

SENATE BILL REPORT

SHB 2539

As of February 22, 2006

Title: An act relating to disaster medical assistance teams.

Brief Description: Concerning disaster medical assistance teams.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Schual-Berke, Morrell, Simpson, Roberts, Moeller and Hudgins).

Brief History: Passed House: 2/14/06, 96-1.

Committee Activity: Health & Long-Term Care: 2/23/06.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Staff: Sharon Swanson (786-7447)

Background: Disaster Medical Assistance Teams (DMATs) are groups of medical personnel and support staff who are able to provide medical care during a disaster or other events. Each DMAT has a sponsoring organization that may be a medical center, public health agency, or other public or private organization. The DMATs may be asked to respond to disasters in several ways such as triaging patients, providing medical care, or preparing patients for evacuation.

The sponsoring organization of a DMAT will enter into a memorandum of understanding with the Department of Homeland Security to serve as a national resource. The DMATs, however, may be used in the communities in which they are based. When members of a DMAT are activated by the federal government, they are considered federal employees and are protected by the Federal Tort Claims Act which will indemnify them in the event of a malpractice claim.

Summary of Bill: The Governor may call a Washington DMAT into state service if a public health disaster occurs or is imminent. If a federal disaster occurs simultaneously, the federal government has the first right to call the DMAT into service.

Members of a DMAT who are called into state service are provided all of the protections of an employee of the state and are considered state employees for the purposes of workers' compensation and death benefits.

In the event that a DMAT is called into service by the Governor, the State Military Department is required to promptly notify the employer of each member of the team.

The State Military Department is required to pursue an agreement with the federal government to allow Washington to use the federal cache of equipment and supplies during an in-state emergency. In the event an agreement is reached, the state is required to pay the federal government for materials used during a state response.

Members of a DMAT have immunity for acts or omissions that occur while a team member is participating in an emergency or disaster and working within the scope of their assigned duties.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 21, 2006.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.