

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Peter J. Koutoujian

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 passage of the accompanying bill:

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

PETITION OF:

NAME:

Peter J. Koutoujian

DISTRICT/ADDRESS:

10th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2162 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and 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 SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after section 70G
2 the following sections:-

3 Section 70H. No health care provider who is licensed or registered pursuant to Chapter 112 of
4 the General Laws shall obtain a license or registration, or renewal of said license or registration,
5 unless the health care provider has demonstrated that he or she has received appropriate training
6 and continuing education on HIV/AIDS counseling and testing, the diagnosis and treatment of
7 HIV disease, and infection control and universal precautions.

8 Section 70I. Every health care facility and every agency or department of the commonwealth or
9 subdivision thereof which has care or custody responsibilities shall provide training to
10 appropriate staff as to the rights, counseling and care of persons diagnosed with HIV or AIDS
11 and on implementation of infection control and universal precautions.

12 Every vendor receiving state contracts for the provision of health care, social or mental health
13 services, where the vendor receives fifty per cent or more of its operating budget through
14 contracts with the state, shall implement plans and provide training and continuing education of
15 staff on HIV/AIDS, including basic information on medical and psychosocial issues related to
16 HIV/AIDS, legal issues affecting individuals with HIV/AIDS, and infection control and
17 universal precautions.

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

20 SECTION 2. Chapter 111C is hereby amended by adding the following section:-

21 Section 25. HIV and AIDS Education and Training.

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

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

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

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