

## Frequently Asked Questions

*All questions and answers should be used as a guide only. All agencies are responsible for complying with the actual regulations.*

- Who is required by law to adhere to this regulation?
- Who is exempt from this regulation?
- What if my agency locations are completely encompassed within OGS managed facilities?
- What if some of our agency locations are within an OGS managed facility and other locations are not?
- What if our agency leases space?
- If an agency has a current AED program, do they need to do anything further?
- What is the time frame for the phase-in implementation of the program?
- Who is responsible for the funding of the individual agency AED Programs?
- Who will determine the amount of funding an agency may receive?
- Is there a particular equation that will be used to determine funding?
- Are agencies limited to certain AED vendors?
- How do we determine the number of AEDs our Agency needs?
- How does an agency purchase AEDs?

### Who is required by law to adhere to this regulation?

Each State Agency shall endeavor to provide and maintain on-site at each of its Public Buildings a sufficient number of functional cardiac AED devices. Pursuant to these regulations a State Agency is defined as: all state departments, boards, commissions, offices or institutions. A Public Building is defined as: a building or portion thereof that is owned and/or operated by a State Agency, including leased space, for the conduct of governmental services and which houses (i) a staff of state employees; (ii) other intended occupants; or (iii) regular visitors, excluding any building that has limited use or a nominal number of assigned staff as determined by the respective State Agency.

### Who is exempt from this regulation?

State **public authorities** and **public benefit corporations** are excluded from this regulation

### What if my agency locations are completely encompassed within OGS managed facilities?

If a State Agency is located in building space owned or managed by OGS, **OGS will be responsible** for installing AEDs in the building and for managing AED maintenance and AED operator training. However, it shall be the responsibility of the Agency occupying OGS space to comply with all other provisions of the regulations, including recruiting Agency personnel as AED operators and coordinators.

### What if some of our agency locations are within an OGS managed facility and other locations are not?

**Agencies would be entirely responsible** for the creation, management and maintenance of an AED program consistent with all of the established legislation

and regulations **with regard to the agency locations outside of the OGS managed facilities.**

#### **What if our agency leases space?**

In the case of Public Buildings owned and/or managed by an Agency other than OGS, or Public Buildings managed by OGS by virtue of an agreement with another Agency or a private entity, **the occupying agencies will be responsible** for the installation of AEDs in the building and for the management of AED maintenance and AED operator training.

#### **If an agency has a current AED program, do they need to do anything further?**

An agency with a current AED program is not required to start from scratch to develop their AED program but **they will be required to meet all of the requirements of the new legislation.** Adapting their current program to meet the needs of the new regulations **and submitting a report is required.**

#### **What is the time frame for the phase-in implementation of the program?**

Each Agency will be responsible for the phased-in installation of AEDs in its respective facilities. Such phase-in period shall not extend beyond **March 31, 2010.**

#### **Who is responsible for the funding of the individual agency AED Programs?**

The moneys necessary to carry out the provisions of the legislation/regulations shall be supplied from the moneys annually appropriated for the maintenance of **the effected institutions.** In addition, OGS and the Division of Budget will use a statewide appropriation to supplement agency funds when possible.

#### **Who will determine the amount of funding an agency may receive?**

**DOB and OGS** will make all decisions regarding agency AED funding.

#### **Is there a particular equation that will be used to determine funding?**

OGS will develop a uniform process to evaluate agency AED reports. Determinations will be made based upon this process combined with a review of standard AED program needs. Final funding amounts will be contingent on DOB review and approval.

#### **Are agencies limited to certain AED vendors?**

**No but the AED must be FDA approved and meet the requirements as defined in section 3000-b of Public Health Law.** There are current state approved contracts established with some AED providers.

#### **How do we determine the number of AEDs our Agency needs?**

Each Agency needs to assess its own needs based on the regulations. They should first prioritize their buildings based on factors such as, but not limited to; population, visitor traffic and any high risk nature of the people that are served. After prioritizing their buildings, agencies should consider the size and physical layout of their buildings, including but not limited to:

- Placement of AEDs in centralized locations such that a trained operator could **optimally respond** to the site of a cardiac event with an AED at or about an Agency's Public Building(s) **in a period of not more than three (3) minutes.**

- Locations of stairways and elevators.

- Number of floors in a facility.
- Security features that limit or restrict freedom of movement within a facility.
- Whether there is a need to address the needs of children within a facility.

#### **How does an agency purchase AEDs?**

Agencies will purchase their own AEDs through their normal purchasing channels directly with the AED vendor of their choice. OGS has established state contracts for making purchases.