

26:2K-39

LEGISLATIVE HISTORY CHECKLIST  
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(Cardiac defbrillation)

NJSA: 26:2K-39

LAWS OF: 1996 CHAPTER: 136

BILL NO: A1554

SPONSOR(S): Bagger and others

DATE INTRODUCED: February 15, 1996

COMMITTEE: ASSEMBLY: Health  
SENATE: Health

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: March 18, 1996  
SENATE: October 24, 1996

DATE OF APPROVAL: December 5, 1996

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes  
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBP:pp

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P.L. 1996, CHAPTER 136, *approved December 5, 1996*  
Assembly, No. 1554

1 AN ACT concerning the use of cardiac defibrillation and amending  
2 P.L.1989, c.314.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 1 of P.L.1989, c.314 (C.26:2K-39) is amended to read  
8 as follows:

9 1. As used in this act:

10 "Commissioner" means the Commissioner of Health.

11 "Emergency medical service" means a program in a hospital staffed  
12 24 hours-a-day by a licensed physician trained in emergency medicine.

13 "Emergency medical technician" means a person trained in basic life  
14 support services as defined in section 1 of P.L.1985, c.351  
15 (C.26:2K-21) and who is certified by the Department of Health to  
16 perform these services.

17 "EMT-D" means an emergency medical technician who is certified  
18 by the commissioner to perform cardiac defibrillation.

19 "First Responder" means a police officer, firefighter or other person  
20 who has been trained to provide emergency medical first response  
21 services in a program recognized by the commissioner.

22 "First Responder-D" means a First Responder who is certified by  
23 the commissioner to perform cardiac defibrillation.

24 "Pre-hospital care" means those emergency medical services  
25 rendered to emergency patients at the scene of a traffic accident or  
26 other emergency and during transportation to emergency treatment  
27 facilities, and upon arrival within those facilities.

28 (cf: P.L.1989, c.314, s.1)

29

30 2. Section 2 of P.L.1989, c.314 (C.26:2K-40) is amended to read  
31 as follows:

32 2. a. An emergency medical technician who has been certified by  
33 the commissioner as an EMT-D may perform cardiac defibrillation,  
34 with or without the assistance of another EMT-D, according to rules

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 and regulations adopted by the commissioner. A person who has been  
2 certified by the commissioner as a First Responder-D may perform  
3 cardiac defibrillation, with or without the assistance of an EMT-D or  
4 another First Responder-D, according to rules and regulations adopted  
5 by the commissioner.

6 b. The commissioner shall establish written standards and  
7 application procedures which an emergency medical technician shall  
8 meet in order to obtain certification as an EMT-D, and which a person  
9 shall meet in order to obtain certification as a First Responder-D. The  
10 commissioner shall certify a candidate who provides evidence of  
11 satisfactory completion of an educational program which includes  
12 training in the performance of cardiac defibrillation and which is  
13 approved by the commissioner, and who passes an examination in the  
14 performance of cardiac defibrillation which is approved by the  
15 commissioner.

16 c. The commissioner shall maintain a register of all applications for  
17 certification as an EMT-D or a First Responder-D which shall include,  
18 but not be limited to:

- 19 (1) The name and residence of the applicant;
- 20 (2) The date of the application;
- 21 (3) Whether the applicant was rejected or approved and the date  
22 of that action.

23 d. The commissioner shall annually compile a list of certified  
24 EMT-D's and First Responder-D's which shall be available to the  
25 public.

26 e. A fee may be charged to a person who is enrolled in an  
27 educational program approved by the Department of Health which  
28 includes training in the performance of cardiac defibrillation, to cover  
29 the costs of training and testing for certification as an EMT-D or a  
30 First Responder-D.

31 (cf: P.L.1989, c.314, s.2)

32

33 3. Section 3 of P.L.1989, c.314 (C.26:2K-41) is amended to read  
34 as follows:

35 3. The commissioner, after notice and hearing, may revoke the  
36 certification of an EMT-D or a First Responder-D for violation of any  
37 provisions of this act or of any rule or regulation adopted pursuant to  
38 this act.

39 (cf: P.L.1989, c.314, s.3)

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41 4. Section 4 of P.L.1989, c.314 (C.26:2K-42) is amended to read  
42 as follows:

43 4. a. A person shall not advertise or disseminate information to the  
44 public that the person is an EMT-D or a First Responder-D unless the  
45 person is authorized to do so pursuant to this act.

46 b. A person shall not impersonate or refer to himself as an EMT-D

1 or a First Responder-D unless he is certified pursuant to section 2 of  
2 this act.

3 (cf: P.L.1989, c.314, s.4)

4

5 5. Section 5 of P.L.1989, c.314 (C.26:2K-43) is amended to read  
6 as follows:

7 5. An EMT-D, First Responder-D, EMT-intermediate, licensed  
8 physician, hospital or its board of trustees, officers and members of the  
9 medical staff, nurses, paramedics or other employees of the hospital,  
10 or officers and members of a first aid, ambulance or rescue squad shall  
11 not be liable for any civil damages as the result of an act or the  
12 omission of an act committed while in training to perform, or in the  
13 performance of, cardiac defibrillation in good faith and in accordance  
14 with this act.

15 (cf: P.L.1989, c.314, s.5)

16

17 6. Section 8 of P.L.1989, c.314 (C.26:2K-45) is amended to read  
18 as follows:

19 8. Nothing in this act shall be construed to permit an EMT-D or a  
20 First Responder-D to perform the duties or fill the position of another  
21 health professional employed by a hospital, except that the EMT-D or  
22 First Responder-D may perform those functions that are necessary to  
23 assure the orderly transfer of a traffic accident victim or other  
24 emergency patient receiving pre-hospital care to hospital staff upon  
25 arrival at an emergency department and that are necessary to obtain  
26 the clinical training in the performance of cardiac defibrillation  
27 required by the department.

28 (cf: P.L.1989, c.314, s.8)

29

30 7. Section 10 of P.L.1989, c.314 (C.26:2K-47) is amended to read  
31 as follows:

32 10. Nothing in this act shall be construed to prevent a licensed and  
33 qualified member of a health care profession from performing any of  
34 the duties of an EMT-D or a First Responder-D if the duties are  
35 consistent with the accepted standards of the member's profession.

36 (cf: P.L.1989, c.314, s.10)

37

38 8. This act shall take effect on the 180th day after the date of  
39 enactment.

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#### STATEMENT

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44 This bill amends P.L.1989, c.314 (G.26:2K-39 et seq.), which  
45 provides for the certification of emergency medical technicians as  
46 EMT-D's to perform cardiac defibrillation, to permit first-responding

1 emergency personnel, including police and firefighters, to be certified  
2 as First Responder-D's who would perform cardiac defibrillation on  
3 the same basis as EMT-D's.

4 Early defibrillation has become the standard of care for patients  
5 with prehospital or in-hospital cardiac arrest, and the availability of  
6 automated external defibrillators (AED's) has broadened the range of  
7 people with the capability of performing cardiac defibrillation. This  
8 bill will expand the number of persons who may provide cardiac  
9 defibrillation services to traffic accident victims or other emergency  
10 care provides trained in all aspects of advanced cardiac life support;  
11 however, it is now often performed by personnel with less training  
12 who are able to use AED's which makes early defibrillation practical  
13 and achievable for many more people than before. AED's were  
14 conceived as devices that would be used by emergency personnel and  
15 by family members and associates of people at high risk of sudden  
16 cardiac death. This bill recognizes the need for police and fire  
17 personnel to be able to use these devices, because they are often the  
18 first persons to respond to someone in cardiac arrest, when early  
19 defibrillation is critical.

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24 \_\_\_\_\_  
Permits police and firefighters to perform cardiac defibrillation.

1       b. A person shall not impersonate or refer to himself as an EMT-D  
2 or a First Responder-D unless he is certified pursuant to section 2 of  
3 this act.

4 (cf: P.L.1989, c.314, s.4)

5

6       5. Section 5 of P.L.1989, c.314 (C.26:2K-43) is amended to read  
7 as follows:

8       5. An EMT-D, First Responder-D, EMT-intermediate, licensed  
9 physician, hospital or its board of trustees, officers and members of the  
10 medical staff, nurses, paramedics or other employees of the hospital,  
11 or officers and members of a first aid, ambulance or rescue squad shall  
12 not be liable for any civil damages as the result of an act or the  
13 omission of an act committed while in training to perform, or in the  
14 performance of, cardiac defibrillation in good faith and in accordance  
15 with this act.

16 (cf: P.L.1989, c.314, s.5)

17

18       6. Section 8 of P.L.1989, c.314 (C.26:2K-45) is amended to read  
19 as follows:

20       8. Nothing in this act shall be construed to permit an EMT-D or a  
21 First Responder-D to perform the duties or fill the position of another  
22 health professional employed by a hospital, except that the EMT-D or  
23 First Responder-D may perform those functions that are necessary to  
24 assure the orderly transfer of a traffic accident victim or other  
25 emergency patient receiving pre-hospital care to hospital staff upon  
26 arrival at an emergency department and that are necessary to obtain  
27 the clinical training in the performance of cardiac defibrillation  
28 required by the department.

29 (cf: P.L.1989, c.314, s.8)

30

31       7. Section 10 of P.L.1989, c.314 (C.26:2K-47) is amended to read  
32 as follows:

33       10. Nothing in this act shall be construed to prevent a licensed and  
34 qualified member of a health care profession from performing any of  
35 the duties of an EMT-D or a First Responder-D if the duties are  
36 consistent with the accepted standards of the member's profession.

37 (cf: P.L.1989, c.314, s.10)

38

39       8. This act shall take effect on the 180th day after the date of  
40 enactment.

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42

43

#### STATEMENT

44

45       This bill amends P.L.1989, c.314 (G.26:2K-39 et seq.), which  
46 provides for the certification of emergency medical technicians as

1 EMT-D's to perform cardiac defibrillation, to permit first-responding  
2 emergency personnel, including police and firefighters, to be certified  
3 as First Responder-D's who would perform cardiac defibrillation on  
4 the same basis as EMT-D's.

5 Early defibrillation has become the standard of care for patients  
6 with prehospital or in-hospital cardiac arrest, and the availability of  
7 automated external defibrillators (AED's) has broadened the range of  
8 people with the capability of performing cardiac defibrillation. This  
9 bill will expand the number of persons who may provide cardiac  
10 defibrillation services to traffic accident victims or other emergency  
11 care provides trained in all aspects of advanced cardiac life support;  
12 however, it is now often performed by personnel with less training  
13 who are able to use AED's which makes early defibrillation practical  
14 and achievable for many more people than before. AED's were  
15 conceived as devices that would be used by emergency personnel and  
16 by family members and associates of people at high risk of sudden  
17 cardiac death. This bill recognizes the need for police and fire  
18 personnel to be able to use these devices, because they are often the  
19 first persons to respond to someone in cardiac arrest, when early  
20 defibrillation is critical.

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Permits police and firefighters to perform cardiac defibrillation.

# ASSEMBLY HEALTH COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 1554

# STATE OF NEW JERSEY

DATED: MARCH 11, 1996

The Assembly Health Committee favorably reports Assembly Bill No. 1554.

This bill amends P.L.1989, c.314 (G.26:2K-39 et seq.), which provides for the certification of emergency medical technicians as EMT-D's to perform cardiac defibrillation, to permit first-responding emergency personnel, including police and firefighters, to be certified as First Responder-D's who would perform cardiac defibrillation on the same basis as EMT-D's.

Early defibrillation has become the standard of care for patients with prehospital or in-hospital cardiac arrest, and the availability of automated external defibrillators (AED's) has broadened the range of people with the capability of performing cardiac defibrillation. This bill will expand the number of persons who may provide cardiac defibrillation services to traffic accident victims or other emergency care patients. Cardiac defibrillation was once a skill reserved for emergency care providers trained in all aspects of advanced cardiac life support; however, it is now often performed by personnel with less training who are able to use AED's which makes early defibrillation practical and achievable for many more people than before. AED's were conceived as devices that would be used by emergency personnel and by family members and associates of people at high risk of sudden cardiac death. This bill recognizes the need for police and fire personnel to be able to use these devices, because they are often the first persons to respond to someone in cardiac arrest, when early defibrillation is critical.

This bill is identical to Assembly Bill No. 1480 (1R) of 1994 (Bagger/Kramer), which the Assembly Health and Human Services Committee reported during the previous session, and Senate Bill No. 1574 (Sinagra/Bennett) of 1994. The two bills did not advance beyond second reading in the Senate.



SENATE HEALTH COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1554**

**STATE OF NEW JERSEY**

DATED: JUNE 20, 1996

The Senate Health Committee reports favorably Assembly Bill No. 1554.

This bill amends P.L.1989, c.314 (G.26:2K-39 et seq.), which provides for the certification of emergency medical technicians as EMT-D's to perform cardiac defibrillation, to permit first-responding emergency personnel, including police and firefighters, to be certified as First Responder-D's who would perform cardiac defibrillation on the same basis as EMT-D's.

Early defibrillation has become the standard of care for patients with prehospital or in-hospital cardiac arrest, and the availability of automated external defibrillators (AED's) has broadened the range of people with the capability of performing cardiac defibrillation. This bill will expand the number of persons who may provide cardiac defibrillation services to traffic accident victims or other emergency care patients. Cardiac defibrillation was once a skill reserved for emergency care providers trained in all aspects of advanced cardiac life support; however, it is now often performed by personnel with less training who are able to use AED's which makes early defibrillation practical and achievable for many more people than before. AED's were conceived as devices that would be used by emergency personnel and by family members and associates of people at high risk of sudden cardiac death. This bill recognizes the need for police and fire personnel to be able to use these devices, because they are often the first persons to respond to someone in cardiac arrest, when early defibrillation is critical.

This bill is identical to Senate Bill No. 1076 (Sinagra), which the committee also reported favorably on this date.