



Reprinted  
February 21, 2006

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**ENGROSSED  
HOUSE BILL No. 1106**

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DIGEST OF HB 1106 (Updated February 20, 2006 5:58 pm - DI 104)

**Citations Affected:** IC 16-18; IC 16-31; IC 34-30.

**Synopsis:** Automatic external defibrillators. Allows certain persons who provides emergency medical services to use an automated external defibrillator without requiring a certificate. Removes: (1) the use of an automatic or semiautomatic defibrillator from the definition of basic life support; and (2) the requirement that a person or entity that acquires a defibrillator ensure that the users have completed certain courses and have enlisted a physician for medical direction.

**Effective:** July 1, 2006.

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**Crouch, Brown T, Brown C, Porter**  
(SENATE SPONSORS — BECKER, BREAUX, DILLON)

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January 5, 2006, read first time and referred to Committee on Public Health.  
January 10, 2006, reported — Do Pass.  
January 17, 2006, read second time, ordered engrossed.  
January 18, 2006, engrossed.  
January 19, 2006, read third time, passed. Yeas 96, nays 0.

SENATE ACTION

January 26, 2006, read first time and referred to Committee on Health and Provider Services.  
February 16, 2006, reported favorably — Do Pass.  
February 20, 2006, read second time, amended, ordered engrossed.

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February 21, 2006

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1106

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A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 16-18-2-33.5 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 33.5. (a) "Basic life  
3 support", for purposes of IC 16-31, means the following:  
4 (1) Assessment of emergency patients.  
5 (2) Administration of oxygen.  
6 (3) Use of mechanical breathing devices.  
7 (4) Application of anti-shock trousers.  
8 (5) Performance of cardiopulmonary resuscitation.  
9 (6) Application of dressings and bandage materials.  
10 (7) Application of splinting and immobilization devices.  
11 (8) Use of lifting and moving devices to ensure safe transport.  
12 ~~(9) Use of an automatic or a semiautomatic defibrillator if the~~  
13 ~~defibrillator is used in accordance with training procedures~~  
14 ~~established by the Indiana emergency medical services~~  
15 ~~commission.~~  
16 ~~(10) (9) Administration by an emergency medical technician or~~  
17 ~~emergency medical technician-basic advanced of epinephrine~~

**EH 1106—LS 6743/DI 77+**



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1 through an auto-injector.  
 2 ~~(11)~~ **(10)** For an emergency medical technician-basic advanced,  
 3 the following:  
 4 (A) Electrocardiogram interpretation.  
 5 (B) Manual external defibrillation.  
 6 (C) Intravenous fluid therapy.  
 7 ~~(12)~~ **(11)** Other procedures authorized by the Indiana emergency  
 8 medical services commission, including procedures contained in  
 9 the revised national emergency medical technician basic training  
 10 curriculum guide.

11 (b) Except as provided by:  
 12 (1) subsection ~~(a)(10)~~ **(a)(9)** and the training and certification  
 13 standards established under ~~IC 16-31-2-9(4)~~; **IC 16-31-2-9(3)**;  
 14 (2) subsection ~~(a)(11)(C)~~; **(a)(10)(C)**; and  
 15 (3) the training standards established under ~~IC 16-31-2-9(5)~~;  
 16 **IC 16-31-2-9(4)**;

17 the term does not include invasive medical care techniques or advanced  
 18 life support.

19 SECTION 2. IC 16-31-2-9 IS AMENDED TO READ AS  
 20 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 9. The commission  
 21 shall establish the following:

22 (1) Standards for persons who provide emergency medical  
 23 services and who are not licensed or regulated under IC 16-31-3.  
 24 ~~(2) Training and certification standards for the use of automatic  
 25 and semiautomatic defibrillators by first responders:~~  
 26 ~~(3)~~ **(2)** Training standards for the administration of antidotes,  
 27 vaccines, and antibiotics to prepare for or respond to a terrorist or  
 28 military attack.  
 29 ~~(4)~~ **(3)** Training and certification standards for the administration  
 30 of epinephrine through an auto-injector by:  
 31 (A) an emergency medical technician; or  
 32 (B) an emergency medical technician-basic advanced.  
 33 ~~(5)~~ **(4)** Training standards to permit the use of antidote kits  
 34 containing atropine and pralidoxime chloride for the treatment of  
 35 exposure to nerve agents by an emergency medical  
 36 technician-basic advanced, an emergency medical technician, or  
 37 a first responder.

38 SECTION 3. IC 16-31-3-1 IS AMENDED TO READ AS  
 39 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. (a) Except as  
 40 provided in subsection (b), a person other than:

41 (1) a licensed physician;  
 42 (2) a registered nurse or an individual acting under the

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1 supervision of a licensed physician; or  
 2 (3) a person providing health care in a hospital or an ambulatory  
 3 outpatient surgical center licensed under IC 16-21;  
 4 may not furnish, operate, conduct, maintain, advertise, or otherwise be  
 5 engaged in providing emergency medical services, **except for the use**  
 6 **of an automated external defibrillator**, as a part of the regular course  
 7 of doing business, either paid or voluntary, unless that person holds a  
 8 valid certificate issued by the commission.

9 (b) A:  
 10 (1) licensed physician;  
 11 (2) registered nurse or an individual acting under the supervision  
 12 of a licensed physician; or  
 13 (3) person providing health care in a hospital or an ambulatory  
 14 outpatient surgical center licensed under IC 16-21;

15 who operates a business  
 16 ~~(A)~~ of transporting emergency patients by ambulance or  
 17 ~~(B)~~ using a nontransporting emergency medical services  
 18 vehicle

19 must hold a valid certificate issued by the commission under this  
 20 article.

21 SECTION 4. IC 16-31-6.5-4 IS AMENDED TO READ AS  
 22 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 4. A person or entity  
 23 acquiring a defibrillator shall ~~do the following~~:

24 ~~(1) Ensure that expected defibrillator users successfully complete~~  
 25 ~~an American Heart Association automated external defibrillator~~  
 26 ~~course or the equivalent and an American Heart Association~~  
 27 ~~cardiopulmonary resuscitation course or the equivalent; taught by~~  
 28 ~~a national or state approved instructor. The user of a defibrillator~~  
 29 ~~shall possess demonstrated proficiency in defibrillation and~~  
 30 ~~cardiopulmonary resuscitation.~~

31 ~~(2) ensure that the defibrillator is maintained and tested according~~  
 32 ~~to the manufacturer's operational guidelines.~~

33 ~~(3) Enlist medical direction by a licensed physician in the use of~~  
 34 ~~the defibrillator and cardiopulmonary resuscitation.~~

35 SECTION 5. IC 34-30-12-1 IS AMENDED TO READ AS  
 36 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. (a) This section does  
 37 not apply to services rendered by a health care provider (as defined in  
 38 IC 34-18-2-14 or IC 27-12-2-14 before its repeal) to a patient in a  
 39 health care facility (as defined in IC 27-8-10-1).

40 (b) Except as provided in subsection (c), a person who comes upon  
 41 the scene of an emergency or accident or is summoned to the scene of  
 42 an emergency or accident and, in good faith, gratuitously renders

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1 emergency care at the scene of the emergency or accident is immune  
2 from civil liability for any personal injury that results from:

3 (1) any act or omission by the person in rendering the emergency  
4 care; or

5 (2) any act or failure to act to provide or arrange for further  
6 medical treatment or care for the injured person;

7 except for acts or omissions amounting to gross negligence or willful  
8 or wanton misconduct.

9 (c) This subsection applies to a person to whom IC 16-31-6.5  
10 applies. A person who gratuitously renders emergency care involving  
11 the use of an automatic external defibrillator is immune from liability  
12 for any act or omission not amounting to gross negligence or willful or  
13 wanton misconduct if the person fulfills the requirements set forth in  
14 IC 16-31-6.5.

15 (d) This subsection applies to an individual, business, or  
16 organization to which IC 16-31-6.5 applies. An individual, business, or  
17 organization that allows a person who is an expected user to use an  
18 automatic external defibrillator of the individual, business, or  
19 organization to in good faith gratuitously render emergency care is  
20 immune from civil liability for any damages resulting from an act or  
21 omission not amounting to gross negligence or willful or wanton  
22 misconduct by the user or for acquiring or providing the automatic  
23 external defibrillator to the user for the purpose of rendering the  
24 emergency care if the individual, business, or organization and the user  
25 fulfill the requirements set forth in IC 16-31-6.5.

26 (e) ~~The~~ A licensed physician who gives medical direction in the use  
27 of a defibrillator ~~under IC 16-31-6.5-4~~ or a national or state approved  
28 defibrillator instructor of a person who gratuitously renders emergency  
29 care involving the use of an automatic external defibrillator is immune  
30 from civil liability for any act or omission of the licensed physician or  
31 instructor if

32 (†) the act or omission of the licensed physician or instructor:

33 (A) (1) involves the training for or use of an automatic external  
34 defibrillator; and

35 (B) (2) does not amount to gross negligence or willful or wanton  
36 misconduct. ~~and~~

37 (2) the licensed physician or instructor fulfills the requirements of  
38 IC 16-31-6.5.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1106, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BROWN T, Chair

Committee Vote: yeas 11, nays 0.



COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1106, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1106 as printed January 11, 2006.)

MILLER, Chairperson

Committee Vote: Yeas 10, Nays 0.



SENATE MOTION

Madam President: I move that Engrossed House Bill 1106 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 16-18-2-33.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 33.5. (a) "Basic life support", for purposes of IC 16-31, means the following:

- (1) Assessment of emergency patients.
- (2) Administration of oxygen.
- (3) Use of mechanical breathing devices.
- (4) Application of anti-shock trousers.
- (5) Performance of cardiopulmonary resuscitation.
- (6) Application of dressings and bandage materials.
- (7) Application of splinting and immobilization devices.
- (8) Use of lifting and moving devices to ensure safe transport.
- (9) Use of an automatic or a semiautomatic defibrillator if the

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defibrillator is used in accordance with training procedures established by the Indiana emergency medical services commission:

~~(10)~~ (9) Administration by an emergency medical technician or emergency medical technician-basic advanced of epinephrine through an auto-injector.

~~(11)~~ (10) For an emergency medical technician-basic advanced, the following:

- (A) Electrocardiogram interpretation.
- (B) Manual external defibrillation.
- (C) Intravenous fluid therapy.

~~(12)~~ (11) Other procedures authorized by the Indiana emergency medical services commission, including procedures contained in the revised national emergency medical technician basic training curriculum guide.

(b) Except as provided by:

- (1) subsection ~~(a)(10)~~ (a)(9) and the training and certification standards established under ~~IC 16-31-2-9(4)~~; **IC 16-31-2-9(3)**;
- (2) subsection ~~(a)(11)(C)~~; **(a)(10)(C)**; and
- (3) the training standards established under ~~IC 16-31-2-9(5)~~; **IC 16-31-2-9(4)**;

the term does not include invasive medical care techniques or advanced life support.

SECTION 2. IC 16-31-2-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 9. The commission shall establish the following:

(1) Standards for persons who provide emergency medical services and who are not licensed or regulated under IC 16-31-3.

~~(2) Training and certification standards for the use of automatic and semiautomatic defibrillators by first responders:~~

~~(3)~~ (2) Training standards for the administration of antidotes, vaccines, and antibiotics to prepare for or respond to a terrorist or military attack.

~~(4)~~ (3) Training and certification standards for the administration of epinephrine through an auto-injector by:

- (A) an emergency medical technician; or
- (B) an emergency medical technician-basic advanced.

~~(5)~~ (4) Training standards to permit the use of antidote kits containing atropine and pralidoxime chloride for the treatment of exposure to nerve agents by an emergency medical technician-basic advanced, an emergency medical technician, or a first responder.

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SECTION 3. IC 16-31-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. (a) Except as provided in subsection (b), a person other than:

- (1) a licensed physician;
- (2) a registered nurse or an individual acting under the supervision of a licensed physician; or
- (3) a person providing health care in a hospital or an ambulatory outpatient surgical center licensed under IC 16-21;

may not furnish, operate, conduct, maintain, advertise, or otherwise be engaged in providing emergency medical services, **except for the use of an automated external defibrillator**, as a part of the regular course of doing business, either paid or voluntary, unless that person holds a valid certificate issued by the commission.

(b) A:

- (1) licensed physician;
- (2) registered nurse or an individual acting under the supervision of a licensed physician; or
- (3) person providing health care in a hospital or an ambulatory outpatient surgical center licensed under IC 16-21;

who operates a business

- ~~(A)~~ of transporting emergency patients by ambulance or
- ~~(B)~~ using a nontransporting emergency medical services vehicle

must hold a valid certificate issued by the commission under this article."

Renumber all SECTIONS consecutively.

(Reference is to EH 1106 as printed February 17, 2006.)

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