

# Fiscal Note & Local Impact Statement

122<sup>nd</sup> General Assembly of Ohio

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BILL: Sub. H.B. 717 DATE: November 16, 1998  
STATUS: As Reported by Senate Health SPONSOR: Rep. Vesper  
LOCAL IMPACT STATEMENT REQUIRED: No — No local cost  
CONTENTS: Authorizes performance of automated external defibrillation and provides civil and criminal immunity

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## State Fiscal Highlights

- No direct fiscal effect on the state.

## Local Fiscal Highlights

LOCAL GOVERNMENT	FY 1998	FY 1999	FUTURE YEARS
<b>Counties</b>			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	- 0 -	Potential negligible savings	Potential negligible savings

- LBO does not believe there are many potential suits of this nature, therefore the number of court actions, and resultant court costs, which will be averted is negligible.

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## Detailed Fiscal Analysis

This bill provides civil and criminal immunity to physicians and individuals who perform automated external defibrillation. While automatic external defibrillators have been around since 1979, it has only been recently that public access defibrillation has started to occur. This bill encourages this activity by providing civil immunity to physicians, except in cases of willful or wanton misconduct, from damages for either prescribing or consulting on an approved device. The bill also provides civil and criminal immunity, except in cases of willful or wanton misconduct and when an emergency medical services system should have been activated, to anyone who performs automated external defibrillation in good faith.

The bill's fiscal effect is the avoidance of potential civil and criminal suits. LBO does not believe there are many potential suits of this nature, therefore any cost avoidance is negligible. The bill still allows for litigation to occur when misconduct or a failure of duty is involved. However, the provision of immunity should not alter current court caseloads.

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