



Robert L. Quinn  
Commissioner

# State of New Hampshire

## Department of Safety

Division of Fire Standards and Training & Emergency Medical Services  
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Deborah A. Pendergast  
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### MEMORANDUM

**TO:** NH AED Agencies  
**FROM:** Bill Wood, Preparedness & Special Projects (603)-223-4228 [William.H.Wood@dos.nh.gov](mailto:William.H.Wood@dos.nh.gov)  
**DATE:** September 1, 2020

**RE:** NH AED Statutes Synopsis (RSA 153-A:28 – RSA 153-A:33)

The N.H. Legislature endorses the use of AED's by the public as an important lifesaving measure for citizens and guests throughout the State.

Any party interested in procuring an AED must meet the following requirements:

1. The AED must be a US Food & Drug Administration (USFDA)-approved device.
2. Individuals most likely to utilize the device be training in CPR/AED use (a minimum of 1-person adult CPR/AED training). Formal course recommended with 2-year certification.
3. AED's are required to be registered with the NH Department of Safety, Fire & EMS Academy. The Division's 1-page "NH AED Registry Form" is available in hard-copy and electronic formats. For AED's mounted in a "fixed location", the information is also forwarded to NH 9-1-1 for inclusion in its telephone database.

**AED's IN N.H. CAN BE UTILIZED BY ANY INDIVIDUAL TO SAVE THE LIFE OF A CARDIAC ARREST VICTIM**

**For additional assistance with AED-related questions, please contact:**

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NEW HAMPSHIRE REVISED STATUTES ANNOTATED

TITLE XII  
PUBLIC SAFETY AND WELFARE

CHAPTER 153-A  
EMERGENCY MEDICAL AND TRAUMA SERVICES

AUTOMATED EXTERNAL DEFIBRILLATOR

Section 153-A:28

153-A:28 Intent.-

I. The use of automated external defibrillators addresses an important public health problem in New Hampshire. It is the intent of the legislature to encourage the use and availability of automated external defibrillators, along with training in the use of automated external defibrillators, for the purpose of saving the lives of people in cardiac arrest.

II. Further, the legislature strongly encourages dissemination of educational information regarding automated external defibrillators and encourages the access to these lifesaving devices be made widely available to businesses, schools, fire and police departments, and other public and private organizations throughout the state.

Source. 2000, 302:4, eff. June 21, 2000. 2002, 156:5, eff. July 14, 2002.

Section 153-A:29

153-A:29 Definitions.- For purposes of this subdivision, "automated external defibrillator" means a medical device which combines heart monitor and defibrillator and:

- I. Has been approved by the United States Food and Drug Administration;
- II. Is capable of recognizing the presence or absence of ventricular fibrillation;
- III. Is capable of determining whether defibrillation should be performed, and
- IV. Automatically charges and requests delivery of an electrical impulse to an individual's heart, upon determination that defibrillation should be performed.

Source. 2000, 302:4, eff. June 21, 2000. 2002, 156.5, eff. July 14, 2002.

#### Section 153-A:30

**153-A:30 Training.** - Every person, association, corporation or other organization that acquires an automated external defibrillator shall require anticipated responders expected to use the automated external defibrillator to receive training in cardiopulmonary resuscitation and automated external defibrillator use. This section shall not limit the use of the automated external defibrillator to the anticipated responder nor shall this section limit the provisions of RSA 153-A:31.

**Source.** 2000, 302:4, eff. June 21, 2000. 2002, 156:5, eff. July 14, 2002. 2008, 207.2, eff. August 15, 2008.

#### Section 153-A:31

**153-A:31 Liability Limited.** - Any person who, in good faith and without compensation, renders emergency care by the use of an automated external defibrillator shall not be liable for civil damages for any acts or omissions unless the acts or omissions were grossly negligent or willful and wanton. Any person, association, corporation or other organization that acquires and maintains an automated external defibrillator for emergency care shall not be liable for civil damages other than for gross negligence or willful and wanton acts or omissions. The section shall not limit civil liability protection by any other law.

**Source.** 2000, 302:4, eff. June 21, 2000. 2002, 156.5, eff. July 14, 2002.

#### Section 153-A:32

**153-A:32 Automated External Defibrillator Registry.** - There shall be established in the department of safety a registry for all automated external defibrillators in the state. The department is authorized to release information from the registry to first responders in an emergency through the enhanced 911 system. Registration shall include the address and precise location of the automated external defibrillator.

**Source.** 2002, 156:2, eff. July 14, 2002.

#### Section 153-A:33

**153-A:33 Registration Required.** -

- I. The owner of an automated external defibrillator shall register with the department of safety under RSA 153-A:32 within 30 days of acquisition.
- II. Manufacturers or distributors shall provide written notice to purchasers of the requirement to register automated external defibrillators with the department.
- III. The provisions of paragraphs I and II shall not apply to owners who purchase an automated external defibrillator for use in a private residence.

**Source.** 2002, 156:2, eff. July 14, 2002.