

**SENATE . . . . . No. 1068**

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

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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.

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

The Commonwealth of Massachusetts

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**In the Year Two Thousand Thirteen**  
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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 2010 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 who are available to provide services, including but not limited to health and medical  
5 services. The department may establish requirements for membership in the volunteer registry,  
6 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 designee may activate the volunteer registry:

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

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

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

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

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

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

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

27 (d) If the situation within the commonwealth for which the volunteer registry is activated  
28 requires either numbers or expertise of personnel that are beyond the capacity of the volunteer  
29 registry to provide, the commissioner may request personnel from other states having similar  
30 registries. In such a case, out of state personnel when acting as authorized personnel in the  
31 commonwealth shall receive the protections provided in subsections (f) and (g) to members of  
32 the volunteer registry. This subsection shall not apply to or affect a deployment under chapter  
33 339 of the Acts of 2000, known as the Interstate Emergency Management Assistance Compact,  
34 or under section 58 of chapter 300 of the Acts of 2002, known as the International Emergency  
35 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  
39 registry, provided that such corps has performed the same verification of the credentials of its  
40 members as has the volunteer registry, including verifying licensure status, completing a  
41 Massachusetts criminal offender record information check, and completing a nationwide sex  
42 offender registry information check.

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