

**HOUSE . . . . . No. 2101**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act relative to health care providers and first responders education..

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

1 SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after  
2 section 70G the following sections:-

3 Section 70H. No health care provider who is licensed or registered pursuant to Chapter  
4 112 of the General Laws shall obtain a license or registration, or renewal of said license or  
5 registration, unless the health care provider has demonstrated that he or she has received  
6 appropriate training and continuing education on HIV/AIDS counseling and testing, the  
7 diagnosis and treatment of HIV disease, and infection control and universal precautions.

8 Section 70I. Every health care facility and every agency or department of the  
9 commonwealth or subdivision thereof which has care or custody responsibilities shall provide  
10 training to appropriate staff as to the rights, counseling and care of persons diagnosed with HIV  
11 or AIDS and on implementation of infection control and universal precautions.

12 Every vendor receiving state contracts for the provision of health care, social or mental  
13 health services, where the vendor receives fifty per cent or more of its operating budget through

14 contracts with the state, shall implement plans and provide training and continuing education of  
15 staff on HIV/AIDS, including basic information on medical and psychosocial issues related to  
16 HIV/AIDS, legal issues affecting individuals with HIV/AIDS, and infection control and  
17 universal precautions.

18 The department shall develop regulations to implement this section, including  
19 requirements governing the persons to be trained and the content and frequency of the training.

20 SECTION 2. Chapter 111C is hereby amended by adding the following section:-

21 Section 25. HIV and AIDS Education and Training.

22 (a) The Department of Public Health, in consultation with the Executive Office of Public  
23 Safety, shall within sixty days develop educational materials and a training curriculum for first  
24 responders as defined in chapter one hundred eleven, section 201 ambulance operators and  
25 attendants, emergency medical technicians, emergency paramedics, correction officers and court  
26 officers on reducing the risk of transmission of the human immunodeficiency virus through  
27 unprotected exposure. Such information and education shall include rights, counseling and care  
28 of persons living with HIV or AIDS, routes of transmission, universal precautions, infection  
29 control, possible types of exposure and the relative risk associated with each type, current law  
30 and regulations on the use of unprotected exposure trip form or incident report, recommendations  
31 for action following an unprotected exposure capable of transmitting a blood borne disease such  
32 as HIV.

33 Employers shall ensure that all first responders, ambulance operators and attendants,  
34 emergency medical technicians, emergency paramedics, correction officers and court officers  
35 receive such training in accordance with guidelines of the department. Employers shall make

36 available paid leave for all such employees to attend the training. The department shall make  
37 available training, equipment, and materials to persons responsible for providing the training to  
38 all first responders, ambulance operators and attendants, emergency medical technicians,  
39 emergency paramedics, correction officers and court officers.

40 (b) All employers of first responders, ambulance operators and attendants, emergency  
41 medical technicians, emergency paramedics, correction officers and court officers shall develop  
42 and implement trainings on and policies for the use of appropriate universal precautions and shall  
43 provide, at no charge, necessary infection control equipment and materials, including but not  
44 limited to gloves, gowns, masks, mouthpieces, protective eyewear, and resuscitation masks.  
45 Such equipment and materials shall be made available in adequate supply and in clean working  
46 order. Such equipment and materials shall be carried on appropriate state, county, and municipal  
47 vehicles in accordance with guidelines of the department.

48 Such employers shall reduce the risk of exposure to hazardous or infectious medical or  
49 biological wastes by complying with department regulations for the storage and disposal of such  
50 wastes.