



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0921

Introduced 2/10/2009, by Rep. Daniel J. Burke

SYNOPSIS AS INTRODUCED:

210 ILCS 74/15

225 ILCS 25/44.5 new

815 ILCS 645/14

from Ch. 29, par. 60.4

Amends the Physical Fitness Facility Medical Emergency Preparedness Act; provides that a physical fitness facility must ensure that there is a trained automated external defibrillator (AED) user on staff "during staffed business hours". Amends the Illinois Dental Practice Act. Requires each dental office in the State to develop and implement an emergency medical plan. Requires all dental offices that administer anesthesia or sedation to contain at least one AED on the premises at all times. Provides that the owner of a dental office is responsible for complying with these requirements. Amends the Physical Fitness Services Act; provides that a physical fitness center shall have available and on its premises, during staffed business hours (instead of at all times during which members of such physical fitness center or other persons are engaged in physical fitness activities or receiving physical fitness services), at least one person who holds a valid certificate indicating that he or she has successfully completed a course of training in basic cardiopulmonary resuscitation.

LRB096 08599 DRJ 18722 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Physical Fitness Facility Medical Emergency
5 Preparedness Act is amended by changing Section 15 as follows:

6 (210 ILCS 74/15)

7 Sec. 15. Automated external defibrillator required.

8 (a) By the dates specified in Section 50, every physical
9 fitness facility must have at least one AED on the facility
10 premises. The Department shall adopt rules to ensure
11 coordination with local emergency medical services systems
12 regarding the placement and use of AEDs in physical fitness
13 facilities. The Department may adopt rules requiring a facility
14 to have more than one AED on the premises, based on factors
15 that include the following:

16 (1) The size of the area or the number of buildings or
17 floors occupied by the facility.

18 (2) The number of persons using the facility, excluding
19 spectators.

20 (b) A physical fitness facility must ensure that there is a
21 trained AED user on staff during staffed business hours and
22 present during all physical fitness activities. For purposes of
23 this Act, "trained AED user" has the meaning ascribed to that

1 term in Section 10 of the Automated External Defibrillator Act.

2 (b-5) The Department shall adopt rules that encourage any
3 non-employee coach, non-employee instructor, or other
4 similarly situated non-employee anticipated rescuer who uses a
5 physical fitness facility in conjunction with the supervision
6 of physical fitness activities to complete a course of
7 instruction that would qualify such a person as a trained AED
8 user, as defined in Section 10 of the Automated External
9 Defibrillator Act.

10 (b-10) In the case of an outdoor physical fitness facility,
11 the AED must be housed in a building, if any, that is within
12 300 feet of the outdoor facility where an event or activity is
13 being conducted. If there is such a building within the
14 required distance, the building must provide unimpeded and open
15 access to the housed AED, and the building's entrances shall
16 further provide marked directions to the housed AED. If there
17 is no such building, the person responsible for supervising the
18 activity at the outdoor physical fitness facility shall ensure
19 that an AED is available at the outdoor facility during the
20 time that the event or activity at the facility is being
21 conducted.

22 (c) Every physical fitness facility must ensure that every
23 AED on the facility's premises is properly tested and
24 maintained in accordance with rules adopted by the Department.

25 (Source: P.A. 95-712, eff. 1-1-09.)

1 Section 10. The Illinois Dental Practice Act is amended by
2 adding Section 44.5 as follows:

3 (225 ILCS 25/44.5 new)

4 Sec. 44.5. Emergency medical plan; AED.

5 (a) Each dental office in this State must develop and
6 implement an emergency medical plan, which shall include
7 without limitation recognized training standards on emergency
8 procedures.

9 (b) All dental offices that administer anesthesia or
10 sedation, as set forth in Section 8.1 of this Act, must contain
11 at least one automated external defibrillator (AED) on the
12 premises at all times.

13 (c) The owner of a dental office is responsible for
14 complying with the requirements of this Section.

15 Section 15. The Physical Fitness Services Act is amended by
16 changing Section 14 as follows:

17 (815 ILCS 645/14) (from Ch. 29, par. 60.4)

18 Sec. 14. (a) A physical fitness center shall have available
19 and on its premises, during staffed business hours ~~at all times~~
20 ~~during which members of such physical fitness center or other~~
21 ~~persons are engaged in physical fitness activities or receiving~~
22 ~~physical fitness services~~, at least one person who holds a
23 valid certificate indicating that he has successfully

1 completed a course of training in basic cardiopulmonary
2 resuscitation which complies with generally recognized
3 standards for basic cardiopulmonary resuscitation.

4 (b) A person holding a valid certificate who in good faith
5 provides emergency cardiopulmonary resuscitation to a member
6 of the physical fitness center or other person shall not be
7 liable for his act or omission in providing such resuscitation,
8 unless such act or omission was willful or wanton, as provided
9 in Section 17 of the "Emergency Medical Services (EMS) Systems
10 Act", as now or hereafter amended.

11 (c) For the purposes of this Section, the term "physical
12 fitness center" includes not-for-profit entities which offer
13 physical fitness services to the public. A "physical fitness
14 center" does not include any facility operated by a group or
15 association of private individuals solely for the benefit or
16 use of such individuals and not open to the public.

17 (Source: P.A. 84-1308.)