HOUSE DOCKET, NO. 295 FILED ON: 1/9/2013

HOUSE . . . . . No. 1890

The Commonwealth of Massachusetts

PRESENTED BY:

Ruth B. Balser

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act protecting the health and safety of people in restaurants.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Ruth B. Balser	*12th Middlesex*
Colleen M. Garry	*36th Middlesex*
Denise Andrews	*2nd Franklin*
John J. Lawn, Jr.	*10th Middlesex*
David M. Rogers	*24th Middlesex*
Cynthia S. Creem	*First Middlesex and Norfolk*

HOUSE DOCKET, NO. 295 FILED ON: 1/9/2013

HOUSE . . . . . No. 1890

By Ms. Balser of Newton, a petition (accompanied by bill, House, No. 1890) of Ruth B. Balser and others relative to requiring all restaurants to maintain devices or procedures to remove food lodged in persons' throats. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *4469* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act protecting the health and safety of people in restaurants.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 94 of the General Laws is hereby amended by striking out section 305D and inserting in place thereof the following section:-

Section 305D. Each restaurant shall have on its premises, when food is being served, an employee trained in manual procedures approved by the department of public health to remove food lodged in a person's throat. The department of public health shall adopt regulations listing all approved manual procedures which it determines may be used effectively to remove food lodged in a person's throat. Each such restaurant shall make adequate provisions for insurance to cover employees trained in rendering such assistance. Any person, or employee of any person who, in good faith, volunteers to remove or attempts to remove such food in an emergency shall not be liable for any civil damages as a result of any acts or omissions by such person or employee in rendering such emergency assistance. Take-out only restaurants, so-called, with no customer seating on the premises, shall not be subject to this section.