

Department of Legislative Services
Maryland General Assembly
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FISCAL AND POLICY NOTE
First Reader

House Bill 1206 (Delegate Miller, *et al.*)

Health and Government Operations and
Economic Matters

Health - Automatic External Defibrillator, First Aid, and CPR - Requirements
for Entertainment Venues

This bill requires each “entertainment venue” (a facility used as a cinema, theater, amphitheater, concert hall, or sports stadium) to (1) obtain a certificate to operate and make available an automated external defibrillator (AED) in accordance with the Maryland Public Access AED Program and (2) have an AED available for use on the premises. When open for business, each entertainment venue must have on the premises an employee who is certified in first aid and cardiopulmonary resuscitation (CPR), as specified. An employee of an entertainment venue may not be held civilly liable for an act or omission regarding the presence or use of or failure to use an AED.

Fiscal Summary

State Effect: Higher education expenditures increase by an indeterminate amount beginning in FY 2024 to make additional AEDs available, train staff, and ensure trained staff are on site when a venue is open for businesses, as discussed below. To the extent the number of entertainment venues that must establish an AED program is significant, Maryland Emergency Medical System Operations Fund (MEMSOF) expenditures may increase beginning in FY 2024 for personnel. Revenues are not affected.

Local Effect: Expenditures increase for local school boards and community colleges to make additional AEDs available, train staff, and ensure trained staff are on site when a venue is open for businesses. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: Meaningful.

Analysis

Current Law: “AED” means a medical heart monitor and defibrillator device that (1) is cleared for market by the U.S. Food and Drug Administration; (2) recognizes the presence or absence of ventricular fibrillation or rapid ventricular tachycardia; (3) determines, without intervention by an operator, whether defibrillation should be performed, and on determination that defibrillation should be performed, automatically charges; and (4) requires operator intervention to deliver an electrical impulse or automatically continues with delivery of electrical impulse.

The Maryland Public Access AED Program was first established by Chapter 167 of 1999. The program permits an organization, business, association, or agency that meets specified requirements to make AEDs available to victims of sudden cardiac arrest. The Maryland Institute for Emergency Medical Services Systems (MIEMSS) is the State agency that oversees the program, including approving entities to participate and issuing registrations.

Under Maryland regulations (COMAR 30.06.02.01), to be eligible for registration or renewal of registration, each facility must designate an AED coordinator who must:

- complete CPR and AED training and subsequent refresher training, in accordance with specified requirements;
- be responsible for implementing and administering the AED program at the facility; and
- ensure that monthly safety inspections of all supplemental and AED equipment are conducted.

A facility must ensure that all expected AED operators have completed CPR and AED training and subsequent refresher training, as specified. AEDs must be placed in locations that are visible and readily accessible to any person willing to operate the AED in the event of a suspected cardiac arrest. A facility must have a telephone or communication service available at all times at which an AED is operated for the notification of a public safety answering point; it must also submit data or other information concerning the AED program as requested by MIEMSS.

State Expenditures: The number of entertainment venues in the State is unknown, as is the number of such venues that already meet the bill’s requirements and the specific application of the definition of entertainment venue to various facilities.

Higher Education Expenditures

Higher education expenditures increase by an indeterminate amount beginning in fiscal 2024 for public four-year universities and Baltimore City Community College to comply with the bill, including purchasing additional AEDs; training additional staff in CPR, first aid, and AED use to ensure that all areas of campus that are used as a cinema, theater, amphitheater, concert hall, and sports stadium meet the bill's requirements; and ensuring that appropriately trained staff are onsite when the facilities are operating as an entertainment venue. These costs vary based on the campus.

For example, Frostburg State University advises that at least 10 spaces on campus must comply at a total cost of at least \$20,000, including purchasing additional AEDs and training additional staff. The University of Maryland Baltimore County advises that at least 5 additional spaces on campus must comply at a similar cost.

Potential Expenditures for Maryland Institute for Emergency Medical Services Systems

To the extent the number of additional AED program applicants under the bill is significant, MIEMSS may require one new part-time (50%) administrator to handle additional AED program applications. Should this position be necessary, MEMSOF expenditures increase by \$41,371 in fiscal 2024, increasing to \$53,058 by fiscal 2028.

Local Expenditures: Expenditures increase by an indeterminate amount beginning in fiscal 2024 for local school boards and community colleges to make additional AEDs available, provide staff with the necessary CPR, first aid, and AED training; and ensure that appropriately trained staff are onsite when the certain facilities (such as theaters/auditoriums and sports stadiums) are open for business.

Anne Arundel County Public Schools (AACPS) advises that there is an AED in every AACPS school building and at every high school stadium. However, staff trained in CPR, first aid, and AED use are not onsite for AACPS performing arts events or other events held in school theaters/auditoriums. Thus, expenditures increase to provide additional training to personnel who must be onsite for these events.

Small Business Effect: Expenditures increase for small business entertainment venues that do not already have an AED program to comply with the bill, including making an AED available onsite; providing staff the necessary CPR, first aid, and AED training; and ensuring that appropriately trained staff are onsite when the venue is open for business.

Additional Comments: According to MIEMSS, new AED units cost between \$880 and \$1,700 and certified pre-owned AEDs generally range from \$500 to \$880. The American Red Cross offers CPR and AED training courses that cost between \$75 and

\$115 per person. It holds onsite AED training at several locations in Maryland, including Annapolis, Baltimore, Salisbury, Silver Spring, and Walkersville.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Institute for Emergency Medical Services Systems; University System of Maryland; Anne Arundel County Public Schools; Maryland Association of Community Colleges; Department of Legislative Services

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