California AED Law Summary

Purpose:

The purpose of this summary is to provide an easy reference guide for California AED laws only; it is not legal advice. While we do our best to keep this guide up to date, publicly listed State regulations are the only official source for the most current laws.

Overview:

In order to ensure public safety, a person or entity that acquires an AED shall do all of the following:

- Comply with all regulations governing the placement of an AED.
- Notify an agent of the local EMS agency of the existence, location, and type of AED acquired.
- Ensure that the AED is maintained and tested according to the operation and maintenance guidelines set forth by the manufacturer.
- Ensure that the AED is tested at least biannually and after each use.
- Ensure that an inspection is made of all AEDs on the premises at least every 90 days for potential issues related to operability of the device, including a blinking light or other obvious defect that may suggest tampering or that another problem has arisen with the functionality of the AED.
- Ensure that records of the maintenance and testing required pursuant to this paragraph are maintained.
- AED locations must be clearly labeled and accessible, with proper training and awareness provided to staff and tenants [California Health and Safety Code 1797.196]

AED Placement Mandates

AEDs are required in:

- Public and private K–12 schools
- Youth sports organizations by 2027 and interscholastic athletic programs since 2019 [California Health and Safety Code 1797.196, 19300, 116045, 124238, 35179.6, 99175]
- Health Clubs/Studios
- Public swimming Pools
- Large Occupancy Environments
    - Group A assembly buildings with an occupancy of greater than 300.
    - Group B business buildings with an occupancy of 200 or more.
    - Group E educational buildings with an occupancy of 200 or more.
    - Group F factory buildings with an occupancy of 200 or more.
    - Group I institutional buildings with an occupancy of 200 or more.
    - Group M mercantile buildings with an occupancy of 200 or more.
    - Group R residential buildings with an occupancy of 200 or more, excluding single-family and multifamily dwelling units.
- Any tenant improvement for places of assembly, including auditoriums and performing arts and movie theaters.

- Commuter rail systems and large buildings constructed or renovated after 2017 with specified occupancies.

Immunity Provisions Summary:

- Good faith users of AEDs during emergencies are immune from civil liability, except in cases of gross negligence or willful misconduct.
- Immunity also covers:
    - CPR and AED trainers,
    - Building owners and health studios meeting compliance,
    - Public and private schools that adhere to AED laws.
- Immunity does not extend to AED manufacturers or cases involving compensation for emergency care.
- See California Civil Code 1714.2, 1714.21 for immunity details

ADMINISTRATIVE REQURIEMENTS

AED Placement Reporting
California requires AED programs to "notify an agent of the local EMS agency of the existence, location, and type of AED acquired." California Health and Safety Code - 1797.196.
As the law permits, this Notification is being sent to the Receiving Agency shown above as an agent of local EMS agencies within its region. Receiving Agency may forward this information to local agencies as appropriate.

Medical Direction
A medical director or other physician and surgeon is not required to be involved in the acquisition or placement of an AED.

AED Program Documentation
None specified for AED programs generally. Health clubs must have written AED program plans with specified content.

OTHER OPERATIONAL AND ADMINISTRATIVE REQUIREMENTS

Other Requirements
Building Owner Obligations:
- Annually notify tenants about the AED's location and offer information on AED/CPR training.
- Conduct an annual demonstration on how to properly use an AED.
- Ensure clear instructions (14-point font or larger) are posted next to the AED.

School Principal Obligations:
- Annually inform school staff about sudden cardiac arrest, the emergency response plan, and AED use.
- Post instructions (14-point font or larger) on how to use the AED next to each unit.
- Annually notify school employees about the location of all AEDs on campus.

CARDIAC EMERGENCY RESPONSE PLAN (CERP) REQUIREMENTS

CERP Summary
No CERP requirements in this state.

GOOD SAMARITAN LEGAL PROTECTIONS

Introduction - Good Samaritan Laws
Background:
If a lawsuit happens after a sudden cardiac arrest incident, AED Good Samaritan laws (also called "GSLs" or "immunity laws") might help protect AED programs, but only if the laws actually offer strong protection. Unfortunately, in many states, they don't. How much protection a GSL offers depends on how it's written. To truly protect an AED program, a state's GSL needs to clearly and unconditionally cover the right people, activities, and types of conduct.

Four key elements determine the quality of each state's law:
1. Who's Covered
2. What Activities Are Covered
3. What Types of Conduct are Protected
4. Whether Protection Comes With Strings Attached

If you are concerned about immunity details in California, please consult with a licensed legal professional.

Immunity Law Summary
Good Faith CPR and AED Use:

- Individuals who complete CPR training from the American Heart Association or American Red Cross and render CPR or AED emergency care in good faith and without compensation are immune from civil liability for acts or omissions during the emergency.

Training Programs and Instructors:

- Local agencies, organizations, and CPR instructors are protected from liability for damages resulting from the training of individuals in CPR or AED use.

AED Acquirers and Medical Oversight:

- Entities that acquire AEDs and comply with placement and maintenance regulations are immune from civil liability for emergency use.
- Physicians or health professionals involved in the selection or installation of AEDs are also protected.

Limitations of Immunity:

- Immunity does not apply if there is gross negligence or willful misconduct during emergency care.
- Manufacturers and suppliers of AEDs are not immune and remain subject to product liability laws.

- Immunity does not apply if the caregiver expects compensation for emergency care.

Remember, these summaries are meant to give a general overview, not legal advice, and may not contain every detail of the actual law.