2019 -- H 5550

STATE OF RHODE ISLAND
IN GENERAL ASSEMBLY
JANUARY SESSION, A.D. 2019

A N A C T
RELATING TO HEALTH AND SAFETY

Introduced By: Representatives Casimiro, Ackerman, Shanley, Noret, and Alzate
Date Introduced: February 27, 2019
Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

SECTION 1. Sections 23-6.5-2 and 23-6.5-3 of the General Laws in Chapter 23-6.5 entitled "Automated External Defibrillators Required at Public Places” are hereby amended to read as follows:

23-6.5-2. Automated external defibrillators requirements.

(1) As used in this chapter, "public place" means an enclosed area capable of holding three hundred (300) people or more and to which the public is invited or in which the public is permitted, including, but not limited to: banks; bars; educational facilities; health-care facilities; laundromats; public transportation facilities; reception areas; restaurants; retail food production and marketing establishments; retail service establishments; retail stores; shopping malls; sports arenas; government offices; theaters; and waiting rooms. A private residence is not a "public place," unless it is used as a child care, adult day care, or health-care facility.

(2) A "public place" shall also mean a healthcare facility, child care facility, or community residence as defined in §§ 40.1-24-1 or 40.1-24.5-1, assisted living residence as defined in § 23-17.24-2, any facility as defined in §§ 40.1-5-2 or 40.1-22-3, adult day care service providers as defined in § 23-1-52, and adult supportive care home as defined in § 23-17.24-1, regardless of the number of residents or patients, and shall include private facilities and private residences falling under one of the above referenced classifications.

(i) "Child care facility" means child day-care center, family day-care home, private nursery school, and any other regular program providing educational services to preschool-aged
(ii) "Healthcare facility" means any institutional health-service provider, facility, or institution, place, building, agency, or portion thereof, whether a partnership or corporation, whether public or private, whether organized for profit or not, used, operated, or engaged in providing health-care services, including, but not limited to: hospitals; nursing facilities; rehabilitation centers; kidney disease treatment centers; health maintenance organizations; freestanding, emergency-care facilities as defined in § 23-17-2, and facilities providing surgical treatment to patients not requiring hospitalization (surgi-centers); and physician ambulatory-surgery centers and podiatry ambulatory-surgery centers providing surgical treatment. The term "health-care facility" also includes organized ambulatory-care facilities that are not part of a hospital but that are organized and operated to provide health-care services to outpatients, such as: central-services facilities serving more than one health-care facility or health-care provider; treatment centers; diagnostic centers; outpatient clinics; infirmaries and health centers; school-based health centers, and neighborhood health centers. The term "health-care facility" also includes a mobile, health-screening vehicle as defined in this section. It shall not include facilities providing hospice care and it shall not include doctor's and dentist's offices organized as professional service corporations as defined by chapter 5.1 of title 7.

(b) Notwithstanding the provisions contained in §§ 5-50-12 or 16-21-33.1 relating to automated external defibrillators in health clubs and schools, any person who owns or operates a public place as defined in subsection (a) of this section shall provide and maintain:

(1) On-site, functional automated external defibrillators (AEDs) in quantities and types, deemed by the director of health, or where appropriate, the director of behavioral healthcare, developmental disabilities and hospitals, to be adequate to ensure ready and appropriate access for use during emergencies; and

(2) At least one person who is properly trained in the operation and use of an AED. Training required by this chapter may be conducted by qualified personnel, including, but not limited to, municipal fire and police department employees.

23-6.5-3. Rules and regulations.

The director of health is hereby authorized to adopt, modify, repeal, or promulgate rules and regulations necessary to implement the provisions of this chapter, except facilities under the jurisdiction and control of behavioral healthcare, developmental disabilities and hospitals shall be regulated by the director of that department. Both respective directors shall include AEDs mandated by this chapter as part of their licensing requirements.
SECTION 2. This act shall take effect on December 31, 2019.
EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
AN ACT
RELATING TO HEALTH AND SAFETY

***

1 This act would require various health care facilities and child care facilities to have automated external defibrillators on site.

2 This act would take effect on December 31, 2019.

=========
LC000083
=========