

SENATE BILL NO. 264

BY SENATOR CARTER

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AN ACT

To amend and reenact R.S. 40:1131(21) and 1131.1(D) and to enact R.S. 40:1131(22) and (23), 1133.13(F) and (G), and 1133.16, relative to emergency personnel; to provide for definitions; to provide relative to telephone cardiopulmonary resuscitation; to provide for minimum training requirements in telephone cardiopulmonary resuscitation; to provide for certain terms, procedures, and conditions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1131(21) and 1131.1(D) are hereby amended and reenacted and R.S. 40:1131(22) and (23), 1133.13(F) and (G) and 1133.16 are hereby enacted to read as follows:

§1131. Definitions

For purposes of this Chapter:

\* \* \*

(21) **"Public safety agency" means a functional division of a public or private agency which provides firefighting, police, medical, or other emergency services.**

(22) **"Public safety telecommunicator" means an individual answering 911 emergency medical condition calls on behalf of a public safety agency who has authority, based on a protocol adopted by the agency, to provide telephone cardiopulmonary resuscitation (T-CPR) instructions to a caller before arrival of professional medical assistance by first responders.**

(23) "Volunteer nonprofit organization" means an organization which in its regular course of business responds to a call for help and renders medical treatment and whose attendants are emergency medical personnel, a registered nurse, or a physician and which is chartered as a nonprofit organization under Section 501c of

1 the United States Internal Revenue Code, as a volunteer fire department by the  
2 Louisiana state fire marshal's office, or as a nonprofit organization by the Louisiana  
3 secretary of state.

4 §1131.1. Emergency medical services program; cooperation of other state  
5 departments

6 \* \* \*

7 D. The bureau shall identify all public and private agencies, institutions, and  
8 individuals that are or may be engaged in emergency medical services training and  
9 set minimum standards for course approval, instruction, and examination. **Public**  
10 **safety telecommunicators shall at a minimum successfully complete the**  
11 **telephone cardiopulmonary resuscitation training required by R.S. 40:1133.16.**

12 \* \* \*

13 §1133.13. Civil immunity

14 \* \* \*

15 **F. No public safety telecommunicator who instructs a caller on telephone**  
16 **cardiopulmonary resuscitation shall be liable for any civil damages arising out**  
17 **of the instruction provided to the caller, except for acts or omissions**  
18 **intentionally designed to harm, or for grossly negligent acts or omissions that**  
19 **result in harm to an individual. A caller may decline to receive instruction on**  
20 **cardiopulmonary resuscitation. When a caller declines cardiopulmonary**  
21 **resuscitation instruction the public safety telecommunicator has no obligation**  
22 **to provide the instruction.**

23 **G. No public safety agency shall be liable for any civil damages for**  
24 **employing individuals to answer 911 emergency calls who are not designated as**  
25 **public safety telecommunicators. Individuals who are not public safety**  
26 **telecommunicators, as defined in R.S. 40:1131(22), shall not be required to**  
27 **complete the telephone cardiopulmonary resuscitation training required by R.S.**  
28 **40:1133.16 and shall have no obligation to offer and provide telephone**  
29 **cardiopulmonary resuscitation instruction to a caller.**

30 \* \* \*

1           §1133.16. Public safety telecommunicator; instruction

2           A. A public safety telecommunicator shall be trained in telephone  
3           cardiopulmonary resuscitation (T-CPR) utilizing training that meets or exceeds  
4           nationally recognized emergency cardiovascular care guidelines adopted by the  
5           bureau every two years. At a minimum, this training shall incorporate  
6           recognition protocols for out-of-hospital cardiac arrest, compression-only CPR  
7           instructions for callers, and continuing education as appropriate.

8           (1) On or before January 1, 2019, each public safety telecommunicator  
9           in a parish with a population greater than one hundred thousand, according to  
10           the latest federal decennial census, shall complete the T-CPR training required  
11           by this Section.

12           (2) On or before January 1, 2020, each public safety telecommunicator  
13           in a parish with a population between fifty thousand and one hundred thousand,  
14           according to the latest federal decennial census, shall complete the T-CPR  
15           training required by this Section.

16           (3) On or before January 1, 2021, each public safety telecommunicator  
17           in a parish with a population less than fifty thousand, according to the latest  
18           federal decennial census, shall complete the T-CPR training required by this  
19           Section.

20           B. A public safety agency may enter into a reciprocal agreement with  
21           another public safety agency to provide T-CPR, provided that the agency that  
22           accepts the call has a public safety telecommunicator who is trained in T-CPR  
23           as provided by this Section.

24           C. The bureau shall identify all public and private agencies, institutions,  
25           and individuals that are or may be engaged in T-CPR training and set minimum  
26           standards for course approval, instruction, and examination, including online  
27           training modules based on nationally recognized guidelines. The bureau shall  
28           implement an efficient means for each public safety agency employing public  
29           safety telecommunicators to transmit identifying information for the public  
30           safety telecommunicators in their employ and an efficient means for either the

1            public safety agency or the public safety telecommunicator to provide a  
2            certificate of completion of the T-CPR training required by this Section.

3            D. The department shall adopt rules in accordance with the provisions  
4            of the Administrative Procedure Act as are necessary to implement the  
5            provisions of this Section.

6            Section 2. This Act may be referred to as the Spencer Washington Act.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_