HOUSE DOCKET, NO. 954 FILED ON: 1/15/2013

HOUSE . . . . . No. 3044

The Commonwealth of Massachusetts

PRESENTED BY:

Peter J. Durant

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 establishing an emergency responder yellow dot program..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Peter J. Durant	*6th Worcester*
Kevin J. Kuros	*8th Worcester*
James J. Dwyer	*30th Middlesex*
Paul K. Frost	*7th Worcester*
Bruce E. Tarr	*First Essex and Middlesex*

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HOUSE . . . . . No. 3044

By Mr. Durant of Spencer, a petition (accompanied by bill, House, No. 3044) of Peter J. Durant and others for legislation to establish an emergency responder yellow dot program. Transportation.

The Commonwealth of Massachusetts

An Act establishing an emergency responder yellow dot program..

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

Chapter 90 of the General Laws is hereby amended by inserting after section 11 the following section:-

Section 11A. (a) For the purposes of this section the following words shall, unless a different meaning is apparent from the language or context, have the following meanings:-

"Emergency responder", an emergency medical technician, emergency medical technician-paramedic, paramedic, other emergency medical services provider, physician or nurse on the scene or accompanying or attending a patient in an ambulance, fire fighter or law enforcement officer on the scene.

"Program participant", an individual who has completed a health information card that includes health and emergency contact information, and affixed the decal provided by the registrar pursuant to the yellow dot program to the individual's vehicle.

"Yellow dot program", a voluntary program of the registry to assist drivers and passengers who participate in the program and emergency medical responders in reporting critical medical information in the event of a motor vehicle accident or a medical emergency involving a program participant's vehicle.

(b) The registrar shall establish a yellow dot program in the registry. The yellow dot program shall provide emergency responders with critical health and emergency contact information about program participants so that emergency responders may aid program participants when those individuals are involved in motor vehicle emergencies or accidents and are unable to communicate. The registrar shall make yellow dot program materials available for

22 pick up by any interested person at any registry of motor vehicle customer service office and
23 shall provide for an on-line means through which individuals can request the materials required
24 to participate in the program. The registrar shall also make yellow dot materials available in
25 bulk, at no cost, to outside organizations wishing to disseminate those materials.

26 (c) The registrar shall provide to a program participant:

27 (1) a standard medical information form providing space for each participant to supply, at
28 a minimum, the following information: name; a photograph of the program participant taken
29 within the past 5 years clearly showing the participant's face; emergency contact information of
30 no more than 2 persons; medical information, including medical conditions, recent surgeries,
31 allergies, medications being taken, specific medical instructions and any religious objection to
32 receiving treatment; hospital preference; no more than 2 physicians' contact information; and the
33 date on which the participant completed the form. The medical information form shall include a
34 statement that the yellow dot program acts as a facilitator only, and that all information supplied
35 on the medical information form is the sole responsibility of the program participant. The
36 medical information form shall also include statements that the program participant supplies the
37 medical information voluntarily, and that the program participant authorizes the disclosure to,
38 and use of, the medical information by emergency medical responders and other responders for
39 the purposes described in this section.

40 (2) a yellow decal of a size and design to be determined by the registrar which may be
41 affixed to the rear driver's side window of the program participant's motor vehicle.

42 (3) a yellow envelope of a size and design to be determined by registrar into which the
43 health information card established pursuant to this subsection is to be inserted and placed in the
44 program participant's glove compartment; and

45 (4) a program instruction sheet.

46 (d) An emergency medical responder or other responder may use the information
47 contained in the yellow dot folder for the following purposes:

48 (1) to identify a participant in the yellow dot program;

49 (2) to ascertain whether the participant has a medical condition that may impede
50 communications with the responder;

51 (3) to communicate with the participant's emergency contacts about the location and
52 general condition of the participant; or

53 (4) to consider the person's current medications and pre-existing medical conditions when
54 emergency medical treatment is administered for any injury the participant suffers.

55 (e) Except for wanton or willful misconduct, no emergency medical responder nor any
56 employer of an emergency medical responder, shall incur any liability if the emergency medical
57 responder or other responder is unable to make contact, in good faith, with an emergency contact
58 person, or disseminates or fails to disseminate any information from the yellow dot folder to
59 other emergency medical responders, hospitals, or any healthcare providers who render
60 emergency medical treatment to the participant. No health care provider or employer of a health
61 care provider shall incur any civil or criminal liability if the provider relies in good faith on the
62 information provided to them through the program.

63 (f) The registrar shall develop and undertake a public education campaign to inform the
64 public about the yellow dot program established pursuant to this section. The registrar shall
65 provide sufficient program materials to other state departments, agencies, non-profit
66 organizations, or automobile or driving organizations seeking to distribute or make program
67 materials available to interested persons.

68 (g) The registrar shall notify the executive office of public safety regarding the
69 implementation of the yellow dot program so that all emergency responders are informed about
70 the program.

71 (h) The Massachusetts Department of Transportation may accept donations and grants
72 from any source, including eligible federal safety funds, to pay the expenses the department of
73 transportation incurs in the development and implementation of the yellow dot motor vehicle
74 medical information program.