

FREQUENTLY ASKED AED QUESTIONS

FOR SCHOOLS

DISCLAIMER: The Illinois Department of Public Health (IDPH) and its employees cannot give legal advice and have no power to waive or modify any statutory requirement(s). Moreover, since each and every situation is different and key facts can often effect key requirements, it is essential to understand that no general document can definitively address any situation. Therefore, these Frequently Asked Questions and Answers should be considered for general informational purposes only and are not offered as (and cannot be relied upon) as legal advice. Rather, each individual employer, owner and operator should consult with a qualified attorney to determine which statutory requirements are applicable in any particular situation. This document was released on March 26, 2010. It is your responsibility to verify that no statutory amendments or administrative rule changes have occurred since the release date.

Q. We have community groups using our outside facilities for sports practices and games such as baseball, volleyball, football, wrestling, gymnastics, swimming, and soccer. Do we have to have an AED available outside for them?

A. If the law requires that your facility have one or more AED's present, then the owner of the facility must ensure that the proper number of functioning AEDs are present during school sponsored *or supervised* athletic functions. This does not include any facility during any activity or program organized by a private or not-for-profit organization and organized and supervised by a person or persons other than the employees of the unit of local government, school, college, or university

Q: If a school allows one or more non-profit organizations such as a youth baseball, football, basketball or soccer leagues to utilize school facilities after school hours or on weekends, when classes are not in session, must a proper number of AEDs and a trained AED users be present for such non-school related activities?

A: The requirement for a proper number of trained AED users and functioning AEDs is waived if both of the following criteria are clearly met: 1) the school does not control, sponsor, referee, judge or supervise the activity; and 2) no "on duty" school personnel (other than purely maintenance or security personnel) are present, provided that such "on duty" maintenance or security personnel do not engage in any of the activities referenced in this paragraph.

Q. Does a trained AED user mean accepted certification in the use of an AED?

A. Except in the case of physicians licensed practice medicine in Illinois, yes. The Department encourages employers and facility owners/operators to have all employees that are potential AED users successfully complete and maintain approved certification in CPR and AED use, in accordance with the standards of a nationally recognized organization such as the American Heart Association or the Red Cross.

Q. What about AED location in outdoor facilities?

A. In the case of an outdoor physical fitness facility, the AED must be housed in a building, if any, that is within 300 feet of the outdoor facility where an event or activity is being conducted. If there is such a building within the required distance, the building must provide unimpeded and open access to the housed AED, and the

building's entrances shall further provide marked directions to the housed AED. If there is no such building, the person responsible for supervising the activity at the outdoor physical fitness facility shall ensure that an AED is available at the outdoor facility during the time that the event or activity at the facility is being conducted by a school sponsored athletic event.

Q. How does the 100 person threshold requirement work?

A. This is presently defined as any facility that serves a total of 100 or more individuals, whether or not such individuals are actually present at the facility at the same time. For this Act, "individuals" includes only those persons actively engaged in physical exercise that uses large muscle groups and that substantially increases the heart rate. For example, if you have 100 students that utilize a facility, then the threshold requirement has been met. The 100 student threshold must take into account all users of a given facility over a one year period, even if 100 users are never present at the same time.

Q. Do we need an AED for physical education activities?

A. If your facility falls into one of the categories for which AEDs are required, then you must have an adequate number of functioning AEDs present for all specified activities.

Q. What about school teams that practice after school on school property such as soccer, football, baseball, volleyball or baseball, will they have to have an AED and AED trained user present?

A. The statute does not contain exceptions for "after school activities" taking place by a school sponsored athletic event.

Q. How does the new law impact elementary schools and middle schools?

A. All schools, universities and trade schools are treated equally by the statute.

Q. Does the law apply to private schools?

A. Yes. All schools, universities and trade schools, public and private, are treated equally by the statute.

Q. Other than the actual AED Statute (210 ILCS 74/5.25 et Seq) are there any other requirements that supplement the AED law?

A. Yes. The IDPH promulgates Administrative Rules, which must also be taken into consideration.