

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1307 Session of 2011

INTRODUCED BY ARGALL, PIPPY, SCARNATI, WARD, M. WHITE, RAFFERTY,  
SCHWANK AND BOSCOLA, OCTOBER 26, 2011

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
OCTOBER 26, 2011

AN ACT

1 Amending the act of December 21, 1989 (P.L.672, No.87), entitled  
2 "An act providing for the regulation of health club  
3 contracts; and providing for further duties of the Bureau of  
4 Consumer Protection, the Attorney General and district  
5 attorneys," further providing for employee available to  
6 administer cardiopulmonary resuscitation.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Section 14(d) of the act of December 21, 1989  
10 (P.L.672, No.87), known as the Health Club Act, is amended and  
11 the section is amended by adding a subsection to read:

12 Section 14. Employee available to administer CPR.

13 \* \* \*

14 (c.1) Limited waiver.--

15 (1) Notwithstanding any other provision of this section,  
16 a health club that offers health club services during  
17 nonstaffed hours may submit a written request to the director  
18 for a waiver from compliance with the provisions of this  
19 section during nonstaffed hours.

1       (2) The director shall approve a request for a waiver  
2       submitted under this subsection if the director determines  
3       that:

4               (i) The portion of the premises in which members are  
5       permitted access during nonstaffed hours consists of not  
6       more than 6,000 square feet that meets requirements of  
7       the municipality in which the health club is located for  
8       being readily accessible to emergency services responders  
9       from the outside of the health club.

10              (ii) The area specified under subparagraph (i) is  
11       equipped with an automated external defibrillator and  
12       appropriate signage, a panic button, a 911 telephone and  
13       no less than four personal security devices.

14              (iii) During orientation of each new buyer, the  
15       health club provides instructions regarding the use of  
16       the health club during nonstaffed hours, including the  
17       location and use of the equipment required under  
18       subparagraph (ii).

19       (d) Definitions.--As used in this section, the following  
20 words and phrases shall have the meanings given to them in this  
21 subsection:

22       "911 telephone." A telephone that does any of the following:

23              (1) Allows the person using the telephone to contact a  
24       public safety answering point by dialing or pressing 911.

25              (2) Automatically calls a public safety answering point  
26       when a person picks up the handset and activates the  
27       telephone.

28       "Appropriate signage." All of the following:

29              (1) A sign posted in plain view by each automated  
30       external defibrillator, panic button, 911 telephone and

1 personal security device with instructions for their use.

2 (2) A sign posted in plain view which states that  
3 engaging in physical exercise by oneself during nonstaffed  
4 hours may pose health and safety risks.

5 "Automated external defibrillator." A portable device that  
6 uses electric shock to restore a stable heart rhythm to an  
7 individual in cardiac arrest.

8 "CPR." Cardiopulmonary resuscitation, an approved lifesaving  
9 technique which involves stimulation of the lungs and heart of a  
10 victim of cardiac or pulmonary distress.

11 "Emergency services." Services, including firefighting, law  
12 enforcement, ambulance and medical services, provided for the  
13 protection or preservation of persons or property in  
14 circumstances of immediate and significant threat of injury or  
15 harm.

16 "Nonstaffed hours." Any period during which a health club  
17 provides health club services without an employee on the  
18 premises.

19 "Panic button." A wall-mounted device that, when  
20 intentionally activated by a person, sends an electronic signal  
21 informing a public safety answering point or a remote monitoring  
22 station that the person is in need of emergency services.

23 "Personal security device." A device that is designed to be  
24 worn around the neck of a person and when intentionally  
25 activated by the person, sends an electronic signal informing a  
26 public safety answering point or a remote monitoring station  
27 that the person is in need of emergency services.

28 "Public safety answering point." A public safety answering  
29 point as defined in 35 Pa.C.S. § 5302 (relating to definitions).

30 "Remote monitoring station." A location staffed 24 hours a

1 day, seven days a week by trained personnel who contact a public  
2 safety answering point or emergency services responders.

3       Section 2. This act shall take effect in 60 days.