

BILL ANALYSIS

H.B. 92
By: Branch
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

A defibrillator is an electronic device that administers an electric shock of preset voltage to the heart through the chest wall in an attempt to restore a normal rhythm of the heart during ventricular fibrillation. In 2004, The United States Food and Drug Administration (FDA) first approved a certain type of AED for over-the-counter sale without a doctor's prescription. House Bill 92 is designed to promote access of automated external defibrillators for Texas residents. House Bill 92 will exempt the requirement of a doctor's prescription for any AED that has been approved by the FDA for over-the-counter sale.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Any person or entity that acquires an automated external defibrillator (AED) must currently have a doctor's order. This bill would exempt the requirement of a doctor's prescription for any AED that has been approved by the FDA for over-the-counter sale.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.