

# AED LAW FREQUENTLY ASKED QUESTIONS

## AED LAW AND HOW IT WILL AFFECT DENTISTS

- What are the key provisions of the new law?  
**A: The law requires that each dental office in New York State have an automated external defibrillator (AED) or other defibrillator.**
- When does this law take effect?  
**A: January 1, 2012**
- To whom does this law apply?  
**A: The AED law applies to ALL dentists' offices. Unlike the legislation requiring dental offices to install amalgam separators, there are no exemptions based on the specialty of the dentist.**
- If I already have a defibrillator do I need to purchase an AED?  
**A: No, any defibrillator will meet the requirement of the new law.**
- Is there a specific type or standard of AED that will comply with this requirement?  
**A: No. A regular defibrillator will satisfy the requirement. All AED models have similar features, but the slight differences between them allow them to meet a variety of needs. NYSDA encourages potential buyers to consider all models and make a selection based on the buyer's particular needs.**
- What will happen if I am not in compliance with this new requirement after January 1, 2012?  
**A: A dentist who fails to comply with the new AED requirement will be subject to professional disciplinary action against his or her dental license by the New York State Education Department's Office of Professional Discipline (OPD).**

## COST AND REBATES

- How much does an AED cost?  
**The price of an AED varies by make and model. Most AEDs cost between \$1,000 – \$2,000, and New York State currently offers a \$500 tax credit (see question below) to help offset the cost.**
- Is there any tax exemption when you own an AED?  
**A: No. However, there is a tax credit available under Section 606(s) of the New York State Tax Law. The tax credit is equal to the lesser of \$500 or the actual purchase price of the AED.**

## PURCHASING AN AED

- Does NYSDA endorse an AED vendor?  
**A: NYSDA has entered into an endorsement relationship with *AED Professionals*, retailers of AEDs. They can be reached at 888-541-2337 or through a NYSDA member dedicated website: <http://www.aedprofessionals.com/nysda.html>**
- Does NYSDA receive any financial benefit from its endorsement?  
**A: No, NYSDA is not receiving any royalties. The purpose of this endorsement is to provide savings to NYSDA members.**
- Do I need a prescription from a physician in order to purchase an AED for my office?  
**A: No. A dentist can legally purchase an AED in New York State.**
- Do I have to register my AED with the local Emergency Medical Service (EMS) agency?  
**A: No, there is no requirement to register your AED with local EMS or any other group. You are not subject to Public Access Defibrillation (PAD) laws.**

### **WHAT TRAINING IS REQUIRED?**

- Does the training required for mandatory certification in CPR (cardiopulmonary resuscitation) that dentists receive include training in the proper and safe use of AEDs?  
**A: Yes. The use of an AED is an important element of effective cardiopulmonary resuscitation. Training in the use of an AED is included in all CPR certification training of dentists.**
- How do I get training/certification for myself and other office staff?  
**A: The New York State Education Department recognizes several CPR providers, including the American Heart Association, the National Safety Council, the American Safety and Health Institute, and the American Red Cross as providers of CPR training. Component dental societies, local Red Cross offices, and community rescue squads should all have information on CPR training opportunities. Many school districts and colleges offer CPR training opportunities as well.**
- Are other dental office employees, including dental hygienists, assistants and clerical and managerial staff required to be certified in CPR?  
**A: No, other dental office employees are not required to have this training, although they are free to obtain it if they wish.**
- Does having an AED in my office put me at greater risk for liability?  
**A: No. It actually helps protect a dentist from liability. There is a liability exposure for maintaining the equipment properly and using it properly. However, there is a greater liability exposure for not having the equipment and not being able to deal with a cardiac event should one arise. All dentists are already required to be trained in the use of an AED, so the liability for proper use and maintenance is minimal.**

## **IS THIS LAW A GOOD THING FOR ME AS A DENTIST?**

- Why did NYSDA pursue this legislation?

**A: NYSDA is always concerned about maximizing protection for the patients that dentists serve. The availability of immediate CPR with defibrillation significantly improves the survival rate for persons who experience cardiac arrest. As a result, public health advocates have supported the availability of defibrillators in public places, as well as more extensive training and certification in CPR protocols. As a result, in its continuous concern for the health of all New Yorkers, NYSDA supported the requirement of CPR for all licensed dentists in New York and sought passage of the current law to protect New Yorkers by ensuring the availability of defibrillators in dental offices throughout New York State.**

- Beyond this new law, is there a reason why a dentist should have an AED in his/her office?

**A: Defibrillation saves lives. The availability of immediate CPR with defibrillation significantly improves the survival rate for persons who experience cardiac arrest. As a result, public health advocates have supported the availability of defibrillators in public places, as well as more extensive training and certification in CPR protocols.**

- What are the statistics on life threatening events that have occurred in dental offices?

**A: While dental offices are not a site where cardiac arrest is likely to occur, because many people frequent dental offices, the availability of an AED provides additional protection for those in a dental office who may experience an unanticipated cardiac event, regardless of the cause.**

- Do any other states have similar requirements?

**A: Yes. Fourteen states specifically require dental offices to have AEDs. Twenty-six states require AEDs in various public accommodation settings, while not specifically naming dental offices. All fifty states have laws regulating use of AEDs in some context by both lay persons and health care professionals.**

- Why are dentists the only profession required to have AEDs in their offices when physicians and other health care professions are not?

**A: In New York, dentistry is always at the forefront of ensuring the safety and welfare of its patients in all possible ways. This is another layer of protection that dentistry is willing to make in its never-ending mission of service to the public. Dentistry is a surgical profession where the use of surgical techniques and anesthetic agents of all kinds are common every day in a dental office. Those circumstances warrant maximum protection for patients from any possible cardiac event. In addition, all dentists are specifically trained in the use of AEDs in order to obtain and renew their dental licenses, which other health care professionals are not. Some**

**other health care professionals might not even know how to properly use an AED in their office.**