s AED program to ensure compliance with requirements for training, notification, and maintenance;

(4) any person who renders emergency care or treatment on a person in cardiac arrest by using an AED activates the emergency medical services system as soon as possible, and reports any clinical use of the AED to the physician or medical authority as well as to emergency medical services providers.

(b) Any person or entity who acquires an AED shall notify an agent of emergency communications, 911, or vehicle dispatch center of the existence, location, and type of AED.

§96105. AED use and tort immunity. (a) Any person or entity who in good faith and without compensation renders emergency care or treatment by the use of an automated external defibrillator is immune from civil liability for any personal injury as a result of the care or treatment, or as a result of any act or failure to act in providing or arranging further medical treatment, if the person acts as an ordinary, reasonably prudent person would have acted under the same or similar circumstances.

(b) The immunity from civil liability for any personal injury under (a) of this section includes: the physician or medical authority who is involved with