



PUBLICATIONS

0002-D

EXPANDING USE OF DEFIBRILLATORS

*Reprinted from February 2000
COWAN NEWS*

Saving lives or incurring liability?

Thanks to evolving technological advances, automatic external defibrillators are now considered “dummy-proof”—anyone could operate one to restart a person’s heart. These “smart” machines will not shock if they detect a heartbeat — therefore, they cannot hurt anyone.

The news of this technology has many municipalities and other organizations considering the implementation of a public access defibrillation program whereby these life-saving devices will be placed in all or most of their centres.

The use of semi-automatic portable defibrillators by firefighters started in 1995. Now, most municipal fire departments carry defibrillators and have trained staff to operate these machines in an attempt to assist victims more quickly as every minute is vital and the fire department is often

the first to arrive to an emergency situation. It is important to realize that although these automatic defibrillators are considered easy to use, in Canada defibrillation is still a medical act. As such, it may only be delivered under the auspices of a physician, licensed by the Province, who agrees to delegate such an act on his or her own license. Municipalities and other interested organizations are required to secure a medical director to delegate the act of defibrillation and to be accountable for aspects of training, certification, re-certification and ongoing medical quality control.

As with any new program, you should consider the increased potential for liability prior to jumping right into implementation. For example, liability may arise from: (1) improperly reacting to the emergency situation including: misdiagnosis, improper utilization of the defibrillator, or unavailability of trained staff, or inability of a staff member to deal with the

emergency at hand; and (2) the public perception and expectation that may foster by advertising the availability of such a medical service.

We suggest that the following risk management considerations be made prior to implementing a public access defibrillation program:

- All legal requirements must be adhered to, and the Ministry of Health protocols or guidelines should be followed by the organization proposing implementation of the defibrillation program.
- Approval and cooperation from a Medical Director must be obtained prior to proceeding with this program.
- Strict policies and procedures should be established regarding the administration of such a program, including certification training and retraining.

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- An appropriate communication program that clearly educates the public of the intent of this program should be conducted. For instance, this program does not replace the standard 911 emergency procedures, and there is no guarantee that there will always be certified staff on site to administer defibrillation.
- This program should be integrated with the existing 911 emergency response system.

- All staff and union concerns should be considered prior to implementing this type of program.
- A formalized system of inspection, maintenance and documentation should be established for the defibrillation equipment - in accordance with manufacturer's instructions.
- All insurance coverage issues should be addressed, including property insurance on the equipment itself and

notifying your insurer of your proposed program due to the potential malpractice and liability exposures.

If your municipality or organization carefully considers all aspects of a public access defibrillation program, along with the previously mentioned risk management suggestions, your goal to save more lives can be achieved while minimizing your risk of liability! ➡

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