SENATE DOCKET, NO. 1422 FILED ON: 1/21/2011

SENATE . . . . . No. 1118

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 adoption of the accompanying bill:

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Thomas M. McGee	*Third Essex and Middlesex*

SENATE DOCKET, NO. 1422 FILED ON: 1/21/2011

SENATE . . . . . No. 1118

By Mr. McGee, a petition (accompanied by bill, Senate, No. 1118) of Thomas M. McGee for legislation relative to health care providers and first responders education. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *831* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

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
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 (50%) or more of its operating budget
14 through contracts with the state, shall implement plans and provide training and continuing
15 education of staff on HIV/AIDS, including basic information on medical and psychosocial issues
16 related to HIV/AIDS, legal issues affecting individuals with HIV/AIDS, and infection control
17 and 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, as appearing in the 2000 Official Edition, is hereby
21 amended by adding the following section:-

22 Section 25. HIV and AIDS Education and Training.

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

32 report, recommendations for action following an unprotected exposure capable of transmitting a
33 blood borne disease such as HIV.

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

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

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