SENATE DOCKET, NO. 1375 FILED ON: 1/18/2013

# SENATE . . . . . No. 1068

## The Commonwealth of Massachusetts

PRESENTED BY:

***Richard T. Moore***

*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: |
|---|---|
| *Richard T. Moore* | *Worcester and Norfolk* |
| *Eileen M. Donoghue* | *First Middlesex* |
| *Sal N. DiDomenico* | *Middlesex and Suffolk* |
| *Patricia D. Jehlen* | *Second Middlesex* |
| *Thomas P. Conroy* | *13th Middlesex* |
| *Jason M. Lewis* | *Fifth Middlesex* |
| *Michael R. Knapik* | *Second Hampden and Hampshire* |

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# SENATE . . . . . No. 1068

By Mr. Richard T. Moore, a petition (accompanied by bill, Senate, No. 1068) of Richard T. Moore, Eileen M. Donoghue, Sal N. DiDomenico, Patricia D. Jehlen and other members of the General Court for legislation relative to public health volunteer responders. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1155* OF 2011-2012.]

## 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:*

SECTION 1. Chapter 111 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after section 25P the following sections:-

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

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

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

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

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

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

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

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

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

For the purposes of this subsection, "local public health authority" shall mean any body politic or political subdivision of the commonwealth that acts as a board of health, public health commission, or health department for a city or town and shall include any board of health as defined in section 1 of chapter 111 of the General Laws and any regional board of health or regional health district as defined in section 27B of chapter 111 of the General Laws.

(d) If the situation within the commonwealth for which the volunteer registry is activated requires either numbers or expertise of personnel that are beyond the capacity of the volunteer registry to provide, the commissioner may request personnel from other states having similar registries. In such a case, out of state personnel when acting as authorized personnel in the commonwealth shall receive the protections provided in subsections (f) and (g) to members of the volunteer registry. This subsection shall not apply to or affect a deployment under chapter 339 of the Acts of 2000, known as the Interstate Emergency Management Assistance Compact, or under section 58 of chapter 300 of the Acts of 2002, known as the International Emergency Management Assistance Compact.

(e) When any Massachusetts medical reserve corps established pursuant to section 300hh-15 of chapter 42 of the United States Code activates for duty, members of such corps shall receive the protections provided in subsections (f) and (g) to members of the volunteer registry, provided that such corps has performed the same verification of the credentials of its members as has the volunteer registry, including verifying licensure status, completing a Massachusetts criminal offender record information check, and completing a nationwide sex offender registry information check.

(f) In the absence of any other protections provided by law, whenever activated for duty, members of the volunteer registry shall be construed to be employees of the commonwealth for the purposes of chapter 258 of the General Laws, and shall not be subject to administrative or licensing sanctions as a result of good faith acts or omissions in the performance of their duties.

(g) In the absence of any other benefits provided by law, any member of the volunteer registry who dies or who sustains disability or injury while activated for duty shall be construed to be an employee of the commonwealth and shall be compensated in like manner as state

employees are compensated under the provisions of sections 69 through 75 of chapter 152 of the General Laws.