

Liability: Use of AED

ARS 36-2263

A physician who oversees the use of an AED, a CPR or AED trainer, a person or entity that owns, possesses, or provides an AED, a user trained to use an AED, or a person who uses an AED to provide emergency care will not be held legally responsible if they act in good faith and not with extreme carelessness or intentionally to cause harm.

Civil Liability; limited immunity; good Samaritan

A. The following persons and entities are not subject to civil liability for any personal injury that results from any act or omission that does not amount to wilful misconduct or gross negligence:

1. A physician who provides oversight.
2. A person or entity that provides training in cardiopulmonary resuscitation and use of an automated external defibrillator.
3. A person or entity that acquires an automated external defibrillator pursuant to this article.
4. The owner of the property or facility where the automated external defibrillator is located.
5. A person or entity that provides the automated external defibrillator pursuant to this article.
6. A nonprofit entity that, in the placement of an automated external defibrillator pursuant to this article, acts as an intermediary between the provider of an automated external defibrillator and the person or entity that acquired the automated external defibrillator or the owner of the property or facility where the automated external defibrillator is located.
7. A good Samaritan. For the purposes of this paragraph, "good Samaritan" means a person who uses an automated external defibrillator to render emergency care or assistance in good faith and without compensation at the scene of any accident, fire or other life-threatening emergency.

8. A trained user.

B. The exception from civil liability provided in subsection A does not affect a manufacturer's product liability regarding the design, manufacturing or instructions for use and maintenance of an automated external defibrillator.