

New Automatic External Defibrillators Regulation in Puerto Rico

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PRACTICE AREAS

- Retail

An McV Retail Alert

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Act No. 141-2008 requires the installation of automatic external defibrillators (AEDs) in certain public and private places. The Act also orders the Department of Health to enact regulations to enforce the provisions of the Act. Accordingly, on July 1, 2009, the Department of Health issued Regulation 7715, which established the public and private places that were required to install AEDs.

On August 9, 2016, the Department of Health enacted Regulation 8784 to replace Regulation 7715. Regulation 8784 became effective on September 24, 2016.

The main amendments included in Regulation 8784 are the following:

- Under Regulation 7715, businesses located inside shopping centers or inside any of the establishments required to have AEDs, were exempt from installing their own AEDs. Now, businesses located inside those establishments have to install their own AEDs if they are capable of receiving 250 persons or more simultaneously.
- The pharmacies that offer vaccination services now are required to install AEDs.
- The entities that have AEDs or now have to install AEDs will need to apply to certify their equipment with the Ambulance Division of the Department of Health. As part of the certification process, the Department of Health will require to evaluate compliance with the provisions of Regulation 8784. The certification will be effective for 3 years.
- The rest of the provisions of Regulation 8784 are basically the same as those in Regulation 7715, which require AEDs to be installed in the following locations:
 1. In every public agency, corporation, instrumentality and municipality where there can be a presence of 200 persons or more, including employees, simultaneously.
 2. In air, land or maritime ports or terminals capable of receiving 1,000 persons or more simultaneously. In these places, at least 2 AEDs must be

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installed.

3. In stadiums and sports centers capable of receiving 500 persons or more simultaneously.
4. In entertainment establishments capable of receiving 500 persons or more simultaneously.
5. In private universities and schools, or conference, seminar or exhibition rooms capable of receiving 500 persons or more simultaneously.
6. In industries, factories, hotels and hostels capable of receiving or hosting 250 persons or more simultaneously.
7. In shopping centers capable of receiving 250 persons or more simultaneously. Offices, shops and business in the shopping centers (or any of the listed establishments) need not have to install their own AEDs, except that, if they receive 250 persons or more simultaneously, they will have to install their own AEDs.
8. In every pharmacy that offers vaccination services.
9. In any other establishment capable of receiving 500 persons or more simultaneously.

Regulation 8784 also requires that, at least, three employees of the entities subject to the Act must be trained in the adequate use of the AEDs.

Notwithstanding the foregoing, pharmacies required to install this equipment do not have to comply with the training requirement, provided their technicians are certified in cardiopulmonary resuscitation (CPR) and they employ a certified pharmacist to administer vaccines.

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