

HOUSE No. 1970

The Commonwealth of Massachusetts

PRESENTED BY:

Denise C. Garlick

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 adoption of the accompanying bill:

An Act relative to public health volunteer responders.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>	
<i>Kate Hogan</i>	<i>3rd Middlesex</i>	
<i>Kay Khan</i>	<i>11th Middlesex</i>	
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>	
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>	
<i>Alan Silvia</i>	<i>7th Bristol</i>	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	
<i>Robert M. Koczera</i>	<i>11th Bristol</i>	
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	
<i>Thomas P. Conroy</i>	<i>13th Middlesex</i>	
<i>James M. Cantwell</i>	<i>4th Plymouth</i>	
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	
<i>Carl M. Sciortino, Jr.</i>	<i>34th Middlesex</i>	
<i>Garrett J. Bradley</i>	<i>3rd Plymouth</i>	
<i>James Arciero</i>	<i>2nd Middlesex</i>	
<i>Donald Humason</i>		
<i>Denise Provost</i>	<i>27th Middlesex</i>	

Kimberly N. Ferguson

1st Worcester

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HOUSE No. 1970

By Ms. Garlick of Needham, a petition (accompanied by bill, House, No. 1970) of Denise C. Garlick and others for legislation to establish a registry of volunteer personnel within the Department of Public Health. Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to public health volunteer responders.

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 2008 Official Edition,
2 is hereby amended by inserting after section 25P the following sections:-

3 Section 25Q. (a) The department of public health shall establish a registry of volunteer
4 personnel (“the volunteer registry”) who are available to provide services, including but not
5 limited to health and medical services. The department may establish requirements for
6 membership in the volunteer registry, including but not limited to verification of credentials.

7 (b) The department shall establish a process to identify personnel in the volunteer
8 registry,, which may include a requirement for photographic identification.

9 (c) The commissioner of public health or his or her designee may activate the volunteer
10 registry:

11 (1) during an emergency detrimental to the public health declared by the governor under
12 section 2A of chapter 17;

13 (2) during a state of emergency declared by the governor under chapter 639 of the acts of
14 1950, as amended;

15 (3) during a public health incident that demands an urgent response;

16 (4) pursuant to a request from a local public health authority, a local government entity or
17 official, a healthcare facility, a regional EMS council, or a state agency, when local or regional
18 resources have been or are expected to be exhausted, or

19 (5) pursuant to an official request from another state or from a province of Canada.

20 The location of duty may be within the commonwealth, or may be in another state or a
21 province of Canada if an official request for assistance has been received from such state or
22 province.

23 For the purposes of this subsection, “local public health authority” shall mean any body
24 politic or political subdivision of the commonwealth that acts as a board of health, public health
25 commission, or health department for a city or town and shall include any board of health as
26 defined in section 1 of chapter 111 and any regional board of health or regional health district as
27 defined in section 27B of chapter 111.(d) If the situation within Massachusetts for which the
28 volunteer registry is activated requires either numbers or expertise of personnel that are beyond
29 the capacity of the volunteer registry to provide, the commissioner may request personnel from
30 other states having similar registries. In such a case, out of state personnel when acting as
31 authorized personnel in Massachusetts shall receive the protections provided in subsections (f)
32 and (g) to members of the Massachusetts volunteer registry. This subsection shall not apply to or
33 affect a deployment under chapter 339 of the Acts of 2000, known as the Interstate Emergency
34 Management Assistance Compact, or under section 58 of chapter 300 of the Acts of 2002,
35 known as the International Emergency Management Assistance Compact.

36 (e) When any Massachusetts medical reserve corps established pursuant to section
37 300hh-15 of chapter 42 of the United States code activates for duty, members of such corps shall
38 receive the protections provided in subsections (f) and (g) to members of the volunteer registry,
39 provided that such corps has performed the same verification of the credentials of its members as
40 has the volunteer registry, including verifying licensure status, completing a Massachusetts
41 criminal offender record information check, and completing a nationwide sex offender registry
42 information check. (f) In the absence of any other protections provided by law, whenever
43 activated for duty, members of the volunteer registry shall be construed to be employees of the
44 commonwealth for the purposes of chapter 258 of the general laws, and shall not be subject to
45 administrative or licensing sanctions as a result of good faith acts or omissions in the
46 performance of their duties.

47 (g) In the absence of any other benefits provided by law, any member of the volunteer
48 registry who dies or who sustains disability or injury while activated for duty shall be construed
49 to be an employee of the commonwealth and shall be compensated in like manner as state
50 employees are compensated under the provisions of sections 69 through 75 of chapter 152 of the
51 general laws.