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TO: School Officials

FROM: Brandy Lane
Legislation and Rules Coordinator
Office of Preparedness and Response

DATE: December 6, 2006

RE: Clarification of the Colleen O'Sullivan Law

Since the enactment of the Colleen O'Sullivan Law (Physical Fitness Facility Medical Emergency Preparedness Act), 210 ILCS 74, on January 1, 2005, there have been many inquiries with regard to the requirements for schools under the law. The primary question concerns the requirement for having automated external defibrillators (AEDs) inside school physical fitness facilities. More specifically, public schools have asked the Department of Public Health exactly how many AEDs are required under the law. As briefly explained by this summary of the law and rules, it may not be sufficient for a school to place only one AED in each building. In other words, if a building houses more than one facility that meets the definition of a "physical fitness facility", then one AED may be required in each of those facilities

Section 5.25 of the Law and Section 527.300 of the Physical Fitness Facility Medical Emergency Preparedness Code (Code), 77 Ill.Adm.Code 527.300, provide the basics for the definition of a "Physical fitness facility". Generally under these provisions, a physical fitness facility must have an AED if it is (i) indoors, (ii) is supervised by at least one employee (other than maintenance or security personnel), and (iii) serves 100 or more individuals.

A few examples of a "Physical Fitness Facility" are **indoor** swimming pools, basketball courts, stadiums, athletic fields, track and field facilities, tennis courts, volleyball courts, weight-lifting facilities, etc. As a result, if the same building houses two supervised basketball courts that each serve more than 100 individuals, then the law requires that both courts have an AED.

Section 50 of the Act does, however, provide staggered compliance dates for public schools to have AEDs in place. A public school owning or operating 4 or fewer physical fitness facilities must have at least one such facility in compliance with the Act on or before July 1, 2006; its second facility in compliance by July 1, 2007; its third facility in compliance by July 1, 2008; and its fourth facility in compliance by July 1, 2009. A public school owning or operating more than 4 physical fitness facilities must have 25% of those facilities in compliance by July 1, 2006; 50% by July 1, 2007; 75% by July 1, 2008 and 100% by July 1, 2009. In this regard, the law grants public schools additional time to comply with the implementation requirements.

If you have any questions regarding compliance with the Colleen O'Sullivan Law, please contact me at Brandy.Lane@illinois.gov or (217) 785-2080.