



City of New York

OFFICE OF THE COMPTROLLER

Scott M. Stringer
COMPTROLLER



AUDITS & SPECIAL REPORTS

Marjorie Landa

Deputy Comptroller for Audit

Audit Report on the New York City
Department of Citywide Administrative
Services' Compliance with Local Law 20
and Placement of Automated External
Defibrillators

SZ17-058A

April 4, 2017

<http://comptroller.nyc.gov>



THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
1 CENTRE STREET
NEW YORK, NY 10007

SCOTT M. STRINGER
COMPTROLLER

April 4, 2017

To the Residents of the City of New York:

My office has conducted an audit to determine whether the New York City Department of Citywide Administrative Services (DCAS) is in compliance with the requirements of Local Law 20 for training and certifying City personnel in the use of automated external defibrillators (AEDs), placing AEDs in public spaces, and ensuring that DCAS' Site-Specific Response and Maintenance Plan includes all the required elements. We audit City agencies such as DCAS to ensure they are complying with applicable laws and regulations and providing critical public safety services.

The audit found that DCAS generally complies with Local Law 20 and with New York State Public Health Law §3000-b. DCAS properly maintains its inspection reports and device registrations and complies with the provisions of its collaborative emergency health care provider agreement with the Regional Emergency Medical Services Council of New York City, Inc. However, we found insufficient contact information for some of DCAS' trained responders, and an insufficiently prominent display of a sign regarding the location of an AED at the main entrance to one of the 47 locations we visited.

The audit recommended that DCAS ensure the contact information for its trained responders is complete and accessible and that required AED signage be prominently posted at the main entrance as required by the New York State Public Health Law and Department of Health and Mental Hygiene rules.

The results of the audit have been discussed with DCAS officials, and their comments have been considered in preparing this report. Their complete written response is attached to this report.

If you have any questions concerning this report, please e-mail my Audit Bureau at audit@comptroller.nyc.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott M. Stringer".

Scott M. Stringer

TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
AUDIT REPORT	2
Background	2
Objective.....	3
Scope and Methodology Statement.....	3
Discussion of Audit Results	4
FINDINGS AND RECOMMENDATIONS.....	5
DCAS Generally Complied with Local Law 20 and New York State Public Health Law §3000-b	5
Missing or Insufficient Contact Information for AED-Trained Responders	5
AED Signage Not Prominently Displayed	6
DETAILED SCOPE AND METHODOLOGY.....	8
APPENDIX I	
APPENDIX II	
APPENDIX III	
APPENDIX IV	
ADDENDUM	

THE CITY OF NEW YORK OFFICE OF THE COMPTROLLER AUDITS & SPECIAL REPORTS

Audit Report on the New York City Department of Citywide Administrative Services' Compliance with Local Law 20 and the Placement of Automated External Defibrillators

SZ17-058A

EXECUTIVE SUMMARY

This audit was conducted to determine whether the New York City Department of Citywide Administrative Services (DCAS) is in compliance with the requirements of Local Law 20 for training and certifying City personnel in the use of automated external defibrillators (AEDs), placing AEDs in public places, and ensuring that DCAS' Site-Specific Response and Maintenance Plan includes all the required elements. The audit found that DCAS generally complies with Local Law 20 and with New York State Public Health Law §3000-b. DCAS properly maintains its inspection reports and device registrations and complies with the provisions of its collaborative emergency health care provider agreement with the Regional Emergency Medical Services Council of New York City, Inc. (the Collaborative Agreement). However, we found insufficient contact information for some of DCAS' trained responders, and an insufficiently prominent display of a sign regarding the location of an AED at the main entrance to one of the locations we visited. The audit recommended that DCAS ensure the contact information for its trained responders is complete and accessible, and that required AED signage be prominently posted at the main entrance as required by the New York State Public Health Law and Department of Health and Mental Hygiene (DOHMH) rules.

AUDIT REPORT

Background

Local Law 20

Each year approximately 326,200 people in the United States experience out-of-hospital, non-traumatic sudden cardiac arrest (SCA), and 9 out of 10 victims die.¹ However, SCA victims have a greater likelihood of survival if they receive immediate cardiopulmonary resuscitation (CPR) and are treated with an AED. An AED is a portable medical device approved by the U.S. Food and Drug Administration that can be used to check the victim's heart rhythm and send an electric shock to the heart to try to restore a normal rhythm.

In 2005, the New York City Council enacted Local Law 20 requiring the placement of AEDs in public locations throughout the City of New York (the City). Specifically, these devices are to be placed in nursing homes; senior centers; the publicly accessible buildings maintained by DCAS' Division of Facilities Management and Construction; ferry terminals owned and operated by the City that are served by ferry boats with a passenger capacity of one thousand or more persons; and all golf courses, stadiums, arenas and health clubs. Under Local Law 20, AEDs must be located in a prominent location so the equipment can be accessed in a timely manner by persons trained to operate it.

DOHMH issued rules to implement Local Law 20 in November 2005. Local Law 20 and the DOHMH rules require that AEDs be acquired and operated in accordance with New York State Public Health Law §3000-b, which states that personnel must be trained in their use and that the devices must be registered with the Regional Emergency Medical Services Council of New York City, Inc. (REMSCO), before use by non-health care professionals. REMSCO is a not-for-profit, tax-exempt corporation whose function is to improve emergency medical services for New York City.

According to Local Law 20, any facility with an AED that might be used by non-medical personnel must meet the requirements described below. Each facility must:

- Approve and maintain a collaborative agreement, in writing, with an emergency health care provider that includes practice protocols and a Site-Specific Response and Maintenance Plan; its policies and procedures must assure compliance with New York State Public Health Law §3000-b; and the facility must register and file a copy of the collaborative agreement with REMSCO prior to operating the AED.
- Develop and maintain a Site-Specific Response and Maintenance Plan in the event that use of an AED is required. This written plan, including written practice protocols, must be made available to DOHMH upon request.
- Designate specific locations for the placement of AEDs. The devices must be located prominently and placed so that the equipment can be accessed quickly at all times by persons trained in its operation.
- Post appropriate AED signage. AED signage, posted on a wall and on the face of the storage container in which the AED is placed, must inform the public as to the availability of a device at that location.

¹ Data from the American Heart Association.

- Ensure that staff are appropriately trained in the use of AEDs. Every facility mandated to have an AED must ensure that specifically identified employees are trained in the operation of the device and in CPR by a training facility that has been approved by New York State Department of Health. The number of trained responders in each public place shall be commensurate with the size and configuration of the facility, to maximize rapid response during regular business hours.
- Have procedures in place to notify the emergency medical services system through 911.

In addition to Local Law 20, a DOHMH rule requires that AEDs should be located no more than five floors apart from each other in buildings with more than five accessible floors.

DCAS is responsible for ensuring that City agencies have the critical resources and support needed to provide the best possible services to the public. DCAS's Division of Asset Management manages, operates and maintains City-owned buildings, including City Hall, the David N. Dinkins Municipal Building, the Brooklyn Municipal Building, all Borough Halls and City and State court buildings, with a total space of over 15 million square feet. Among other things, DCAS is required to:

- Recruit, hire and train City employees to support City agencies' workforces;
- Provide facilities management for 55 public buildings;
- Purchase, sell and lease real property; and
- Establish, audit and pay utility accounts that serve more than 4,000 buildings.

Objective

The objective of the audit was to determine whether DCAS is in compliance with Local Law 20, which requires the City to train and certify personnel on the use of AEDs, place AEDs in public places, and ensure that DCAS' Site-Specific Response and Maintenance Plan includes all the required elements.

Scope and Methodology Statement

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. This audit was conducted in accordance with the audit responsibilities of the City Comptroller as set forth in Chapter 5, §93, of the New York City Charter.

To achieve our audit objectives, we reviewed Local Law 20 and other pertinent documents and interviewed key DCAS personnel. Additionally, between July 19, 2016, and August 5, 2016, we conducted 47 site visits in the five boroughs and viewed 84 AEDs located inside public buildings maintained by DCAS. Please refer to the Detailed Scope and Methodology at the end of this report for the specific procedures and tests that were conducted.

Discussion of Audit Results

The matters covered in this report were discussed with officials from DCAS and the Mayor's Office of Operations during and at the conclusion of this audit. On March 9, 2017, we submitted a draft report to DCAS with a request for comments. We received a written response from DCAS on March 23, 2017. In its written response, DCAS generally agreed with the recommendations, stating, "DCAS agrees and will ensure that the list [of trained responders] is routinely updated and accessible" and DCAS "will explore the possibility of relocating the sign at the Queens Supreme Courthouse to further enhance its visibility."

The full text of DCAS' comments is included as an addendum to this report.

FINDINGS AND RECOMMENDATIONS

We found that DCAS generally complies with Local Law 20 and with New York State Public Health Law §3000-b. DCAS properly maintains its inspection reports and device registrations and complies with the provisions of its collaborative emergency health care provider agreement with REMSCO-NYC (the Collaborative Agreement). However, we found insufficient contact information for some of DCAS' trained responders and an insufficiently prominent display of a sign regarding the location of an AED at the main entrance to one of the locations we visited. (See Appendices I, II, III and IV for additional details regarding the results of our audit procedures.)

DCAS Generally Complied with Local Law 20 and New York State Public Health Law §3000-b

Our auditors found that DCAS developed and maintained a Site-Specific Response and Maintenance Plan. Department employees and recruits were trained in AED operation and CPR by a facility that has been approved by the New York State Department of Health. DCAS placed AEDs in conspicuous locations that were easily accessible by trained personnel and had mandatory procedures in place to notify the emergency medical services system through 911 if a victim is unresponsive and requires an AED. DCAS' Collaborative Agreement met all of the requirements of Local Law 20, including specific plans for training employees; compliance with REMSCO; compliance with New York State Public Health Law §3000-b; establishment of procedures to notify 911 when an AED is used; and maintenance and testing of AEDs, including the filing of the AED reports. (See Appendix I for details.)

However, our auditors found that DCAS had insufficient contact information for some of its trained responders. In addition, it did not prominently display signage that identified the availability and locations of AEDs at the main entrance at one of its locations. However, due to the overall compliance of DCAS with Local Law 20, those deficiencies do not alter our opinion that DCAS' generally complied with Local Law 20. (See Appendices I, II, III and IV for additional details regarding the results of our audit procedures.)

Missing or Insufficient Contact Information for AED-Trained Responders

It is crucial for SCA victims to receive immediate CPR and be treated quickly with a defibrillator when an emergency occurs. Local Law 20 requires anyone using an AED to complete a training course approved by the New York State Department of Health or the New York State Emergency Medical Services Council on the operation of an AED. We found that DCAS has employees trained in both CPR and the use of AEDs at the buildings it manages. Additionally, DCAS has recruited and trained members of a "CPR/AED Response Team" on numerous floors in its public buildings. This team is a key component of DCAS' Site-Specific Response Plan, and the list of its members includes their work locations, the specific training they received and a phone number where they can be contacted in an emergency. After calling 911 in the event of an emergency, one of the immediate steps outlined in DCAS' Site-Specific Response Plan is to contact "a list of trained responders (starting from the nearest to the scene)" and dispatch them to the scene of the emergency. The phone numbers provide a direct access to the trained responders and it is important that DCAS has current and accurate numbers.

As of January 2017, DCAS had 238 City employees appropriately trained in the use and operation of an AED in the buildings it managed throughout the five boroughs. (See Appendix II.) Specifically, 43 (18 percent) of the 238 trained personnel are DCAS employees and the remaining 195 (82 percent) are trained volunteers from other City agencies with offices in those buildings.

However, auditors found missing or insufficient contact information for three trained responders on the lists maintained by DCAS. We found missing floor numbers for two employees working at 31 Chamber Street and a missing phone number for an employee working at 115 Chrystie Street. As stated in DCAS' Site-Specific Response Plan, the Security Officers must contact "a list of trained responders (starting from the nearest to the scene)." Incomplete information can delay efforts to contact a trained responder and increase the response time to the site of an emergency. In another instance, we discovered that a single phone number was listed as the contact for six trained responders at Cadman Plaza East. Upon calling the number, we found that it did not provide a direct access to the trained responders working at that location. In the event of an emergency, incomplete and inaccurate contact information for trained responders could exacerbate the danger to people's lives.

Agency Response: "The staff for which the phone number and floor numbers were missing were not assigned to specific to specific workstations at the time that the list was last updated. . . . The phone number and floor numbers for the staff in question were subsequently provided and included in the updated list. . . . Regarding Cadman Plaza East, it should be noted that this is the location of the Office of Emergency Management. . . . The number provided in the listing was to a call center through which responders could be dispatched. DCAS has since added a new number to the listing that provides direct access to a live staff person who can be reached 24 hours a day, seven days a week to refer calls."

Recommendation

1. DCAS should ensure the contact information for its trained responders is complete and accessible.

DCAS Response: "DCAS agrees and will ensure that the list is routinely updated and accessible."

AED Signage Not Prominently Displayed

New York State Public Health Law §3000-b requires that providers of public access defibrillation post a sign or notice at the main entrance to the facility indicating where any AEDs are located. Additionally, DOHMH requires the notice to be clear and conspicuous to all patrons. DCAS generally complied with Local Law 20 and DOHMH rules in regard to the signage requirements and has posted all required signage in areas of the buildings that are accessible to the public. However, we found that signage for the availability and locations of AEDs was not prominently displayed at one of the locations we visited. (See Appendix III for test result.) Specifically, the AED signage for the availability and locations of AEDs was not posted at the main entrance of the Queens Supreme Courthouse or in the main lobby of the building. (See Appendix IV.) Although we eventually found the signage posted in the rear section of the building, it was not immediately apparent to anyone entering the courthouse.

Agency Response: "The signage was not posted in the rear of the building. Rather, the signage was prominently displayed in the main lobby of the building in a conspicuous location where the public generally congregate upon entering the building."

Auditors' Comment: We were accompanied by DCAS officials when we visited the Queens Supreme Courthouse. Neither we nor the DCAS officials could immediately locate the AED signage when entering the Courthouse through the main entrance. After walking around the lobby, we came upon the AED signage in the rear of the building.

Recommendation

2. DCAS should ensure that required AED signage is prominently posted at the main entrance as required by NYS Public Health Law and DOHMH Rules.

DCAS Response: "AED signage is prominently posted in all of DCAS' 47 public buildings in areas that meet the requirements of the laws; however, in light of the auditor's recommendation, we will explore the possibility of relocating the sign at the Queens Supreme Courthouse to further enhance its visibility."

Auditor's Comment: New York State Public Health Law Section 3000-b, 3(F) requires the AED signage to be posted "at the main entrance to the facility or building in which the automated external defibrillator is stored." The AED signage in the Queens Supreme Courthouse was in the rear of the building and not posted at the main entrance. We are pleased that DCAS will explore the possibility of relocating the sign.

DETAILED SCOPE AND METHODOLOGY

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. This audit was conducted in accordance with the audit responsibilities of the City Comptroller as set forth in Chapter 5, §93, of the New York City Charter.

We reviewed DCAS' Site-Specific Response Plan and other pertinent documents and interviewed key DCAS personnel. Additionally, between July 19, 2016, and August 5, 2016, we conducted site visits at 47 of the 55 public buildings² maintained by DCAS throughout the five boroughs and performed 84 AED inspections. Some of these buildings had AEDs located on multiple floors. (See Appendix III.)

To achieve our objectives, we performed the following:

- Auditors attended CPR/AED training required by Local Law 20;
- Reviewed Local Law 20;
- Reviewed New York State Public Health Law §3000-b;
- Reviewed DCAS' Standard Operating Procedures for the AED program;
- Reviewed all AED training course materials to become familiar with required training curriculum;
- Reviewed and analyzed DCAS' list of AED locations in the five boroughs;
- Reviewed DCAS' lists of AED-trained responders and verified their contact information;
- Determined whether the individuals giving AED training had proper qualifications;
- Reviewed and ensured whether the Site-Specific Response Plan was in place;
- Reviewed and analyzed monthly and daily logs of AED inspections, from July 19, 2016 through August 31, 2016 to ensure compliance with Local Law 20;
- Reviewed and observed all signage related to AED locations and emergency contacts to ensure that all appropriate language was included and located in the appropriate places;
- Inspected AEDs located at the 47 DCAS-managed buildings to determine whether they were operational and whether necessary supplies³ were available;
- Obtained and reviewed the list of employees responsible for verifying that AEDs are operable at each location; and
- Reviewed a copy of device registration and the Collaborative Agreement with REMSCO-NYC to determine whether it was current.

² Eight (8) of the 55 public buildings (three in Manhattan, four in Brooklyn, and one in Staten Island) were either not accessible to the public or no longer owned/managed by the City during the time of our fieldwork. Hence, only 47 buildings were included in our site visits.

³ AED supply kits include but are not limited to the following items: gloves, CPR/breathing mask, scissors, razors, and pads.

**TEST RESULTS OF DCAS COMPLIANCE WITH LOCAL LAW 20 AND
NEW YORK STATE PUBLIC HEALTH LAW §3000-b**

Information Required To Be Specified by the Site-Specific Response Plan	Did DCAS Include The Information In Site-Specific Response Plan (Yes/No)
1. A list of trained responders	YES
2. The specific training received by each trained responder	YES
3. How the trained responders can be contacted	YES
4. The location of the trained responders at the site	YES
5. The provider of the AED/CPR training received by each trained responder	YES
6. The specific location(s) of the AED(s) at the public place	YES
7. The party responsible for verifying that the AED(s) is in operable condition and for ensuring that the equipment is maintained in conformity with the manufacturer's recommendations	YES
8. The placement and exact locations of the signs required, along with the information on how to contact the site's trained responder(s)	YES
9. Instructions on how to identify an on-site medical emergency	YES
10. A listing of procedures to be followed to notify trained responders of the existence of that emergency	YES
11. Procedures to notify the emergency medical services system about an on-site medical emergency	YES
12. How the trained responder(s) will be dispatched to the location of the medical emergency	YES
13. The procedures to be followed by the trained responder(s) at the location upon their response to a medical emergency	YES
14. Procedures to be followed by trained responders in transferring care of a victim to the emergency medical services system	YES
15. Instructions on how to document each use of an AED and immediately report such usage in accordance with Public Health Law §3000-b	YES

Note: DCAS is not responsible for the AED/CPR training of court officers and has no training information for them.

NUMBER OF TRAINED RESPONDERS AS OF JANUARY 2017

Boroughs	Total Trained Responders (Including DCAS employees)	Non-DCAS Employee	DCAS Employee
Manhattan	158	124	34
Bronx	16	13	3
Brooklyn	37	34	3
Queens	7	6	1
Staten Island	20	18	2
Total	238	195	43

Note: DCAS is not responsible for the AED/CPR training of court officers, and they are not included in this analysis.

TEST RESULTS ON AED COMPLIANCE OF LOCAL LAW 20

Boroughs	Number of Buildings in Each Borough	Number of AEDs in All the Buildings	AED Signage Correct (YES/NO)	AED Signage Adequate or Appropriately Placed at Each Building (YES/NO)	AED Service Light Operational (YES/NO)	Is AED Pad Current (YES/NO)	Has Required Supplies (YES/NO)
Manhattan	19	41	YES	YES	YES	YES	YES
Brooklyn	7	12	YES	YES	YES	YES	YES
Queens	7	10	YES	NO (not at main entrance of one building)	YES	YES	YES
Bronx	7	13	YES	YES	YES	YES	YES
Staten Island	7	8	YES	YES	YES	YES	YES
Total	47	84		1			

Queens Supreme Courthouse-Main Lobby





Lisette Camilo
Commissioner

March 23, 2017

The David N. Dinkins
Municipal Building
1 Centre Street
New York, NY 10007

Ms. Marjorie Landa
Deputy Comptroller for Audit
Office of the New York City Comptroller
1 Centre Street, RM 1100
New York, NY 10007

212 386 0201 tel
nyc.gov/dcas

RE: Comptroller's Audit on New York Department of Citywide
Administrative Services' Compliance with Local Law 20 and Placement of
Automated External Defibrillators

Dear Deputy Comptroller Landa:

I'm writing in response to the Audit Report on the Department of
Citywide Administrative Services' Compliance with Local Law 20 and
Placement of Automated External Defibrillators.

We are pleased that you found that DCAS generally complies with Local
Law 20 and with New York State Public Health Law §3000-b. Below are
our responses to the findings and recommendations in the report:

Finding 1:

The auditors found three errors in DCAS' listing of trained AED
responders. Specifically, they found missing floor numbers for two
employees who work at 31 Chamber Street; a missing phone number for
an employee that works at 115 Chrystie Street; and the same phone
number being used for a group of trained responders at Cadman Plaza
East that did not provide direct access to the trained responders working
at that location.

DCAS Response:

DCAS maintains a listing of 266 staff that have volunteered to respond in
the event of an emergency; however, the contact information included is
self-reported by the volunteers. The staff for which the phone number
and floor numbers were missing were not assigned to specific
workstations at the time that the list was last updated. Therefore, this
information was not available for inclusion. The phone number and floor
numbers for the staff in question were subsequently provided and
included in the updated list.

Regarding Cadman Plaza East, it should be noted that this is the location of the Office of Emergency Management (OEM) and that the group of trained responders listed for that location are EMS workers and other trained emergency service workers whose duties require that they be on-call. The number provided in the listing was to a call center through which responders could be dispatched. DCAS has since added a new number to the listing that provides direct access to a live staff person who can be reached 24 hours a day, seven days a week to refer calls.

Recommendation 1:

DCAS should ensure the contact information for its trained responders is complete and accessible.

DCAS Response:

DCAS agrees and will ensure that the list is routinely updated and accessible.

Finding 2:

AED signage for the availability and locations of AEDs was not posted at the main entrance of the Queens Supreme Courthouse nor the main lobby of the building. The signage was eventually found in the rear of the building.

DCAS Response:

The signage was not posted in the rear of the building. Rather, the signage was prominently displayed in the main lobby of the building in a conspicuous location where the public generally congregate upon entering the building.

Recommendation 2:

DCAS should ensure that the required AED signage are prominently posted at the main entrance as required by NYS Public Health Law and DOHMH Rules.

DCAS Response:

AED signage is prominently posted in all of DCAS' 47 public buildings in areas that meet the requirements of the laws; however, in light of the auditor's recommendation, we will explore the possibility of relocating the sign at the Queens Supreme Courthouse to further enhance its visibility.

DCAS remains committed to public safety and will continue its efforts to ensure compliance with Local Law 20 and with New York State Public Health Law §3000-b. Thank you for your recommendations and for the opportunity to respond to the report.

Respectfully,



Lisette Camilo