

DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

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**ADP BULLETIN**

Title:	Issue Date:	Issue No.:
Use of Automatic External Defibrillators in a Residential Alcoholism or Drug Abuse Recovery or Treatment Facility Setting	July 14, 2009	09 - 07
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DANIEL STEINHART	[X] Service Delivery	
Deputy Director	[] Fiscal	Not Applicable
Licensing and Certification Division	[] Administration	
	[] Other	

PURPOSE

This bulletin responds to a question posed to the Department of Alcohol and Drug Programs (ADP) from the field regarding the use of AEDs in a residential alcoholism or drug abuse recovery or treatment facility. The question was: can residential facilities purchase and use AEDs without violating the meaning of "nonmedical" in Health and Safety Code (HSC) Section 11834.02?

DISCUSSION

ADP has determined that residential facilities may lawfully purchase and use AEDs.

Use of an AED is governed by HSC Section 1797.196, which allows any person to acquire a defibrillator upon certain conditions. Neither the statute nor the implementing regulations (Title 22, California Code of Regulations [CCR], Division 9, Chapter 1.8) limit the ownership or use of an AED to medical professionals or require medical training to use an AED. In fact, Section 100042(a)(7), Title 22, CCR, discusses use of an AED by a trained person or a "member of the general public."

Cardiopulmonary resuscitation (CPR) is used to provide emergency first aid when a person stops breathing. Use of an AED serves a very similar purpose, which is to restore a heart beat in a person in cardiac arrest. While American Red Cross-approved training is required to be authorized to use an AED, no medical license or emergency medical treatment certification is needed. Therefore, the use of an AED is emergency care only and not considered medical treatment within the meaning of HSC Section 11834.02.

Furthermore, all owners of AEDs must comply with the regulations set forth in Sections 100031-100043, Title 22, CCR, regarding the ownership and operation of AEDs, which include but are not limited to:

- Maintaining and regularly testing the AED;
- Checking the AED for readiness after each use and at least once every 30 days if the AED has not been used in the preceding 30 days;
- Requiring specified persons to complete a training course in using an AED; and,
- Ensuring that there is a written plan describing procedures to be followed in the event that use of an AED is necessary.

REFERENCES

- HSC Sections 1797.196 and 11834.02
- Title 9, CCR, Section 10572(b)
- Title 22, CCR, Division 9, Chapter 1.8, Sections 100031-100043

BACKGROUND

ADP has sole authority in California to license and certify alcoholism or drug abuse recovery or treatment facilities that provide “24-hour residential, *nonmedical* services to adults who are recovering from problems related to alcohol, drug, or alcohol and drug misuse or abuse, and who need alcohol, drug, or alcohol and drug recovery treatment or detoxification services” (HSC §11834.02, emphasis added).

ADP’s regulations for residential alcoholism or drug abuse recovery or treatment facilities require that a residential facility have at least one person that is certified by the American Red Cross to provide CPR and first aid (§10572[b], Title 9, CCR).

QUESTIONS/MAINTENANCE

If you have any questions about the clarification of ADP policy regarding the ownership and use of AEDs in residential alcoholism or drug abuse recovery or treatment facilities, please contact Cathy Sorenson, Supervisor, Policy and Planning Unit, Licensing and Certification Division, at (916) 322-4251 or csorenson@adp.ca.gov. An additional copy of this document may be requested through ADP’s Resource Center at (800) 879-2772. This bulletin is also available on ADP’s Web site at www.adp.ca.gov.

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