

Liability: Use of AED

Code of Ala. 6-5-332(e)

An individual who, reasonably, voluntarily, and without expectations of compensation, provides emergency care to a person appearing to suffer from cardiac arrest will not be held legally responsible for acting or failing to act. They will not be held legally responsible when they provide, arrange, or fail to provide for further medical treatment. They can be held legally responsible if acting with extreme carelessness.

This legal protection applies to physicians and medical authority involved in the AED placement, a person who provides training for CPR or an AED, and the person or entity responsible for the AED site. This section does not include designers, manufacturers, or sellers of AEDs.

Good Samaritans

(e) A person or entity, who in good faith and without compensation renders emergency care or treatment to a person suffering or appearing to suffer from cardiac arrest, which may include the use of an automated external defibrillator, shall be immune from civil liability for any personal injury as a result of care or treatment or as a result of any act or failure to act in providing or arranging further medical treatment where the person acts as an ordinary prudent person would have acted under the same or similar circumstances, except damages that may result from the gross negligence of the person rendering emergency care. This immunity shall extend to the licensed physician or medical authority who is involved in automated external defibrillator site placement, the person who provides training in CPR and the use of the automated external defibrillator, and the person or entity responsible for the site where the automated external defibrillator is located. This subsection specifically excludes from the provision of immunity any designers, manufacturers, or sellers of automated external defibrillators for any claims that may be brought against such entities based upon current Alabama law.