

Good Samaritan Law: Use of AED

Cal Civ Code 1714.21

An individual who, in good faith, voluntarily, and without compensation, provides care by the use of an AED at the scene of an emergency will not be held legally responsible for acting or failing to act. They can be held legally responsible if acting with extreme carelessness. This section includes a person who provides CPR and AED training, a person or entity that possesses an AED for emergency use, and a physician or health care professional involved in the selection, placement, or installation of an AED.

Generally, Good Samaritan laws only offer protection for those individuals who provide care during spontaneous emergencies unrelated to volunteer deployment.

Liability for damages

(a) For purposes of this section, the following definitions shall apply:

(1) "AED" or "defibrillator" means an automated external defibrillator.

(2) "CPR" means cardiopulmonary resuscitation.

(b) Any person who, in good faith and not for compensation, renders emergency care or treatment by the use of an AED at the scene of an emergency is not liable for any civil damages resulting from any acts or omissions in rendering the emergency care.

(c) A person or entity who provides CPR and AED training to a person who renders emergency care pursuant to subdivision (b) is not liable for any civil damages resulting from any acts or omissions of the person rendering the emergency care.

(d)

(1) A person or entity that acquires an AED for emergency use pursuant to this section is not liable for any civil

damages resulting from any acts or omissions in the rendering of the emergency care by use of an AED if that person or entity has complied with subdivision (b) of Section 1797.196 of the Health and Safety Code.

(2) A physician and surgeon or other health care professional that is involved in the selection, placement, or installation of an AED pursuant to Section 1797.196 of the Health and Safety Code is not liable for civil damages resulting from acts or omissions in the rendering of emergency care by use of that AED.

(e) The protections specified in this section do not apply in the case of personal injury or wrongful death that results from the gross negligence or willful or wanton misconduct of the person who renders emergency care or treatment by the use of an AED.

(f) This section does not relieve a manufacturer, designer, developer, distributor, installer, or supplier of an AED or defibrillator of any liability under any applicable statute or rule of law.