

STATEMENT OF PURPOSE

RS22810C1

When section 5-337, Idaho Code, was passed in 1999, automated external defibrillators (AED) were relatively primitive and could be mishandled in use, potentially causing damage to the person being treated. Since then, the technology has dramatically improved. AED's now are fully automated. They talk the operator through the process and will not discharge unless discharge is needed and everything is properly in place. The original statute, based on the lower level of technology, required that a physician (osteopath is included in the definition of physician) prescribe the device and that the physician also had to be involved in the training, notification, maintenance, and guidelines for use of the device. None of that is now needed. AED's can be freely bought at multiple sources without a prescription. The Red Cross and the Heart Association do the training. The manufacturer provides the maintenance and use guidelines and does, directly or through others, any needed upkeep or repair. Additionally, the physician requirements are routinely ignored and many AED's are bought and used in Idaho without any physician involvement. Therefore, this bill removes the physician requirements from the statute. However, the language on limitation of liability for writing a prescription still retains the reference to the physician since existing AED's may have been placed with a prescription.

FISCAL NOTE

This bill will have no fiscal impact.

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