
ENGROSSED SUBSTITUTE HOUSE BILL 1594

State of Washington

54th Legislature

1995 Regular Session

By House Committee on Law & Justice (originally sponsored by Representatives Foreman, Sherstad, Campbell, Benton, McMahan, Elliot, Chandler and Hargrove)

Read first time 03/01/95.

1 AN ACT Relating to persons rendering aid who had contact with the
2 blood of an injured person; amending RCW 4.24.310; adding a new section
3 to chapter 4.24 RCW; and prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 4.24 RCW
6 to read as follows:

7 If any person, including but not limited to a volunteer provider of
8 emergency or medical services, who with or without compensation or the
9 expectation of compensation renders emergency care at the scene of an
10 emergency or who participates in transporting, with or without
11 compensation, therefrom an injured person or persons for emergency
12 medical treatment, had contact with the blood of an injured person
13 provided aid by the person rendering aid, the injured person shall
14 submit to blood tests, if requested by the person rendering emergency
15 care, to determine the presence of any blood-borne disease conducted by
16 or under guidelines adopted by the department of health. The person
17 conducting the blood tests or the department of health shall notify the
18 person rendering aid of the test results. The person rendering
19 emergency care to the injured person shall submit, if requested by the

1 injured person, to blood tests to determine the presence of any blood-
2 borne disease, conducted by or under guidelines adopted by the
3 department of health, if the injured person had contact with the blood
4 of the person rendering emergency care. The person conducting the
5 blood tests or the department of health shall notify the injured
6 person of the test results. No person who receives notice of a blood
7 test result of another person under this section may disclose the
8 identity of the person whose blood was tested to any other person. Any
9 person who discloses a blood test result in violation of this section
10 is guilty of a gross misdemeanor punishable as provided under RCW
11 9A.20.021.

12 **Sec. 2.** RCW 4.24.310 and 1989 c 223 s 1 are each amended to read
13 as follows:

14 For the purposes of RCW 4.24.300 and section 1 of this act the
15 following words and phrases shall have the following meanings unless
16 the context clearly requires otherwise:

17 (1) "Compensation" has its ordinary meaning but does not include:
18 Nominal payments, reimbursement for expenses, or pension benefits;
19 payments made to volunteer part-time and volunteer on-call personnel of
20 fire departments, fire districts, ambulance districts, police
21 departments, or any emergency response organizations; or any payment to
22 a person employed as a transit operator who is paid for his or her
23 regular work, which work does not routinely include providing emergency
24 care or emergency transportation.

25 (2) "Emergency care" means care, first aid, treatment, or
26 assistance rendered to the injured person in need of immediate medical
27 attention and includes providing or arranging for further medical
28 treatment or care for the injured person. Except with respect to the
29 injured person or persons being transported for further medical
30 treatment or care, the immunity granted by RCW 4.24.300 does not apply
31 to the negligent operation of any motor vehicle.

32 (3) "Scene of an emergency" means the scene of an accident or other
33 sudden or unexpected event or combination of circumstances which calls
34 for immediate action.

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