

104TH CONGRESS
2D SESSION

H. R. 3022

To amend the Public Health Service Act to establish a program regarding training in lifesaving first aid, including training in the use of automated external defibrillators to assist individuals experiencing cardiac arrest.

IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 1996

Mr. STUDDS (for himself, Mr. McDERMOTT, Mr. ENGEL, Mr. WAXMAN, Mr. BEILENSON, Mr. FROST, Mr. EVANS, Mrs. COLLINS of Illinois, Mr. RANGEL, Mr. DELLUMS, Mr. GUTIERREZ, Mr. MORAN, and Mr. LIPINSKI) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To amend the Public Health Service Act to establish a program regarding training in lifesaving first aid, including training in the use of automated external defibrillators to assist individuals experiencing cardiac arrest.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Cardiac Arrest Sur-
5 vival Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

1 (1) A significant increase in the number of indi-
2 viduals trained in lifesaving first aid would save
3 many lives, particularly an increase in the number of
4 individuals trained in responding to cardiac arrest.

5 (2) Each year approximately 350,000 individ-
6 uals die from cardiac arrest resulting from cardio-
7 vascular diseases.

8 (3) Cardiac arrest can arise in other cir-
9 cumstances, including drownings, cases of drug sen-
10 sitivity or drug toxicity, and cases of electrical shock.

11 (4) More than 65 percent of deaths from car-
12 diac arrest occur before the victims reach hospitals.

13 (5) Although cardiopulmonary resuscitation
14 (commonly known as CPR) is an important tech-
15 nique in responding to cardiac arrest, the technique
16 alone cannot terminate ventricular fibrillation in the
17 heart.

18 (6) Ventricular fibrillation often can be termi-
19 nated through use of an electrical device known as
20 a defibrillator, and one that is automated and is de-
21 signed for external application is well-suited to re-
22 sponding to instances of cardiac arrest in cir-
23 cumstances in which the victim is not at a hospital.

24 (7) In the typical nonhospital circumstances,
25 the most effective response to cardiac arrest is to

1 recognize the warning signs for an imminent attack
2 and request emergency medical services through the
3 telephone number 911; to use the technique of
4 cardiopulmonary resuscitation; and to apply an auto-
5 matic external defibrillator.

6 **SEC. 3. ESTABLISHMENT OF PROGRAM REGARDING TRAIN-**
7 **ING IN LIFESAVING FIRST AID.**

8 Title XII of the Public Health Service Act (42 U.S.C.
9 300d et seq.) is amended by adding at the end the follow-
10 ing part:

11 “PART G—LIFESAVING FIRST AID

12 **“SEC. 1271. PROGRAM REGARDING TRAINING.**

13 “(a) IN GENERAL.—The Secretary shall carry out a
14 program for the following purposes:

15 “(1) To develop and operate demonstration
16 projects to provide training in the provision of life-
17 saving first aid.

18 “(2) To develop and disseminate recommenda-
19 tions regarding the provision of such training.

20 “(3) To collect data in accordance with section
21 1273.

22 “(4) To conduct evaluations in accordance with
23 such section.

24 “(b) TRAINING CRITERIA.—

1 “(1) IN GENERAL.—In carrying out subsection
2 (a), the Secretary shall develop criteria for training
3 individuals in the provision of lifesaving first aid, in-
4 cluding the following:

5 “(A) Criteria regarding the use of particu-
6 lar techniques according to the age of the vic-
7 tim, including criteria specific to infants and
8 children.

9 “(B) Criteria designed to train members of
10 the general public to serve as first responders.

11 “(C) Criteria designed to train health pro-
12 fessionals to serve as such responders.

13 “(2) USE OF AGE-RELATED CRITERIA.—The
14 criteria developed under paragraph (1)(A) shall be
15 utilized by the Secretary in the operation of dem-
16 onstration projects under subsection (a), in making
17 recommendations under such subsection, and in con-
18 ducting evaluations in accordance with section 1273.

19 “(c) RECOMMENDATIONS FOR STATE POLICIES.—

20 “(1) IN GENERAL.—In carrying out subsection
21 (a), the Secretary shall provide to the States the rec-
22 ommendations of the Secretary for State policies re-
23 garding the provision of lifesaving first aid, includ-
24 ing recommendations regarding State laws.

1 “(2) CERTAIN CONSIDERATIONS.—In providing
2 recommendations to the States under paragraph (1),
3 the Secretary shall consider the following:

4 “(A) With respect to the licensure of
5 health professionals, whether training in lifesav-
6 ing first aid should be a precondition to the re-
7 ceipt of a license in each of the professions.

8 “(B) With respect to obtaining access to
9 emergency medical services through the tele-
10 phone number 911—

11 “(i) whether individuals who take the
12 telephone calls should be required to un-
13 dergo training in instructing callers to per-
14 form particular forms of lifesaving first
15 aid, including cardiopulmonary resuscita-
16 tion; and

17 “(ii) whether there are other skills
18 that should be required for such individ-
19 uals.

20 “(C) Whether individuals in any field other
21 than health care should be required to undergo
22 training in lifesaving first aid as a condition of
23 employment in the field; and if so, whether such
24 fields include employment as any of the follow-
25 ing: Law-enforcement officers; fire fighting per-

sonnel; teachers in preschool programs, elementary or secondary schools, or institutions of higher education; coaches and other instructors or supervisors in sports or other extracurricular activities; providers of day-care services; school-bus drivers; and lifeguards.

“(D) Whether there should be requirements to ensure that the general public undergoes training in lifesaving first aid; and if so, whether effective requirements toward such goal would include—

“(i) requiring such training as a condition for granting a license to operate motor vehicles; and

“(ii) requiring such training as a condition for graduation from secondary schools and institutions of higher education.

“(d) RECOMMENDATIONS REGARDING FEDERAL POLICIES.—In carrying out subsection (a), the Secretary may develop recommendations for Federal policies regarding the provision of lifesaving first aid, including recommendations regarding Federal laws.

“(e) CONSULTATIONS.—In carrying out this part, the Secretary shall consult with public and private entities

1 with expertise in providing training in lifesaving first, in-
2 cluding training on particular techniques according to the
3 age of the victim.

4 “(f) GRANTS AND CONTRACTS.—In carrying out this
5 part, the Secretary may make grants to and enter into
6 cooperative agreements with public and nonprofit private
7 entities, and may enter into contracts with public and pri-
8 vate entities.

9 **“SEC. 1272. AUTOMATED EXTERNAL DEFIBRILLATION AS**
10 **RESPONSE TO CARDIAC ARREST.**

11 “(a) IN GENERAL.—In carrying out section 1271, the
12 Secretary shall comply with the following:

13 “(1) Demonstration projects and recommenda-
14 tions under subsection (a) of such section shall in-
15 clude projects and recommendations regarding the
16 use of automated external defibrillators.

17 “(2) Training criteria under subsection (b) of
18 such subsection shall include criteria regarding such
19 use.

20 “(3) Recommendations and considerations
21 under subsection (c) of such section shall include
22 recommendations and considerations regarding such
23 use.

24 “(b) ADDITIONAL CONSIDERATIONS REGARDING
25 STATE POLICIES.—In providing recommendations to the

1 States pursuant to subsection (a)(3), the Secretary shall,
2 in addition to the considerations required pursuant to such
3 subsection, consider the following:

4 “(1) With respect to office buildings, stadiums,
5 musical arenas, and other sites at which large num-
6 bers of members of the public gather, whether it
7 should be required that an automatic external
8 defibrillator be located on the premises; and if so,
9 whether it should be required that there be on the
10 premises an individual trained in the use of the de-
11 vice.

12 “(2) With respect to patient-transport vehicles
13 that are equipped to provide basic life support,
14 whether it should be required that the vehicles have
15 an automatic external defibrillator (or, as applicable,
16 whether the class of vehicles subject to such require-
17 ment should be expanded).

18 “(3) With respect to individuals who are not
19 health professionals, whether it is the policy of the
20 States to prohibit such individuals from using auto-
21 matic external defibrillators; and if so, whether and
22 to what extent the policies should be modified.

23 “(4) With respect to health professionals who
24 have not undergone training in the use of automatic
25 external defibrillators, whether it is the policy of the

1 States to prohibit or restrict such professionals from
2 using such devices; and if so, whether and to what
3 extent the policies should be modified.

4 “(5) With respect to tort laws commonly known
5 as good Samaritan laws, whether such laws should
6 be modified to provide that individuals and organiza-
7 tions cannot be found liable for the use of automatic
8 external defibrillators.

9 “(6) Whether other tort laws should be so
10 modified.

11 “(7) With respect to the use of external
12 defibrillators in circumstances other than in hos-
13 pitals, whether there are circumstances in which a
14 manual device should be used rather than an auto-
15 mated device.

16 “(8) With respect to the use of external
17 defibrillators in hospitals, whether there are cir-
18 cumstances in which a manual device should be used
19 rather than an automated device.

20 “(c) RECOMMENDATIONS REGARDING FEDERAL
21 POLICIES.—

22 “(1) IN GENERAL.—In carrying out section
23 1271(d), the Secretary shall develop recommenda-
24 tions for Federal policies regarding the use of auto-

1 mated external defibrillators, including recommenda-
2 tions regarding Federal laws.

3 “(2) CERTAIN CONSIDERATIONS.—In develop-
4 ing recommendations under paragraph (1), the Sec-
5 retary shall consider the following:

6 “(A) With respect to Federal office build-
7 ings, military facilities, and other Federal sites
8 at which substantial numbers of Federal em-
9 ployees or members of the public gather, wheth-
10 er it should be required that an automatic ex-
11 ternal defibrillator be located on the premises;
12 and if so, whether it should be required that
13 there be on the premises an individual trained
14 in the use of the device.

15 “(B) With respect to tort liabilities of
16 manufacturers of automatic external
17 defibrillators that arise from the use of such de-
18 vices, whether the Federal Government, in
19 order to ensure the continued economic feasibil-
20 ity of manufacturing the devices, should provide
21 for the modification of tort laws to establish
22 reasonable limitations on the amount of com-
23 pensation that may be awarded.

1 **“SEC. 1273. COLLECTION OF DATA; EVALUATIONS.**

2 “(a) COLLECTION OF DATA.—In carrying out section
3 1271(a), the Secretary shall collect data toward determin-
4 ing the following with respect to the United States:

5 “(1) The incidence of cardiac arrest and other
6 conditions with respect to which the provision of life-
7 saving first aid may be appropriate.

8 “(2) The injuries, illnesses, or other cir-
9 cumstances giving rise to such arrest or other condi-
10 tions in the incident involved.

11 “(3) The extent to which the age of the victim
12 was relevant to the occurrence of the incident.

13 “(4) The rate of survival in the incidents.

14 “(5) The incidents in which lifesaving first aid
15 was provided, the rate of survival in such incidents,
16 and the extent to which the first responders involved
17 had received training in the provision of such aid.

18 “(b) EVALUATIONS.—In carrying out section
19 1271(a), the Secretary shall conduct evaluations of pro-
20 grams that provide training in lifesaving first aid, includ-
21 ing demonstration projects under paragraph (1) of such
22 section. Such evaluations shall include consideration of
23 whether the programs provided training in particular tech-
24 niques according to the age of the victim.

1 **“SEC. 1274. BIENNIAL REPORT TO CONGRESS.**

2 Not later than February 1, 1997, and every second
3 year thereafter, the Secretary shall submit to the Congress
4 a report on the activities carried out under this part. The
5 report shall provide—

6 “(1) a description of the demonstration projects
7 carried out under section 1271(a);

8 “(2) the recommendations developed pursuant
9 to such section; and

10 “(3) a summary of the evaluations conducted
11 under section 1273(b).

12 **“SEC. 1275. DEFINITIONS**

13 “For purposes of this part:

14 “(1) The term ‘automated external defibrillator’
15 means a fully automated or semiautomated external
16 defibrillator that, as a result of the use of computers
17 to detect and analyze cardiac rhythms and apply
18 electrical current accordingly, requires substantially
19 less training to operate than a manual external
20 defibrillator.

21 “(2) The term ‘external defibrillator’ means a
22 device that, through external contact with the chest
23 wall, provides an electric current to the heart muscle
24 for the purpose of terminating ventricular fibrilla-
25 tion.

1 “(3) The term ‘first responder’ means an indi-
2 vidual who provides, or attempts to provide, lifesav-
3 ing first aid.

4 “(4) The term ‘lifesaving first aid’ includes the
5 performance of cardiopulmonary resuscitation, the
6 application of an automated or manual external
7 defibrillator, and the provision of relief for the ob-
8 struction of a breathing passage by a foreign object.
9 With respect to matters referred to in the preceding
10 sentence, such term includes the use of particular
11 techniques according to the age of the victim.

12 **“SEC. 1276. AUTHORIZATION OF APPROPRIATIONS.**

13 “For the purpose of carrying out this part, there are
14 authorized to be appropriated such sums as may be nec-
15 essary for each of the fiscal years 1996 through 2000.”.

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