

West's District of Columbia Code Annotated 2001 Edition  
Division VIII. General Laws.  
Title 44. Charitable and Curative Institutions. (Refs & Annos)  
Subtitle I. Health Related Institutions.  
Chapter 2A. Defibrillator Usage.

DC ST § 44-233

§ 44-233. AED use and tort immunity.

Effective: March 25, 2009

[Currentness](#)

- (a) Any person or entity who, in good faith and without compensation, uses an AED to provide emergency care or treatment shall be immune from civil liability for any personal injury resulting from the care or treatment, or resulting from any act or failure to act in providing or arranging further medical treatment, if the person acts as an ordinary, reasonably prudent person would have acted under the same or similar circumstances.
- (b) The immunity from civil liability provided under subsection (a) of this section shall extend to the licensed physician or medical authority 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.
- (c) The immunity from civil liability provided under this chapter shall not apply if the personal injury results from the gross negligence or the willful or wanton misconduct of the person providing the emergency care.
- (d) This section expressly excludes from the provision of immunity designers, manufacturers, or sellers of automated external defibrillators who have claims brought against them based upon current District of Columbia law.
- (e) A person who, in good faith and without compensation, uses a defibrillator at the scene of an emergency, and all other persons and entities providing services without compensation under this section, shall be immune from civil liability for any personal injury that results from any act or omission in the use of the defibrillator in an emergency situation.
- (f) The immunity from civil liability under this section shall not apply to a licensed or certified health professional who used the automated external defibrillator device while acting within the scope of the license or certification of the professional or within the scope of the employment or agency of the professional.
- (g) In addition to any other immunities available under statutory or common law, the District is not civilly liable for any act or omission in the provision of automated external defibrillation if, at the time of the act or omission, the recreation facility possessed a valid recreation facility certificate.

**Credits**

(Apr. 27, 2001, D.C. Law 13-278, § 4, 48 DCR 1869; Mar. 6, 2007, D.C. Law 16-217, § 2(b), 53 DCR 10207; Mar. 25, 2009, D.C. Law 17-362, § 2(d), 56 DCR 1211.)

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DC CODE § 44-233

Current through October 3, 2017

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**Versions (3)**

**§ 44-233. AED use and tort immunity.** 

**DC CODE § 44-233**

**Effective March 25, 2009**

Enacted Legislation [Mar. 25, 2009, D.C. Law 17-362, § 2\(d\), 56 DCR 1211](#)

**Prior Versions (2)**

**§ 44-233. AED use and tort immunity.**

**DC CODE § 44-233**

**Effective March 6, 2007 to March 24, 2009**

Enacted Legislation [Mar. 6, 2007, D.C. Law 16-217, § 2\(b\), 53 DCR 10207](#)

**§ 44-233. AED use and tort immunity.**

**DC CODE § 44-233**

**Effective [See Text Amendments] to March 5, 2007**

Enacted Legislation [Apr. 27, 2001, D.C. Law 13-278, § 4, 48 DCR 1869](#)

## **Editor's and Revisor's Notes (5)**

### **HISTORICAL AND STATUTORY NOTES**

#### **Effect of Amendments**

D.C. Law 16-217, in subsec. (e), deleted the last sentence which read as follows: "This immunity shall apply only if the requirements of § 44-232 are fulfilled."; and added subsec. (f).

D.C. Law 17-362 added subsec. (g).

#### **Legislative History of Laws**

For D.C. Law 13-278, see notes following § 44-231.

For Law 16-217, see notes following § 44-231.

For Law 17-362, see notes following § 44-231.

## Legislative History Materials (7)

[Mar. 6, 2007, D.C. Law 16–217, § 2\(b\), 53 DCR 10207](#)

### Reports

1. Dec. 19, 2006, District of Columbia Bill History, Bill 16-43, [DC B. Hist., B. 16-43](#)
2. Oct. 30, 2006, District of Columbia Committee Report, Bill 16-43, [DC Comm. Rep., B. 16-43](#)

### Vote Records

3. Dec. 05, 2006, District of Columbia Vote Record, Bill 16-43, [DC Vote Rec., B. 16-43](#)
4. Nov. 14, 2006, District of Columbia Vote Record, Bill 16-43, [DC Vote Rec., B. 16-43](#)

[Apr. 27, 2001, D.C. Law 13–278, § 4, 48 DCR 1869](#)

### Vote Records

5. Dec. 19, 2000, District of Columbia Vote Record, Bill 13-735, [DC Vote Rec., B. 13-735](#)
6. Dec. 19, 2000, District of Columbia Vote Record, Bill 13-735, [DC Vote Rec., B. 13-735](#)
7. Dec. 05, 2000, District of Columbia Vote Record, Bill 13-735, [DC Vote Rec., B. 13-735](#)

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**Context and Analysis (2)**

**Library References (2)**

[Health](#)  [300](#).

Westlaw Topic No. [198H](#).