

2019 -- H 5550

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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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:

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

4           **23-6.5-2. Automated external defibrillators requirements.**

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

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

18           (i) "Child care facility" means child day-care center, family day-care home, private  
19 nursery school, and any other regular program providing educational services to preschool-aged

1 children.

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

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

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

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

28 **23-6.5-3. Rules and regulations.**

29 The director of health is hereby authorized to adopt, modify, repeal, or promulgate rules  
30 and regulations necessary to implement the provisions of this chapter, except facilities under the  
31 jurisdiction and control of behavioral healthcare, developmental disabilities and hospitals shall be  
32 regulated by the director of that department. Both respective directors shall include AEDs  
33 mandated by this chapter as part of their licensing requirements.

1 SECTION 2. This act shall take effect on December 31, 2019.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO HEALTH AND SAFETY

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

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

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