

## Defibrillators Save Lives, Reduce Liability Risk

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A guest or employee suffering sudden cardiac arrest in your hotel must be treated within three to five minutes to have a good chance of surviving. The necessity of rapid “time to shock” is why a hotel should consider having automated external defibrillators (AEDs) on-site. Designed to save victims of sudden cardiac arrest—the leading cause of death in America—AEDs shock, or defibrillate, the heart back into normal rhythm. Up to 1,000 Americans die of sudden cardiac arrest each day.

Local emergency medical services average six to 12 minutes to arrive at a rescue scene, according to a nationwide study, and may be too late to help a sudden cardiac arrest victim. For example, in San Diego, only four percent of sudden cardiac arrest victims survived waiting for paramedics, while 74 percent of sudden cardiac arrest victims receiving AED treatment on-site survived, the Wall Street Journal reported.

AEDs save about 10,000 to 15,000 sudden cardiac arrest victims each year, according to Chris Chiames, executive director of the Sudden Cardiac Arrest Association. As the number of people saved by AEDs in airports, fitness centers, schools and other public areas increases, so has the expectation that these devices be made available in hotels.

Some hotels have implemented these devices with good results. Employees of Harrah's Hotels and Casinos have saved nearly 200 lives, while the Sheraton San Diego Hotel and Marinas saved six of seven sudden cardiac arrest victims with AEDs, according to news reports. Carlson Hotels recently announced a major AED deployment in all U.S. owned and managed properties while encouraging franchisees to do the same.

Some hotel operators are concerned that having an AED program may make them vulnerable to a lawsuit should a rescue attempt fail.

In a statement on AEDs in hotels published on Feb. 29, the American Lodging and Hotel Association expressed its concern about the absence of strong national Good Samaritan laws, as well as about conflicting guidance on how to implement and maintain an AED program. The association also acknowledged the difficulties of implementing an AED management and training program in an industry with historically high levels of employee turnover.

From the perspective of an AED advocate, the association's concerns are valid to a point. Yes, Good Samaritan laws vary from state to state, with some providing better liability protection than others. Having one strong national Good Samaritan law protecting all well-intentioned rescuers is needed. Implementing and maintaining an AED program including training can be challenging.

However, if an individual dies from sudden cardiac arrest in a hotel where an AED isn't available, the hotel exposes itself to a potential lawsuit and can't depend upon a court ruling in its favor, says Darren Boser, a paramedic and AED program specialist for Access Medical, Inc. That's because courts have increasingly judged AED availability as a “reasonable standard of care.” Organizations including fitness centers, amusement parks, airlines and transportation authorities have been sued and paid settlements or damages for not having AEDs or not having staff properly trained on how to use them.

On the other hand, Boser acknowledges that organizations can be held liable for negligence in a sudden cardiac arrest event if AEDs don't work due to improper maintenance or if employees don't know about the AEDs. He says the best solution is a properly implemented AED program that can protect guests and employees while mitigating the risk of liability exposure:

**Develop a business case according to an assessment of your hotel's physical layout and staff.** A reputable provider of AEDs and related services can make recommendations about the quantity, location and maintenance of the AEDs, as well as about employee training. The provider should take Good Samaritan and other state and local laws pertaining to AEDs into account in making these recommendations.

Dave Bingham, director of AEDs and training for Cintas First Aid and Safety, recommends the American Heart Association's three-minute rule, which advises placing AEDs so they can be retrieved and brought to the rescue scene from any place in the hotel within three minutes. Areas commonly chosen for AEDs are the fitness center/swimming pool, front desk, banquet areas, meeting rooms and facility maintenance areas such as the boiler room or loading dock. In small hotels, one AED may adequately serve two or more of these areas.

Bingham also advises hotels to provide an AED/CPR training course, which typically lasts three or four hours, to about 10 percent of their staff. Choose employees to provide the best 24/7 coverage and to correspond to areas where AEDs are located. In addition to training key employees, inform all employees about the AED program and the location of the devices.

Hotels should do whatever they can afford, even if it's not at the recommended level. “Having one AED is better than none. Your liability exposure is worse if you don't have any,” Bingham says. It's common to build the scope of an AED program over time, due to budget, time and other constraints.

**Choose a high-quality, easy-to-use AED.** Once you determine the number of AEDs you want to purchase, Federal law requires a prescription for the purchase from a physician. Choosing an easy-to-use AED is very important, whether a trained staff member or an untrained bystander eventually uses the AED in a rescue. Placing them in areas where they're clearly visible is also important.

Today's AEDs are extremely easy to use, Bingham emphasizes. For example, AEDs with voice prompts literally “talk” to the user during an emergency, giving audible instructions and confidence to those using it. As part of a research study at the University of Washington Medical Center, a group of sixth graders took an average of 90 seconds to correctly complete defibrillation with an AED on a mannequin, compared to 67 seconds for emergency medical technicians and paramedics.

**Consider outsourcing the maintenance of your AEDs.** Especially if you have several AEDs, outsourcing the maintenance your AEDs may be a good idea. This decision can take the burden of this task away from you—and can lessen your liability even further. A good maintenance program will assure that your AEDs are regularly inspected, tested and updated as necessary. These programs can also keep track of due dates for employee refresher training.

By following these steps, you will be in the position to save a life if a guest or employee suffers sudden cardiac arrest. Whether an attempt to save a life succeeds or fails, you will be able to show that you provided a “reasonable standard of care” in your hotel. If you don't have an AED, making this case will be more difficult.

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