

### AED Program

**Introduction:** During the 1999 Legislative Session, House Bill 2269 was passed, amending Chapter 16 Article 4C of the West Virginia State Code, authorizing the West Virginia Office of Emergency Medical Services (WVOEMS) to “register early defibrillation programs”. Working in partnership with the American Heart Association, American Red Cross, EMS, firefighting, and law enforcement communities, the Legislation established definitions and criteria for entities providing early defibrillation programs including training, medical direction, protocols, and notification of local EMS systems.

**Purpose:** The 1999 Legislature agreed with the scientific findings of the American Heart Association and others that as many as 250,000 Americans each year suffer from out-of-hospital sudden cardiac arrest. The medical/scientific community believes that 95% of these incidents result in death, and many of these deaths can be prevented if properly trained individuals could provide early automatic external defibrillation. The Legislature felt very strongly that communities have invested significantly in enhanced 911 and emergency medical services systems. They indicated that early defibrillation programs had to meet certain standards and be coordinated with local 911 and EMS systems.

## **AED Program**

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## **AED Program**

- I. **Program Requirements:** WV Code §16-4D-3. Early defibrillation programs, requires that "an entity providing an early defibrillation program shall:
1. Register the program with the Office of Emergency Medical Services, identifying the placement of AEDs, training of AED operators, preplanned EMS system coordination, designation of a medical director, maintenance of AED equipment and reports of AED utilization.
  2. Require the operator of an AED to receive appropriate training in cardiopulmonary resuscitation, referred to as "CPR", in the operation of an AED and in the determination of advance directives from the American Heart Association, American Red Cross, any other nationally recognized course in CPR and AED, or an AED and CPR training program approved by the Office of Emergency Medical Services;
  3. Maintain and test the AED in accordance with the manufacturer's guidelines and keep written records of this maintenance and testing.
  4. Designate a medical director for the coordination of the program, which shall include, but not be limited to, training, coordinating with EMS, creating AED deployment strategies and reviewing each operation of an AED.
  5. Notify the local EMS system and public safety answering point or other appropriate emergency dispatch center of the existence of an entity's early defibrillation program, the location of the program and the program's plan for coordination with the EMS system.
  6. Provide that an operator of an AED who renders emergency care or treatment on a person experiencing cardiac arrest shall activate the EMS system as soon as possible and shall report the use of an AED to the program medical director; and
  7. Comply with the guidelines of the West Virginia Office of Emergency Medical Services regarding data collection and reporting.

## **AED Program**

### **II. How to Meet Program Requirements:**

1. The Program's Official Representative completes the Early Defibrillation Program Registration Application and returns to WVOEMS Licensure at [EMSLicensure@wv.gov](mailto:EMSLicensure@wv.gov).
2. The Program's Official Representative obtains an American Red Cross (ARC) or American Heart Association (AHA) course of instruction for each program provider/AED operator and ensures that certification is maintained.
3. The Program's Official Representative prepares and administers the entity's AED maintenance program (see manufacturer's guidelines).
4. The Program's Official Representative retains the services of a licensed physician to be the Early Defibrillation Program Medical Director. This individual will sign the entity's registration application and agrees to coordinate training, EMS integration, AED deployment strategies, and reviews each AED patient contact.
5. The Program's Official Representative confers with the local EMS agency and 911 center to establish a brief written plan for notification of the EMS system in case of an AED patient contact. The Early Defibrillation EMS Integration Plan is to be submitted with the registration application to WVOEMS Licensure at [EMSLicensure@wv.gov](mailto:EMSLicensure@wv.gov).
6. The Program's Official Representative completes the Early Defibrillation Program Operator Roster form. This form is to be submitted with registration application submitted to WVOEMS Licensure at [EMSLicensure@wv.gov](mailto:EMSLicensure@wv.gov).
7. The Program's Official Representative completes and submits an AED Patient Contact Form whenever an AED operator uses the AED on a patient. After the Early Defibrillation Program Medical Director reviews the form, it should be sent to WVOEMS Licensure at [EMSLicensure@wv.gov](mailto:EMSLicensure@wv.gov).

## **AED Program**

### **III. Why It Is Important to Be Complaint**

1. Being compliant with the provisions for an early defibrillation program means you are:
  - a. Lawfully performing a vital function for your community.
    - i. According to the Automated External Defibrillator section of WV Code 16-4D, you as an AED provider are “not liable for civil damages as a result of any act or omission in rendering emergency medical care or treatment involving the use of an AED if the care or treatment does not amount to gross negligence, and the following conditions are met:
      - a. The person, entity, certified trainer or medical director of the early defibrillation program is in compliance with the provisions of section three of this article; and
      - b. The person is an operator of an AED who gratuitously and in good faith rendered emergency medical care, pursuant to the requirements of section three of this article, other than in the ordinary course of the person’s employment or profession.”
  - b. Supporting your local 911 center and EMS system by involving them in your planning and operations.
  - c. Giving your program medical accountability and credibility by obtaining a physician medical director.
  - d. Guiding the future of AED use in the state by filling out and mailing the Patient Contact Forms when you operate an AED with a patient. This data will allow researchers to determine trends on deployment strategies, program viability, patient response, etc.

# AED Program

### IV. AED Program Restrictions

1. You cannot respond with an AED off-site to provide this service unless you are a licensed EMS agency or have an Affiliation Agreement with a licensed EMS agency. Early defibrillation programs are established for use on-site and should be placed in a central location. Vehicles used on-site, i.e., a coal mine or industrial facility may be used to transport the AED for use elsewhere on the site.

Site examples are:

- a. Sports Complexes
  - b. Churches
  - c. Industrial Sites/Coal Mines
  - d. Schools
  - e. Community Swimming Pools
  - f. Retail Stores
  - g. Others as agreed upon
2. An individual responder cannot provide medical assistance above the level of his/her training, certification, or professional license, and the regulations associated with such training, certification, or professional license.

## **AED Program**

### **V. Approved Training Courses**

1. WVOEMS has approved several courses of instruction from two current sources - the American Red Cross and the American Heart Association. Others will be reviewed as necessary.
2. The approved American Red Cross courses are:
  - a. Adult CPR/AED Training Course.
  - b. Heartsaver AED (with skills-station and exam)
  - c. Heartsaver FACTS.
  - d. Healthcare Provider (with AED module and exam)
  - e. ACLS Provider Course.
  - f. ACLS Instructor Course

### **VI. Training Contacts:**

#### **1. American Red Cross:**

Health and Safety Services,  
American Red Cross, North Central WV Chapter  
718 West Pike Street  
Clarksburg, WV 2630  
(304) 624-7689 (main)

#### **2. American Heart Association:**

ECC Regional Associate  
American Heart Association  
5455 North High Street  
PO Box 163549  
Columbus OH, 43216-3549  
Phone: 1-800-282-0291 Extension 360

8. For further information or assistance contact WVOEMS Licensure at [EMSLicensure@wv.gov](mailto:EMSLicensure@wv.gov).

## AED Program



### **Early Defibrillation Program Registration Application**

The Early Defibrillation Program Registration Application, Early Defibrillation Program Operator Roster, and the Early Defibrillation EMS Integration Plan must be completed and submitted to WVOEMS Licensure at [EMSLicensure@wv.gov](mailto:EMSLicensure@wv.gov).

#### **Date:** Entity Requesting Program Registration

Click or tap here to enter text.	Click or tap here to enter text.
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#### **Program Official**

Name:	Contact Phone:
Click or tap here to enter text.	Click or tap here to enter text.
Signature:	Email:
	Click or tap here to enter text.

#### **Mailing Address**

Address:	City:	State:	Zip Code:
Click or tap here to enter text.			

#### **Physical Address (if different from Mailing Address)**

Address:	City:	State:	Zip Code:
Click or tap here to enter text.			

#### **Medical Director**

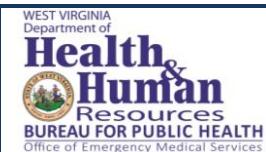
Name:	WV License:	Contact Phone:	
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	
Signature	Email:	Fax:	
	Click or tap here to enter text.	Click or tap here to enter text.	
Mailing Address	City:	State:	Zip Code:
Click or tap here to enter text.			

#### **AED Locations (attach more sheets if needed)**

Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.

#### **Total Number of AED's Deployed**

Click or tap here to enter text.
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# AED Program



# Early Defibrillation Program Operator Roster

The Early Defibrillation Program Registration Application, Early Defibrillation Program Operator Roster, and the Early Defibrillation EMS Integration Plan must be completed and submitted to WVOEMS Licensure at [EMSLicensure@wv.gov](mailto:EMSLicensure@wv.gov).

## AED Program



### **Early Defibrillation EMS Integration Plan**

The Early Defibrillation Program Registration Application, Early Defibrillation Program Operator Roster, and the Early Defibrillation EMS Integration Plan must be completed and submitted to WVOEMS Licensure at [EMSLicensure@wv.gov](mailto:EMSLicensure@wv.gov).

#### Contact Information

Entity Name:	Official Representative:
Click or tap here to enter text.	Click or tap here to enter text.
Contact Phone	Email:
Click or tap here to enter text.	Official Representative Signature:

I contacted the local 911 center on [redacted] and spoke with [redacted] whose title is, [redacted]. I notified him that we would be implementing an Early Defibrillation Program on or about [redacted]. I explained that we were following the Early Defibrillation Program Guidelines provided by the West Virginia Office of Emergency Medical Services. I also explained that all operators have been trained that if an AED is used on a patient, 911 must be notified immediately to start EMS System activation. I inquired as to what agencies would typically respond to this location and requested a list. The following Agencies were contacted and notified of our Early Defibrillation Program.

Date:	EMS/Fire Agency	Contacted:
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

## AED Program



### Early Defibrillation Patient Contact Form

This form is to be sent to the AED Program Medical Director immediately following AED use. The Medical Director is to forward this document along with his/her review to WVOEMS Licensure at [EMSLicensure@wv.gov](mailto:EMSLicensure@wv.gov).

Date of Occurrence:	Click or tap here to enter text.				
Program Entity:	Click or tap here to enter text.				
AED Operator:	Operator Name:	Click or tap here to enter text.			
	Operator Signature:				
Patient Information:	Patient Name:	Click or tap here to enter text.	D.O.B.	Click or tap here to enter text.	
	Patient Address:		City:	State:	Zip Code
	Click or tap here to enter text.		Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
	Phone:	Click or tap here to enter text.			

Use the following section to detail the situation and disposition of the patient:

Click or tap here to enter text.

## **AED Program**

**ENROLLED COMMITTEE SUBSTITUTE FOR**

**H. B. 2269**

**(By Delegates Staton, Facemyer and Martin)**

**[Passed March 11, 1999; in effect ninety days from passage.]**

AN ACT to amend chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article four-d, relating to automated external defibrillators; setting forth legislative purposes and findings; defining terms; establishing certain criteria for entities providing an early defibrillation program, including training for designated operators within a defibrillation program; involving a physician medical director in the medical protocols of a defibrillation program; notifying emergency medical services system when an entity establishes an early defibrillation program; activating the emergency medical services system when an automated external defibrillator is used by an operator; authorizing the development of guidelines for coordination of early defibrillator programs by the office of emergency medical services; and providing limitation of liability for compliance with the statutory provisions except in instances of gross misconduct.

Be it enacted by the Legislature of West Virginia:

That chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article four-d, to read as follows:

### **ARTICLE 4D. AUTOMATED EXTERNAL DEFIBRILLATORS.**

#### **§16-4D-1. Purpose and findings.**

(a) The West Virginia Legislature hereby finds and declares that each year more than two hundred fifty thousand Americans die from out-of-hospital incidents of sudden cardiac arrest. More than ninety-five percent of these incidents result in death and, in many cases, death occurs because properly trained persons with life-saving automated external defibrillators arrive at the scene too late.

(b) The American Heart Association estimates that more than twenty thousand deaths could be prevented each year if early defibrillation were more widely available.

(c) Many communities around the country have invested in 911 emergency notification systems and emergency medical services, including well-trained emergency personnel and ambulance vehicles. However, in many communities, there are not enough strategically placed automated external defibrillators and persons trained to properly operate them.

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(d) It is, therefore, the intent of this Legislature to improve access to early defibrillation by encouraging the establishment of automated external defibrillator programs in careful coordination with the emergency medical services system.

### **§16-4D-2. Definitions.**

(a) "Automated external defibrillator", hereinafter referred to as AED, means a medical device heart monitor and defibrillator that: (1) Has undergone the premarket approval process pursuant to the Federal Food, Drug and Cosmetic Act, 21 U.S.C. § 360, as amended; (2) is capable of recognizing the presence or absence of ventricular fibrillation; (3) is capable of determining, without intervention by the operator, whether defibrillation should be performed; and (4) upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to an individual's heart.

(b) "Early defibrillation program" means a coordinated program that meets the requirements of section three of this article and one that provides early public access to defibrillation for individuals experiencing sudden cardiac arrest through the use of an automated external defibrillator.

(c) "Emergency medical services (EMS)" means all services established by the Emergency Medical Services Act of 1973 in article four-c of this chapter including, but not limited to, the emergency medical services plan of the department of health and human resources providing a response to the medical needs of an individual to prevent the loss of life or aggravation of illness or injury.

(d) "Entity" means a public or private group, organization, business, association or agency that meets the requirements of section three of this article. "Entity" does not include emergency medical services operational programs or licensed commercial ambulance services.

(e) "Medical director" means a duly licensed physician who serves as the designated medical coordinator for an entity's early defibrillation program.

### **§16-4D-3. Early defibrillation programs.**

(a) An entity providing an early defibrillation program shall:

(1) Register the program with the office of emergency medical services, pursuant to article four-c of this chapter, identifying the placement of AEDs, training of AED operators, preplanned EMS system coordination, designation of a medical director, maintenance of AED equipment and reports of AED utilization;

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- (2) Require the operator of an AED to receive appropriate training in cardiopulmonary resuscitation, referred to as "CPR", in the operation of an AED and in the determination of advance directives from the American Heart Association, American Red Cross, any other nationally recognized course in CPR and AED, or an AED and CPR training program approved by the office of emergency medical services;
- (3) Maintain and test the AED in accordance with the manufacturer's guidelines, and keep written records of this maintenance and testing;
- (4) Designate a medical director for the coordination of the program, which shall include, but not limited to, training, coordinating with EMS, creating AED deployment strategies and reviewing each operation of an AED;
- (5) Notify the local EMS system and public safety answering point or other appropriate emergency dispatch center of the existence of an entity's early defibrillation program, the location of the program and the program's plan for coordination with the EMS system;
- (6) Provide that an operator of an AED who renders emergency care or treatment on a person experiencing cardiac arrest shall activate the EMS system as soon as possible and shall report the use of an AED to the program medical director; and
- (7) Comply with the guidelines of the West Virginia office of emergency medical services regarding data collection and reporting.

### **§16-4D-4. Limitation on liability.**

A person is not liable for civil damages as a result of any act or omission in rendering emergency medical care or treatment involving the use of an AED if the care or treatment does not amount to gross negligence and the following conditions are met:

- (1) The person, entity, certified trainer or medical director of the early defibrillation program is in compliance with the provisions of section three of this article; and
- (2) The person is an operator of an AED who gratuitously and in good faith rendered emergency medical care, pursuant to the requirements of section three of this article, other than in the ordinary course of the person's employment or profession.