

**SENATE . . . . . No. 831**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Thomas M. McGee**

*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 bill:

An Act relative to health care providers and first responders education.

PETITION OF:

NAME:

Thomas M. McGee

DISTRICT/ADDRESS:

Third Essex and Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S01233 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and 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, as appearing in the 2000 Official Edition,  
2 is hereby amended by inserting after section 70G the following section(s):-

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 commonwealth  
9 or subdivision thereof which has care or custody responsibilities shall provide training to appropriate staff  
10 as to the rights, counseling and care of persons diagnosed with HIV or AIDS and on implementation of  
11 infection control and universal precautions.

12 Every vendor receiving state contracts for the provision of health care, social or mental health services,  
13 where the vendor receives fifty per cent (50%) or more of its operating budget through contracts with the

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

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

19 SECTION 2. Chapter 111C, as appearing in the 2000 Official Edition, is hereby amended by  
20 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 Safety, shall  
23 within sixty days develop educational materials and a training curriculum for first responders as defined  
24 in chapter one hundred eleven, section 201 ambulance operators and attendants, emergency medical  
25 technicians (EMTs), emergency paramedics, correction officers and court officers on reducing the risk of  
26 transmission of the human immunodeficiency virus (HIV) through unprotected exposure. Such  
27 information and education shall include rights, counseling and care of persons living with HIV or AIDS,  
28 routes of transmission, universal precautions, infection control, possible types of exposure and the relative  
29 risk associated with each type, current law and regulations on the use of unprotected exposure trip form or  
30 incident report, recommendations for action following an unprotected exposure capable of transmitting a  
31 blood borne disease such as HIV.

32 Employers shall ensure that all first responders, ambulance operators and attendants, emergency medical  
33 technicians (EMTs), emergency paramedics, correction officers and court officers receive such training in  
34 accordance with guidelines of the department. Employers shall make available paid leave for all such  
35 employees to attend the training. The department shall make available training, equipment, and materials  
36 to persons responsible for providing the training to all first responders, ambulance operators and

37 attendants, emergency medical technicians (EMTs), emergency paramedics, correction officers and court  
38 officers.

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

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