Saving Lives Without Liability

AEDs can help ease guests’ and hoteliers’ minds on safety.

by DAVID BINGHAM

According to the American Heart Association, as many as 100,000 sudden cardiac arrest (SCA) deaths could be prevented annually if defibrillation was more readily available. The leading cause of death in the United States, SCA claims more lives annually than breast cancer, prostate cancer, firearms, house fires, traffic accidents, and AIDS combined.

Historically, the lodging industry has been hesitant to uniformly provide automated external defibrillators (AEDs)—devices that can automatically restart a heart—for guests or staff members. Citing potential liability issues, hotels have not followed the lead of other public places, including schools, office buildings, airports, and workout facilities, to authorize and encourage—or even require—the presence of AEDs. Although hotels face no greater liability risk than other facilities with AEDs, many hotel operators fear they will be sued for not having enough AEDs, failing to put the devices in the right locations or not properly maintaining the units.

When implemented correctly, AEDs actually eliminate liability, save lives, and allow guests to feel safer in the event that SCA occurs. Although there have been no successful lawsuits against hotels for deaths when an AED was used in good faith, many individuals have successfully sued businesses because AEDs were not available when needed or because the devices were not properly maintained. In a recent published article, a lawyer discussed a case in which a hotel guest died of SCA because the property’s AED was not properly charged. Although the hotel was cleared of wrongdoing, the case emphasizes the importance of developing an AED program that prioritizes preparation, expert training, and ongoing support to mitigate risk and help ensure the health, safety, and wellbeing of guests and employees.

A LIFE-SAVER ASSET
SCA often strikes without warning—regardless of age or fitness level—and the victim’s chance of survival depends entirely on immediate defibrillation. According to the American Heart Association, each passing minute delays the victim’s survival by about 10 percent, and after 10 minutes without CPR or proper

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defibrillation, resuscitation is rarely successful. To help ensure that the brain and heart can survive the SCA episode, the Occupational Safety and Health Administration (OSHA) recommends that defibrillation be administered within three to five minutes of cardiac arrest.

In high-traffic urban areas or in rural areas, where emergency medical services (EMS) have to travel long distances, an AED onsite can mean the difference between life and death for someone experiencing SCA. For places without AEDs, it can take 10 minutes or more to recognize cardiac arrest, call 911, wait for an ambulance or paramedic to arrive, and wait for EMS to locate the victim and deliver a shock—a timeframe that leaves little chance of survival.

In addition, AEDs are becoming more prevalent in other industries and even mandatory in certain states. Chris Chiames, former executive director of the Sudden Cardiac Arrest Association, notes that in an average business traveler’s day—which consists of going to the gym, dropping their children off at school, visiting the office, going to the airport, taking a plane to the meeting, and checking in at the hotel—the hotel is the only place without an AED. During a presentation at the 2010 Hospitality Law Conference, Chiames asked his audience, “What is the industry impact (and in some cases, responsibility) to be the only place in that person’s day without an AED?”

Although the likelihood of OSHA coming into a hotel to check for an AED is small, if a guest has a medical emergency and dies because the paramedics do not arrive in time, liability costs for the hotelier without an AED could be monumental.

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**PEACE OF MIND**
An AED can be a life-saving asset, but in order to help mitigate risk and ensure that the tool is used correctly, it’s important for hoteliers to develop an effective, comprehensive AED program. One way hoteliers can do this is by partnering with an experienced first-aid provider who can create a customized AED program for each property or portfolio of properties.

Under such a program, every detail and concern is managed by the vendor, leaving the hotel with minimal liability. Taking into account the property’s size and state and local AED requirements, the first-aid provider will take care of determining the number of AEDs that should be available, identifying the best locations for AEDs, handling installation, training employees as on-site responders and conducting ongoing service checks and maintenance to ensure that all devices are working properly.

Partnering with a first aid and safety provider for AED implementation is also a great way to help ensure that the program meets OSHA, American National Standards Institute (ANSI), and U.S. Food and Drug Administration (FDA) standards. As individuals in more businesses and public places save lives with AEDs, legislation regarding their use and maintenance is constantly being updated. It is the job of the first aid and safety provider to keep abreast of these changes and edit their customers’ programs accordingly to ensure that all processes are compliant.

At places where guest safety and wellbeing are top priorities, having AEDs on site goes a long way toward showing that a property is doing all it can for its guests. According to Chiames, Oregon’s decision to mandate AEDs in most public places is the first of many similar laws to come. Hotel operators who follow the lead of other industries by adapting AEDs can help protect their guests and employees, lower insurance premiums, and protect themselves and their properties against liability issues.

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