

HB0118S01 compared with HB0118

~~text~~ shows text that was in HB0118 but was deleted in HB0118S01.

inserted text shows text that was not in HB0118 but was inserted into HB0118S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Rich Cunningham proposes the following substitute bill:

AUTOMATIC EXTERNAL DEFIBRILLATOR ACCOUNT

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Rich Cunningham

Senate Sponsor: _____

LONG TITLE

General Description:

This bill creates the Automatic External Defibrillator Account.

Highlighted Provisions:

This bill:

- ▶ creates the Automatic External Defibrillator Account;
- ▶ provides for the use of account funds;~~text~~
- ▶ grants rulemaking authority to the Bureau of Emergency Medical Services for the use of account funds; and
- ▶ establishes restrictions on how account funds may be used.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2014:

- ▶ to the General Fund Restricted ~~text~~ Automatic External Defibrillator Account, as ~~text~~

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~~one-time~~ an ongoing appropriation:

- from the General Fund ~~{ Restricted - Tobacco Settlement Restricted Account }~~,
~~{ \$500,000 }~~

→ to the { \$300,000 }.

▶ to the Department of Health - Family Health and Preparedness - Bureau of
Emergency Medical Services, as an ongoing appropriation:

- from the General Fund Restricted ~~{ }~~ Automatic External Defibrillator
Account, { as an ongoing appropriation:

→ • ~~from General Fund Restricted - Cigarette Tax Restricted Account, \$500}~~
\$300,000.

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26-8b-102, as enacted by Laws of Utah 2009, Chapter 22

ENACTS:

26-8b-601, Utah Code Annotated 1953

26-8b-602, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **26-8b-102** is amended to read:

26-8b-102. Definitions.

As used in this chapter:

(1) "Account" means the Automatic External Defibrillator Account, created in Section
26-8b-602.

~~{ }~~ (2) "Automatic external defibrillator" or "AED" means an automated or automatic
computerized medical device that:

(a) has received pre-market notification approval from the United States Food and
Drug Administration, pursuant to Section 360(k), Title 21 of the United States Code;

(b) is capable of recognizing the presence or absence of ventricular fibrillation or rapid
ventricular tachycardia;

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(c) is capable of determining, without intervention by an operator, whether defibrillation should be performed; and

(d) upon determining that defibrillation should be performed, automatically charges, enabling delivery of or automatically delivers, an electrical impulse through the chest wall and to a person's heart.

~~(2)~~ (3) "Bureau" means the Bureau of Emergency Medical Services, within the department.

~~(3)~~ (4) "Cardiopulmonary resuscitation" or "CPR" means artificial ventilation or external chest compression applied to a person who is ~~[in respiratory or cardiac arrest]~~ unresponsive and not breathing.

~~(4)~~ (5) "Emergency medical dispatch center" means a public safety answering point, as defined in Section 63C-7-103, that is designated as an emergency medical dispatch center by the bureau.

~~(5)~~ (6) "Sudden cardiac arrest" means a life-threatening condition that results when a person's heart stops or fails to produce a pulse.

Section 2. Section **26-8b-601** is enacted to read:

Part 6. Automatic External Defibrillator Account

26-8b-601. Title.

This part is known as the "Automatic External Defibrillator Account."

Section 3. Section **26-8b-602** is enacted to read:

26-8b-602. Automatic External Defibrillator Account.

(1) (a) There is created a restricted account within the General Fund known as the Automatic External Defibrillator Account to provide AEDs to ~~law enforcement and schools~~ entities under Subsection (4).

(b) The director of the bureau shall administer the account in accordance with rules made by the bureau in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(2) The restricted account shall consist of money appropriated to the account by the Legislature.

(3) The director of the bureau shall distribute funds deposited in the account to eligible entities, under Subsection (4), for the purpose of purchasing:

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- (a) an AED;
- (b) an AED carrying case;
- (c) a wall-mounted AED cabinet; or
- (d) an AED sign.

(4) The director of the bureau shall distribute funds deposited in the account, for the purpose of purchasing items under Subsection (3), to:

(a) a municipal ~~law enforcement agency~~ department of safety that routinely responds to incidents, or potential incidents, of sudden cardiac arrest; ~~or~~

(b) a ~~school that:~~

~~(i) municipal or county law enforcement agency that routinely responds to incidents, or potential incidents, of sudden cardiac arrest;~~

~~(c) a state law enforcement agency that routinely responds to incidents, or potential incidents, of sudden cardiac arrest;~~

~~(d) a school that offers instruction to grades ~~10~~7 through 12; ~~and~~or~~

~~(ii) has a student and faculty population of more than 200 people;~~

~~(5)e) a state institution of higher education.~~

(5) The director of the bureau shall distribute funds under this section to a municipality only if the municipality provides a match in funding for the total cost of items under Subsection (3):

(a) of 50% for the municipality, if the municipality is a city of first, second, or third class under Section 10-2-301; or

(b) of 75% for the municipality, other than a municipality described in Subsection

(5)(a).

(6) The director of the bureau shall distribute funds under this section to a county only if the county provides a match in funding for the total cost of items under Subsection (3):

(a) of 50% for the county, if the county is a county of first, second, or third class under Section 17-50-501; or

(b) of 75% for the county, other than a county described in Subsection (6)(a).

(7) In accordance with rules made by the bureau, an ~~agency or school~~entity described in Subsection (4) may apply to the director of the bureau to receive a distribution of funds from the account by filing an application with the bureau on or before October 1 of each year.

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Section 4. **Appropriation.**

Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following sums of money are appropriated from resources not otherwise appropriated, or reduced from amounts previously appropriated, out of the funds or accounts indicated. These sums of money are in addition to any amounts previously appropriated for fiscal year 2014.

To General Fund Restricted - Automatic External Defibrillator Account

~~{~~ From General Fund ~~{ Restricted -~~

~~_____ Tobacco Settlement Restricted Account, One-Time } ~~{~~\$500~~}~~ \$300,000~~

~~{~~ Schedule of Programs ~~{~~

~~_____ General Fund Restricted -~~

~~_____ Automatic External Defibrillator Account _____ \$500,000~~

~~Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following sums of money are appropriated from resources not otherwise appropriated, or reduced from amounts previously appropriated, out of the funds or accounts indicated. These sums of money are in addition to any amounts previously appropriated for fiscal year 2015:~~

~~_____ To }:~~

General Fund Restricted - Automatic External

Defibrillator Account

~~_____ } \$300,000~~

To Department of Health - Family Health and Preparedness -

Bureau of Emergency Medical Services

From General Fund Restricted - Automatic

~~{ _____ } ~~{~~ Cigarette Tax Restricted ~~}~~ External Defibrillator Account ~~{~~ ~~{~~\$500~~}~~ \$300,000~~

~~{~~ Schedule of Programs ~~{~~

~~_____ General Fund Restricted -~~

~~_____ Automatic External Defibrillator Account _____ \$500~~}~~:~~

Bureau of Emergency Medical Services \$300,000

The Legislature intends that:

(1) the Bureau of Emergency Services use appropriations under this section to provide

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automatic external defibrillators to ~~{municipal law enforcement agencies and schools}~~ eligible entities under Section 26-8a-601; and

(2) the appropriations under this section be ongoing in fiscal years 2014, 2015, ~~{2016, 2017,}~~ and ~~{2018}~~ 2016 only.

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Legislative Review Note

———— as of ~~2-5-13 3:07 PM~~

———— ~~Office of Legislative Research and General Counsel}~~