



By Ronald Bolt, ESQ.

Bill Requires AEDs at Pools

Montgomery County, Md., Bill 26-12 was enacted Nov. 13, 2012. It requires swimming pool operators in the county to have an automated external defibrillator available on the premises. It applies to all swimming pools, other than pools built on the grounds of single-family residences, used solely by the owners of the residences and their immediate family members, tenants and guests.


The new legislation is known as "Connor's Law." In 2006, a 5-year old boy, Connor Freed, died from drowning in a pool at a country club in Anne Arundel County, Md. A patron pulled Connor from the water and another attempted to resuscitate him. When 911 was called, the operator asked if a defibrillator was present at the scene. The caller is reported to have stated, "Yes, but we are not allowed to use it"

An AED is a portable device that provides an electric shock to the heart in order to restore normal contractions. The device is designed to allow bystanders to attempt to save the life of a person suffering sudden cardiac arrest. Once activated, the device provides step-by-step instructions to the operator.

The bill requires the AED to be available at all times when the pool is open and at least one staff member to be trained in its use. As readers likely know, sometimes attempting to render aid can result in liability, if aid is rendered negligently. Maryland law, however, provides protection from civil liability to persons who use AEDs, provided they act in "good faith" and provide assistance in a "reasonably prudent manner" (Md. Code Ann., Education Article § 13-517). Non-healthcare facilities that provide AEDs must register with the Maryland Institute for Emergency Medical Services Systems. State law provides that a registered facility is protected from civil liability provided it possesses a current certificate of compliance, issued by the State Emergency

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Medical Services Board and meets the statutory requirements for making an AED available (*Id.*).

The law becomes effective in one year, Nov. 13, 2013. Communities with swimming pools must make plans to have the AED installed, the training accomplished and the state certification obtained by that date. On average, a defibrillator costs \$1,200, according to the bill's legislative history and will last five years. 



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