



Senate Fiscal Agency  
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## BILL ANALYSIS



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House Bill 4659 (Substitute H-1 as reported without amendment)  
Sponsor: Representative Craig DeRoche  
House Committee: Health Policy  
Senate Committee: Health Policy

Date Completed: 1-29-04

**RATIONALE**

An automated external defibrillator (AED) is a device that analyzes a cardiac arrest victim's heart rhythm and automatically delivers the appropriate electric shock necessary to restore a regular rhythm. With an AED, the average person can perform a medical procedure once confined to the purview of trained medical professionals and certain emergency personnel such as paramedics. Automated external defibrillators now can be found in a variety of settings, such as malls, stadiums, airports, and fitness clubs, as well as in police cars.

Though governmental immunity and Good Samaritan laws eliminate the concern that police officers who carry an AED in their patrol cars may be held civilly liable, there is still concern over whether these officers might be considered medical first responders. If so, they would have to be trained and licensed as medical first responders, and the agencies the officers work for would have to be licensed as medical first response services. It has been pointed out that this could be a disincentive for law enforcement agencies to equip their patrol cars with AEDs.

**CONTENT**

The bill would amend the Public Health Code to specify that "medical first responder" would not include a police officer solely because his or her police vehicle was equipped with an AED.

The Code defines "medical first responder" as an individual who has met the educational requirements of a medical first responder course approved by the Department of Community Health and who is licensed to

provide medical first response life support as part of a medical first response service or as the driver of an ambulance that provides basic life support services only.

MCL 333.20906

**ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

**Supporting Argument**

Reportedly, studies have shown that law enforcement officers are able to respond to an emergency call in less time than it takes a medical first responder, such as an ambulance or other advanced life support service, to respond. On average, a police-first response time to ventricular fibrillation cases--one form of cardiac arrest--is 4.2 minutes. In EMS-first cases, the average response time is 6.3 minutes. For every minute that goes by without treatment, a cardiac arrest victim's chance of survival can decrease by 10%. In situations like these, particularly in rural areas where ambulance services might not be close by, the importance of AED-equipped patrol cars is clear. The current definition of medical first responder, however, could provide a barrier to police departments that would like to place AEDs in every police vehicle.

Furthermore, police officers already are trained in basic first aid and CPR. Many squad cars carry oxygen and first aid kits to assist in medical emergencies. Assisting in medical emergencies must not be confused with rendering the level of care that would make an agency a medical first response service or an

individual a medical first responder under statute. The new generation of AEDs is so simple to use, that using one is similar to administering CPR. Just as training in CPR and being sent to assist in cardiac arrest cases has not made police medical first responders, neither should the routine placement of AEDs in squad cars.

**Response:** The term "police officer" generally refers to employees of city agencies. Perhaps the bill instead should use the term "law enforcement officer", which also would encompass county sheriff's offices. Some statutory definitions of "law enforcement officer" include, as well, college and university public safety officers and conservation officers employed by the Department of Natural Resources. This would be fitting, as college activities can draw large crowds, which increase the risk of incidents of sudden cardiac arrest, and conservation officers may be called on to assist hunters and hikers experiencing cardiac arrest. Though current law does not prevent these officers from equipping their vehicles with AEDs, including them in the terminology could be an encouragement to do so.

Legislative Analyst: Julie Koval

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Dana Patterson

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.