

Clarification info on AED Liability Issues

An all too common and dangerous situation regarding AEDs in community facilities was brought to my attention. A local facility had been trained and provided with an AED for their staff and patients. Last year, a new director unfamiliar with our local area was appointed to a management position at the facility, was shown the AED and made the comment, "Oh, that is dangerous, lock it up." This person is displaying ignorance of AEDs and is risking a lawsuit against the facility should a medical crisis occur. I learned about this problem two years ago while attending a conference in Des Moines, where Richard A. Lazar, Esq., offered the following statistics to support his claim that liability fears continue to act as the primary barrier to PAD. Actual court cases revealed the following number of lawsuits filed where an AED was the reason for the litigation:



Claim of no AED: 10 lawsuits

Claims of AED present, but not retrieved and used: 5 or fewer lawsuits

Claims of improper use of an AED: 0

Claims of AED product liability: 0

The facts show that lawsuits are more commonly filed because of an absence of AED capability. In another recent instructor recertification scenario, there was a small community that wanted to place AEDs into the squad cars of area law enforcement officers. The chief felt they were dangerous and refused to place them into the vehicles, not aware that an AED could have a dramatic effect on a community because the device saves lives.

If you have AEDs in your facility, please remember to have them readily accessible. Keeping AEDs locked up in an office does no good when they are needed in a real event. There are wall mount boxes that can be used to store the unit and there are cabinets that have a lock for trained staff to access the device. There are also wall mount units that store the AED and will sound an alarm if the unit is removed. These models help prevent theft and notify other trained responders to the scene.