

SENATE No. 886

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

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 1. Chapter 111 of the general laws, as appearing in the 2006 official edition, is hereby
2 amended by inserting after section 70G the following new 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 50 percent or more of its operating budget through

contracts with the state, shall implement plans and provide training and continuing education of staff on HIV/AIDS, including basic information on medical and psychosocial issues related to HIV/AIDS universal precautions.

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

SECTION 2. Chapter 111C of the general laws, as appearing in the 2006 official edition, is hereby amended by adding the following new section:-

Section 25. HIV and AIDS education and training.

a) The department of public health, in consultation with the executive office of public safety, shall within 60 days develop educational materials and a training curriculum for first responders as defined in section 201 of chapter 111, ambulance operators and attendants, emergency medical technicians (EMTs), emergency paramedics, correction officers and court officers on reducing the risk of transmission of the human immunodeficiency virus (HIV) through unprotected exposure. Such information and education shall include rights, counseling and care of persons living with HIV or AIDS, routes of transmission, universal precautions, infection control, possible types of exposure and the relative risk associated with each type, current law and regulations on the use of unprotected exposure trip form or incident report, recommendations for action following an unprotected exposure capable of transmitting a blood borne disease such as HIV.

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

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

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