

## Automated external defibrillators to be required at all private establishments

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In 2008, former Gov. Aníbal Acevedo Vilá enacted a law requiring private establishments with certain capacities upward of 250 or 500 people, to have at least one automated external defibrillator (AED) on the property, but now a Senate bill would scrap that minimum capacity and require an AED for all private businesses in Puerto Rico.

Law 141-2008, signed by Acevedo Vilá, clearly established the requirements for private businesses that would be required to have at least one AED system on the premises. These private establishments are: private schools, stadiums and private sports centers; private show and entertainment establishments; and private universities and conference, seminar or exhibition halls—all with a capacity of more than 500 people.

In addition, industries, factories, shopping malls, hotels, inns and any other private enterprise with the capacity to lodge, receive or serve more than 250 people would also be required to have at least one AED onsite.



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—San Juan-based business owner

Now, Senate Bill 21, presented by Popular Democratic Party Sens. José Luis Dalmau and Ramón Ruiz Nieves and New Progressive Party Sen. Ángel Martínez, seeks to eliminate the minimum capacity requirement for at least one AED and would make it a requirement for all private establishments that have the capacity to “lodge, receive or serve” people.

The intended changes to the law wouldn’t apply to the public or government sector.

Since 2007, government agencies have been required to acquire AEDs and should have had them fully functional by Jan. 1, 2008. In many instances, government agencies haven’t complied

with the requirements, and although Regulation 7715 imposes fines of \$5,000 to \$10,000, a fine has never been imposed for not complying with the law, according to CARIBBEAN BUSINESS sources.

Years past, officials at the Capitol purchased AEDs after the death of a person invited to testify before the House of Representatives, but when CARIBBEAN BUSINESS asked about them to House infirmity personnel, they responded that the units were unusable. When the AEDs were purchased “they didn’t purchase the proper maintenance and they don’t work,” said the personnel.

Concerns have arisen in the private sector since AEDs aren’t inexpensive. An evaluation of the different systems available for purchase, without medical prescription, showed that the most inexpensive ones are priced, on sale, at \$1,199 each. Prices increase to more than \$3,000 on some models. Most of these systems have limited warranties and have battery life of one year to three years, while electrode pads need to be replaced, on average, every two years.

“They know that small businesses won’t be able to comply with those standards. A defibrillator costs in excess of \$1,000, without the maintenance and proper personnel training. We just can’t absorb any more economic obligations,” one San Juan-based business owner said. “Of

course it’s a great idea, but my business just can’t afford it. If the government hasn’t been able to comply, how do they expect us to do it?”

But there are other concerns as well. There is no doubt that “automated external defibrillators save lives,” said cardiologist William Maisel, deputy director of science & chief scientist at the U.S. Food & Drug Administration’s (FDA) Center for Devices & Radiological Health, in a press release. “However, the agency is concerned about the number of recalls and manufacturing problems that have been associated with these devices and we are committed to working with manufacturers to address these issues.”

The FDA said there have been “dozens” of AED recalls by manufacturers, adding that the agency had received about 45,000 adverse-event reports from 2005 to 2012 related to AED failures. The FDA said “the most common issues involve the design and manufacture of the devices and inadequate control of components purchased from other suppliers.”

The Mayo Clinic, originally based in Minnesota, states: “AEDs aren’t for everyone. An AED won’t resuscitate you if you don’t have the specific type of heart rhythm problem that an AED can correct. And in some circumstances, other emergency medical procedures, such as cardiopulmonary resuscitation, may be just as likely to save your life as shocks from an AED.” ■

## From public service to the private sector

Xenia Veléz and Omar Marrero join law firm of López, Sánchez, Pirillo & Hymovitz LLC

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Xenia Veléz—who most recently worked as director of the Tax Reform Committee appointed by former Gov. Luis Fortuño, and Omar Marrero—former Consumer Affairs secretary, have joined López, Sánchez, Pirillo & Hymovitz LLC, a new boutique law firm formed a year ago.

For Marrero and Veléz, who was also Treasury secretary during the second term of former Gov. Pedro Rosselló and counsel & partner of the tax practice group at McConnell Valdés LLC, what attracted them to the new law firm was that all its principals came from big law firms—providing a broad range of legal, governmental, technical and practical experience.

“As a midsize, full-service law firm, we can provide the same scope and depth of service of the big law firms, but without their high cost structure, in a more personalized setting,” Veléz explained to CARIBBEAN BUSINESS. “We can field cross-functional teams with experienced attorneys specialized in different disciplines, to address any complex issues that our clients may encounter.”

In addition to Veléz, the firm’s principals include Manuel López-Zambrana, José C. Sánchez-Castro, Martín Pirillo-Favot and Pablo Hymovitz-Cardona. Marrero joins the firm’s group of high-caliber attorneys, which includes José Luis Barrios-Ramos, Gustavo J. Viviani-Meléndez and Lizzie M. Ramos-Padró.

“We have a very strong practice in the area of securities, and one of our most sophisticated clients is Banco Popular. This was one of the reasons that motivated us to join the law firm,” said Marrero, who was part of the corporate & real estate and finance practice groups at McConnell Valdés, and also worked for Banco Popular and Citibank. “While being a midsize firm, we cover very specific areas with an intellectual depth equal to the biggest law firms, particularly in the areas of corporate taxes and securities, which you normally don’t see in midsize firms, much less in small ones.”

The firm’s areas of law practice include administrative, arbitration, banking, bankruptcy, civil & commercial litigation, commercial & consumer lending, dealer franchising, employee benefits & executive compensation, general corporate matters, insurance, international commerce law, mergers & acquisitions, securities, taxation, municipal issues, procurement, torts and trust & estates, to name a few.

The new law firm’s three main groups are its Corporate & Transactional Practice Group, Tax & Employee Benefits Group, and the Litigation Practice Group.

Some of the representative clients of the law firm include AT&T, Bacardí, Economic Development Bank for Puerto Rico, Government Development

Bank for Puerto Rico, Banco Popular of Puerto Rico, Citi, Oriental Financial Group, Southwest Airlines and UBS Financial Services Inc. ■

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