

SENATE No.

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 passage of the accompanying bill:

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

PETITION OF:

NAME:

Thomas M. McGee

DISTRICT/ADDRESS:

Third Essex and Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S01233 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, 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

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

13 Every vendor receiving state contracts for the provision of health care, social or mental health services,
14 where the vendor receives fifty per cent (50%) or more of its operating budget through contracts with
15 the state, shall implement plans and provide training and continuing education of staff on HIV/AIDS,
16 including basic information on medical and psychosocial issues related to HIV/AIDS, legal issues affecting
17 individuals with HIV/AIDS, and infection control and universal precautions.

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

33 Employers shall ensure that all first responders, ambulance operators and attendants, emergency
34 medical technicians (EMTs), emergency paramedics, correction officers and court officers receive such

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

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

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