



CHAPTER 90  
ARTICLE 1B - MEDICAL MALPRACTICE ACTIONS

N.C.G.S. § 90-21.15.

Emergency treatment using automated external defibrillator; immunity.

| SOURCE                                                                   | LAST AMENDMENT IN THIS TEXT    | RETRIEVED                    | SOURCE FINGERPRINT                                                     |
|--------------------------------------------------------------------------|--------------------------------|------------------------------|------------------------------------------------------------------------|
| General Statutes of North Carolina, as published by the General Assembly | No amendment history on record | 21 September 2026, 05:10 UTC | 4d95d20f8bf0006eae16aeec - 24f064f85eaa419554ca0246 - 84e8de594023accf |

- § 90-21.15(a)

It is the intent of the General Assembly that, when used in accordance with this section, an automated external defibrillator may be used during an emergency for the purpose of attempting to save the life of another person who is in or who appears to be in cardiac arrest.
- § 90-21.15(b)

For purposes of this section:

(1)

"Automated external defibrillator" means a device, heart monitor, and defibrillator that meets all of the following requirements:

a.

The device has received approval from the United States Food and Drug Administration of its premarket notification filed pursuant to 21 U.S.C. § 360(k), as amended.

b.

The device is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia and is capable of determining, without intervention by an operator, whether defibrillation should be performed.

c.

Upon determining that defibrillation should be performed, the device automatically charges and requests delivery of, or delivers, an electrical impulse to an individual's heart.

(2)

"Person" means an individual, corporation, limited liability company, partnership, association, unit of government, or other legal entity.
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(3) "Training" means a nationally recognized course or training program in cardiopulmonary resuscitation (CPR) and automated external defibrillator use including the programs approved and provided by the:

a.American Heart Association.

b.American Red Cross.

**§ 90-21.15(c)** The use of an automated external defibrillator when used to attempt to save or to save a life shall constitute "first-aid or emergency health care treatment" under G.S. 90-21.14(a).

**§ 90-21.15(d)** The person who provides the cardiopulmonary resuscitation and automated external defibrillator training to a person using an automated external defibrillator, the person responsible for the site where the automated external defibrillator is located when the person has provided for a program of training, and a North Carolina licensed physician writing a prescription without compensation for an automated external defibrillator whether or not required by any federal or state law, shall be immune from civil liability arising from the use of an automated external defibrillator used in accordance with subsection (c) of this section.

**§ 90-21.15(e)** The immunity from civil liability otherwise existing under law shall not be diminished by the provisions of this section.

**§ 90-21.15(f)** Nothing in this section requires the purchase, placement, or use of automated external defibrillators by any person, entity, or agency of State, county, or local government. Nothing in this section applies to a product's liability claim against a manufacturer or seller as defined in G.S. 99B-1.

**§ 90-21.15(g)** In order to enhance public health and safety, a seller of an automated external defibrillator shall notify the North Carolina Department of Health and Human Services, Division of Health Service Regulation, Office of Emergency Medical Services of the existence, location, and type of automated external defibrillator. (2000-113, s. 1; 2007-182, s. 1.1.)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II

2 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

| REFERENCE        | APPEARS IN | OPERATIVE LANGUAGE IN THIS SECTION          |
|------------------|------------|---------------------------------------------|
| G.S. 90-21.14(a) | (c)        | "or emergency health care treatment" under" |
| G.S. 99B-1       | (f)        | "manufacturer or seller as defined in"      |

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 90-21.15 (2026).

PINPOINT

N.C. Gen. Stat. § 90-21.15(a) (2026).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

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