

## **Assumption of Risk Document**

### **Breath Holds for Surf Survival & Freediving: Getting to Three Minutes**

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The author is a published researcher in the field of physiology, and has worked as an advisor to many life science companies. He has a BS in biochemistry from Yale University, a JD/MBA from UC Berkeley, and was a research fellow in Law, Science & Technology at Stanford University. He has also worked as an instructor for Performance Freediving.

### **Warnings and Assumption of Risk**

Please see below Medical Clearance, Warnings & Assumption of Risk information about the activities described in these products. Because of these risks, purchase of this digital product, available at <https://gum.co/xXFP>, is limited to a one-person license, so that each user must understand, agree, and comply with this information before purchase.

### **This Document and Associated Products Make No Health or Medical Claims**

While breath holds of short duration pose little risk, as the duration gets longer, risks can accrue, as they can with any strenuous activity. Toward the end of a long breath hold, heart rate and blood pressure can reach extremely high levels, comparable to that experienced in the most intense exercise, e.g., an all-out sprint. In order to participate in the breath holding activities described in this document, you must get physical activity medical clearance.

In order to purchase this document, you must review this medical clearance:

**(1) You must be at least 18 years old to participate.**

**(2) If you are over 69 years old, you must receive physician clearance to participate, as follows:**

I authorize participant to engage to generate physical activity, included that of extended breath holding of up to 3 minutes. Such extended breath holds can result in extremely elevated heart rates and blood pressure, as well as other physiological responses associated with intense physical exertion.

Physician Name:

Date:

Signature of Physician or of Participant Confirming Oral Physician Consent:

**(3) If you answer YES to any of the following questions, you must also receive physician clearance using the above form.**

1. Has your doctor ever said that you have a heart condition and that you should only do physical activity recommended by a doctor?
2. Do you feel pain in your chest when you do physical activity?
3. In the past month have you had chest pain when you were doing physical activity?
4. Do you lose your balance due to dizziness or do you ever lose consciousness?
5. Do you have a bone or joint problem that could be made worse by a change in your physical activity?
6. Is your doctor currently prescribing drugs for your blood pressure or heart condition?
7. Do you know of any other reason why you should not do physical activity?

In addition to the above, you Assume The Risk of participating in the activities described in this document, as follows:

I understand that the reaction of the heart, lungs, and blood vessel system to such exercise as breath holding cannot always be predicted with accuracy. I know that during or following exercise there is a risk that I may experience abnormal blood pressure or heart rate, ineffective functioning of the heart, and in rare instances, heart attacks. I have read the above information and I understand the potential risks and benefits of participating in such activities and I voluntarily agree to assume such risks. I hereby release and hold harmless the author and any associated individuals and organizations from any claims or causes of action of any kind, and expressing assume all risks by continuing.

**Additional Warning: Breath Holds in Water Can Easily Lead to Fatal Drowning  
These Products Do Not Teach or Certify You To Carry Out Such Breath Holds**

You must agree to the following Pledge before continuing.

I agree that I will not engage in any kind of breath hold activity while in water without certification from a recognized freediving organization that teaches specific safety supervision and resuscitation techniques appropriate to the kinds of activities I wish to engage in. By continuing with the document, I acknowledge as such.

These products do not teach or certify you to conduct breath holds in water, where there is a significant risk of drowning. Apart from the relatively small risk of a cardiovascular or other health-related event, not dissimilar to the risk existing with other physical activities, breath holds on dry land are relatively safe. Because of autonomic regulation of breathing, the most severe reaction to extended breath holding typically is unconsciousness (fainting), which leads to autonomic breathing and quick recovery of consciousness. You should of course not conduct breath holds where momentary unconsciousness or loss of control can lead injury, such as driving, operating equipment, or even standing (which can lead to a fall).

In water, however, a momentary loss of consciousness can easily lead to drowning, even in a pool or bathtub. Therefore you should never do a breath hold in water without training from a school certified by a recognized freediving certification body, such as Performance Freediving. Such an organization can train you in proper water safety and resuscitation techniques. Unfortunately, dozens, if not hundreds, or people die every year from just such incidents, incidents that could easily be prevented with a proper training class. Therefore, you were asked to agree to the following when you received this document, and that language is repeated here.

On a related note, while breath holding in water can certainly lead to unconsciousness and drowning, the fact is that being in water in any way poses such a risk. A momentary fainting spell on land will generally not lead to injury or death, unless one happens to be engaged in a dangerous activity such as driving. However, while surfing, snorkeling, or swimming in a pool, the same event can easily lead to drowning. I believe, therefore, that no person, no matter how capable he or she is in the water, should engage in a water activity without a partner, that is, in a one-to-one buddy system. It is not enough to be in the same general vicinity and conduct an occasional check in with your buddy, because drowning can happen very quickly. That is why there are lifeguards at pools even where everyone is a capable swimmer. If you are not checking in with your buddy in water continuously, either by observing active movement, or flashing each other an OK sign if not moving, then you are at risk of drowning. Believe me, I know people that have died this way, and not just freedivers.

This is a simple message, in fact it is so simple, that I'm not sure I could devote a document to or teach a class about it. But by embedding the lesson in this particular document, I hope that I can raise awareness about this issue. At times, ideas are best spread indirectly, as John Kay discusses in his book Obliquity, and Randy Pausch in his Last Lecture, and this may be one of those times

As a quick aside, I think dolphins and other marine mammals avoid this problem because their breathing passages are on the tops of their heads. In other words, a momentary loss of consciousness will unlikely lead to drowning because they naturally float with their blow hole out of the water, and so will quickly recover just as you or I would on land.