

# WEST VIRGINIA LEGISLATURE

## 2023 REGULAR SESSION

Introduced

### Senate Bill 198

FISCAL  
NOTE

By Senator Hamilton

[Introduced January 13, 2023; referred  
to the Committee on Government Organization; and  
then to the Committee on Finance]

1 A BILL to amend and reenact §16-4D-1 of the Code of West Virginia, 1931, as amended; and to  
 2 amend said code by adding thereto a new section, designated §16-4D-5, all relating to  
 3 requiring counties to register automated external defibrillators (AEDs) with the Office of  
 4 Emergency Medical Services; and providing a penalty when a county fails to register such  
 5 a device.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 4D. AUTOMATED EXTERNAL DEFIBRILLATORS.**

**§16-4D-1. Purpose and findings.**

1 (a) The West Virginia Legislature hereby finds and declares that each year more than two  
 2 hundred fifty thousand Americans die from out-of-hospital incidents of sudden cardiac arrest.  
 3 More than ninety-five percent of these incidents result in death and, in many cases, death occurs  
 4 because properly trained persons with life-saving automated external defibrillators arrive at the  
 5 scene too late.

6 (b) The American Heart Association estimates that more than twenty thousand deaths  
 7 could be prevented each year if early defibrillation were more widely available.

8 (c) Many communities around the country have invested in 911 emergency notification  
 9 systems and emergency medical services, including well-trained emergency personnel and  
 10 ambulance vehicles. However, in many communities, there are not enough strategically placed  
 11 automated external defibrillators and persons trained to properly operate them.

12 (d) It is, therefore, the intent of this Legislature to improve access to early defibrillation by  
 13 encouraging the establishment of automated external defibrillator programs in careful coordination  
 14 with the emergency medical services system.

15 (e) Finally, the Legislature finds that automated external defibrillators available in each  
 16 county need be registered with the Office of Emergency Medical Services, and that the imposition  
 17 of a penalty for failure to register such AED machines ensures that these machines will be known  
 18 to local emergency services and can be used in the case of an emergency.

**§16-4D-5. Requirement to register automated external defibrillators with Office of**

**Emergency Medical Services; penalties.**

1 (a) Pursuant to §16-4D-3 of this code, all counties in West Virginia shall register automated  
2 external defibrillators with the Office of Emergency Medical Services.

3 (b) Failure by a county emergency services ("county EMS") to register automated external  
4 defibrillators shall cause that county to be assessed a civil penalty of \$500, with a letter from the  
5 Office of Emergency Medical Services providing a deadline to come into compliance.

NOTE: The purpose of this bill is to require counties to register automated external defibrillators with the Office of Emergency Medical Services. The bill provides a penalty when a county fails to register such a device.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.