

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 333**

---

---

**Introduced by Assembly Member Melendez**

February 13, 2015

---

---

~~An act to amend Section 49417 of the Education Code, relating to pupil health.~~ *An act to add Section 856 to the Business and Professions Code, relating to healing arts.*

LEGISLATIVE COUNSEL'S DIGEST

AB 333, as amended, Melendez. ~~Pupil health: automated external defibrillators.~~ *Healing arts: continuing education.*

*Existing law provides for the licensure and regulation of various healing arts licensees by various boards, as defined, within the Department of Consumer Affairs and imposes various continuing education requirements for license renewal.*

*This bill would allow specified healing arts licensees to apply one unit, as defined, of continuing education credit towards any required continuing education units for attending a course that results in the licensee becoming a certified instructor of cardiopulmonary resuscitation (CPR) or the proper use of an automated external defibrillator (AED), and would allow specified healing arts licensees to apply up to 2 units of continuing education credit towards any required continuing education units for conducting CPR or AED training sessions for employees of school districts and community college districts in the state.*

~~Existing law authorizes a public school to solicit and receive nonstate funds to acquire and maintain an automated external defibrillator (AED). Existing law provides that the employees of the school district are not~~

liable for civil damages resulting from certain uses, attempted uses, or nonuses of an AED, except as provided. Existing law provides that a public school or school district that complies with certain requirements related to an AED is not liable for any civil damages resulting from any act or omission in the rendering of the emergency care or treatment, except as provided.

This bill would make a nonsubstantive change to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 856 is added to the Business and  
2 Professions Code, to read:

3 856. (a) A person licensed pursuant to this division who is  
4 required to complete continuing education units as a condition of  
5 renewing his or her license may apply one unit of continuing  
6 education credit towards that requirement for attending a course  
7 that results in the licensee becoming a certified instructor of  
8 cardiopulmonary resuscitation (CPR) or the proper use of an  
9 automated external defibrillator (AED).

10 (b) A person licensed pursuant to this division who is required  
11 to complete continuing education units as a condition of renewing  
12 his or her license may apply up to two units of continuing education  
13 credit towards that requirement for conducting CPR or AED  
14 training sessions for employees of school districts and community  
15 college districts in the state.

16 (c) For purposes of this section, "unit" means any measurement  
17 for continuing education, such as hours or course credits.

18 SECTION 1. ~~Section 49417 of the Education Code is amended~~  
19 ~~to read:~~

20 ~~49417. (a) A public school may solicit and receive nonstate~~  
21 ~~funds to acquire and maintain an automated external defibrillator~~  
22 ~~(AED). These funds shall only be used to acquire and maintain an~~  
23 ~~AED and to provide training to school employees regarding the~~  
24 ~~use of an AED.~~

25 ~~(b) Except as provided in subdivision (d), if an employee of a~~  
26 ~~school district complies with Section 1714.21 of the Civil Code~~  
27 ~~in rendering emergency care or treatment through the use,~~  
28 ~~attempted use, or nonuse of an AED at the scene of an emergency,~~

1 ~~the employee shall not be liable for any civil damages resulting~~  
2 ~~from any act or omission in the rendering of the emergency care~~  
3 ~~or treatment.~~

4 ~~(e) Except as provided in subdivision (d), if a public school or~~  
5 ~~school district complies with the requirements of Section 1797.196~~  
6 ~~of the Health and Safety Code, the public school or school district~~  
7 ~~shall be covered by Section 1714.21 of the Civil Code and shall~~  
8 ~~not be liable for any civil damages resulting from any act or~~  
9 ~~omission in the rendering of the emergency care or treatment.~~

10 ~~(d) Subdivisions (b) and (e) do not apply in the case of personal~~  
11 ~~injury or wrongful death that results from gross negligence or~~  
12 ~~willful or wanton misconduct on the part of the person who uses,~~  
13 ~~attempts to use, or maliciously fails to use an AED to render~~  
14 ~~emergency care or treatment.~~

15 ~~(e) This section does not alter the requirements of Section~~  
16 ~~1797.196 of the Health and Safety Code.~~

O