

IC 24-4-15

Chapter 15. Automated External Defibrillators in Health Clubs

IC 24-4-15-1

"Defibrillator"

Sec. 1. As used in this chapter, "defibrillator" means an automated external defibrillator.

As added by P.L.129-2007, SEC.2.

IC 24-4-15-2

"Health club"

Sec. 2. (a) As used in this chapter, "health club" means an establishment at which:

(1) an individual, a corporation, a limited liability company, a partnership, an association, a firm, an educational institution, or any other business enterprise offers:

(A) instruction, training, or assistance in physical fitness that is focused primarily on cardiovascular exertion; or

(B) facilities for the:

(i) preservation;

(ii) maintenance;

(iii) encouragement; or

(iv) development;

of physical fitness or well-being; and

(2) at least:

(A) fifty (50) persons have:

(i) purchased; or

(ii) paid a fee for;

the right to use the physical fitness facilities; or

(B) thirty (30) pieces of motorized physical fitness equipment are provided for use by individuals.

(b) The term includes the following:

(1) Health spas and studios.

(2) Sports centers.

(3) Weight control studios.

(4) Gymnasiums and workout centers in schools, colleges, and universities.

(c) The term does not include a workout center in:

(1) a hospital licensed under IC 16-21 or a health facility licensed under IC 16-28;

(2) a hotel or motel, unless the workout center allows membership by individuals who are not guests of the hotel or motel; or

(3) an apartment, a condominium, or a town home complex.

As added by P.L.129-2007, SEC.2.

IC 24-4-15-3

"Person"

Sec. 3. As used in this chapter, "person" means an individual, a corporation, a limited liability company, a partnership, an association, a firm, or an educational institution.

As added by P.L.129-2007, SEC.2.

IC 24-4-15-4

"State department"

Sec. 4. As used in this chapter, "state department" refers to the state department of health.

As added by P.L.129-2007, SEC.2.

IC 24-4-15-5

Health club requirements

Sec. 5. An owner or operator of a health club shall do the following:

- (1) Ensure that a defibrillator is:
 - (A) located on the health club premises and easily accessible to the health club staff, members, and guests; or
 - (B) if:
 - (i) the health club is located on the premises of a business of which the health club is a part; and
 - (ii) the business has an emergency response team; located on the premises of the business and easily accessible to the emergency response team.
- (2) Employ at least one (1) individual who:
 - (A) has satisfactorily completed a course consistent with the most current national guidelines for; and
 - (B) is currently certified in; cardiopulmonary resuscitation and defibrillator use.
- (3) Reasonably ensure that at least one (1) individual described in subdivision (2) is on the health club premises when staff is present at the health club during the health club's business hours.
- (4) A health club that is not staffed must have the following on the premises:
 - (A) A telephone for 911 telephone call access.
 - (B) A sign in plain view containing an advisory warning that indicates that members of the unstaffed health club should be aware that working out alone may pose risks to a health club member's health and safety.
 - (C) A sign in plain view providing instruction in the use of the defibrillator and in cardiopulmonary resuscitation.
- (5) Ensure compliance with the requirements set forth in IC 16-31-6.5.
- (6) Post a sign at each entrance to the health club that indicates the location of each defibrillator.

As added by P.L.129-2007, SEC.2. Amended by P.L.3-2008,

SEC.173; P.L.134-2008, SEC.14.

IC 24-4-15-6

Immunity

Sec. 6. A person is immune from civil liability for acts or omissions involving the use of or the failure to use a defibrillator located on the premises of a health club under this chapter as provided under IC 34-30-12-1.

As added by P.L.129-2007, SEC.2.

IC 24-4-15-7

Inspections

Sec. 7. The:

(1) state department and the division of fire and building safety may inspect a health club at any time:

(A) according to rules adopted by the state department; or

(B) in response to a filed complaint alleging noncompliance with this chapter; and

(2) fire department that serves the area in which a health club is located shall inspect the health club for compliance with this chapter if the health club is inspected as part of an inspection program under IC 36-8-17-8.

As added by P.L.129-2007, SEC.2. Amended by P.L.134-2008, SEC.15.

IC 24-4-15-8

Violations

Sec. 8. A person who violates this chapter commits a Class C infraction.

As added by P.L.129-2007, SEC.2.

IC 24-4-15-9

Rules

Sec. 9. The state department may adopt rules under IC 4-22-2 to implement this chapter.

As added by P.L.129-2007, SEC.2.