



Jackson County EMS Office

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Medford OR 97504

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July 1, 2006

Prospective Jackson County Public Access Defibrillator Provider

You have expressed interest in providing a Public Use AED (automatic external defibrillator) under the medical direction of the Jackson County Supervising Physician as outlined in the attached Standing Order for Public Use AED protocol and Oregon law (ORS 30.801 Liability for emergency medical assistance with defibrillator). This letter outlines what you must do for that to happen.

You must provide this office with (and update yearly) a letter from the organization which owns the AED stating):

- a) who owns and will maintain the AED;
- b) where the AED will be located;
- c) the make and model of the AED;
- d) the local EMS agency and person you have contacted who is aware of your AED;
- e) acknowledgement that this AED is for Public Use and its use is not a job requirement for any associated employee.

You will then be provided by this office with a placard (updated annually), as depicted in the box on the first page of the accompanying Public Use AED protocol, which you will locate with the AED – attached to the AED or the front of its case.

If the AED is used I would like your assistance in providing this office or the local EMS agency with the information on the Public Use AED Event Information form (second page of the Public Use AED protocol) and any data which the AED stores internally.

If you have any questions, please contact me.

Thank you for providing this public service,

Paul S. Rostykus, MD, MPH
Jackson County EMS Supervising Physician

PUBLIC USE AUTOMATIC EXTERNAL DEFIBRILLATOR (AED)

INDICATIONS:

Unconscious, unresponsive, pulseless, apneic patient with cardiac arrest.

PRECAUTIONS:

Patient must be 1 year of age or older.

PROCEDURE:

1. Public Use AED will be acquired and maintained, according to the manufacturer's instructions
2. The following information will be provided at the location of the Public Use AED:

Public Use AED (Automatic External Defibrillator)

This public use AED, located at _____:

1. is to be used only by a person who has received instruction through a course approved by the Health Division of the Department of Human Resources,
2. is to be used only on an unconscious person who is not breathing and does not have a pulse,
3. any time the Public Use AED is used, the "Public Use AED Event Information" page (on the reverse side of the page) must be completed and the data card information sent immediately to the receiving hospital and for QA process by the participating EMS agency, if available,
4. was acquired and is maintained, according to the manufacturer's instructions, by the

_____, _____
Agency Name Phone

Jackson County EMS Standing Orders
Supervising Physician

Public Use AED Event Information

Event Date: ____/____/____ Time: _____

Patient Name: _____

Rescuer Name: _____

Rescuer Address: _____

Rescuer Phone: _____

Bystander CPR? Yes No Unknown

Witnessed Arrest? Yes No Unknown

Was shock indicated? Yes No Unknown

Was shock administered? Yes No Unknown # of Shocks _____

Transporting Agency: _____ Run #: _____

AED Manufacturer and Model: _____

Public Use AED Agency: _____

By: _____

Date: ____/____/____

Oregon Revised Statutes (ORS) 30.802

30.802 Liability for use of automated external defibrillator.

- (1) As used in this section:
 - (a) "Automated external defibrillator" means an automated external defibrillator approved for sale by the federal Food and Drug Administration.
 - (b) "Public setting" means a location that is:
 - (A) Accessible to members of the general public, employees, visitors and guests, but that is not a private residence;
 - (B) A public school facility as defined in ORS 327.365; or
 - (C) A health club as defined in ORS 431.680.
- (2) A person may not bring a cause of action against another person for damages for injury, death or loss that result from acts or omissions involving the use, attempted use or nonuse of an automated external defibrillator when the other person:
 - (a) Used or attempted to use an automated external defibrillator;
 - (b) Was present when an automated external defibrillator was used or should have been used;
 - (c) Provided training in the use of an automated external defibrillator;
 - (d) Is a physician and provided services related to the placement or use of an automated external defibrillator; or
 - (e) Possesses or controls one or more automated external defibrillators placed in a public setting and reasonably complied with the following requirements:
 - (A) Maintained, inspected and serviced the automated external defibrillator, the battery for the automated external defibrillator and the electrodes for the automated external defibrillator in accordance with guidelines set forth by the manufacturer.
 - (B) Ensured that a sufficient number of employees received training in the use of an automated external defibrillator so that at least one trained employee may be reasonably expected to be present at the public setting during regular business hours.
 - (C) Stored the automated external defibrillator in a location from which the automated external defibrillator can be quickly retrieved during regular business hours.
 - (D) Clearly indicated the presence and location of each automated external defibrillator.
 - (E) Established a policy to call 9-1-1 to activate the emergency medical services system as soon as practicable after the potential need for the automated external defibrillator is recognized.
- (3) The immunity provided by this section does not apply if:
 - (a) The person against whom the action is brought acted with gross negligence or with reckless, wanton or intentional misconduct;
 - (b) The use, attempted use or nonuse of an automated external defibrillator occurred

- at a location where emergency medical care is regularly available; or
- (c) The person against whom the action is brought possesses or controls one or more automated external defibrillators in a public setting and the person's failure to reasonably comply with the requirements described in subsection (2)(e) of this section caused the alleged injury, death or loss.
- (4) Nothing in this section affects the liability of a manufacturer, designer, developer, distributor or supplier of an automated external defibrillator, or an accessory for an automated external defibrillator, under the provisions of ORS 30.900 to 30.920 or any other applicable state or federal law. [2005 c.551 §1]