

SENATE BILL REPORT

SB 6554

As Reported by Senate Committee On:
Energy, Environment & Telecommunications, February 6, 2014

Title: An act relating to providing life alert services.

Brief Description: Providing life alert services.

Sponsors: Senator Ranker.

Brief History:

Committee Activity: Energy, Environment & Telecommunications: 2/06/14 [DPS, w/oRec].

SENATE COMMITTEE ON ENERGY, ENVIRONMENT & TELECOMMUNICATIONS

Majority Report: That Substitute Senate Bill No. 6554 be substituted therefor, and the substitute bill do pass.

Signed by Senators Ericksen, Chair; McCoy, Ranking Member; Billig, Chase, Litzow and Ranker.

Minority Report: That it be referred without recommendation.

Signed by Senators Brown and Honeyford.

Staff: William Bridges (786-7416)

Background: Life alert services allow persons in need of emergency assistance to contact a call center through the activation of a wearable device, such as a pendant or bracelet.

A class 1 civil infraction is punishable by a maximum penalty of \$250.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Recommended Substitute): Employees of companies providing life alert services must provide the location and any known medical conditions of their customers when requested by first responders during an emergency. The information is confidential and may only be used by first responders in responding to the emergency that prompted the information request. Any first responder receiving the information must destroy it at the end

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of the emergency and give written notification of such destruction to the life alert services company. A failure to destroy the information is a class 1 civil infraction.

It is not a violation of this law if a life alert services company or an employee makes a good faith effort to comply with the law. In addition, the company or employee is immune from civil liability for a good faith effort to comply with this law. Should a company or employee prevail upon the defense provided in this law, the company or employee is entitled to recover expenses and reasonable attorneys' fees incurred in establishing the defense.

First responders and their employing jurisdictions are not liable for failing to request the specified information when responding to an emergency. In addition, no private right of action is created.

The following terms are defined for the purposes of this law: emergency means an unforeseen combination of circumstances that requires the attention of first responders acting within the scope of their official duties, and includes the outage of life alert services for more than 24 continuous hours; first responder means career firefighters, law enforcement officers, and emergency medical personnel as licensed or certificated by this state; and life alert services means a service provided for profit that allows persons in need of emergency assistance to contact a call center through the activation of a wearable device, such as a pendant or bracelet.

A violation of this law is a class 1 civil infraction.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This is a critical bill, not only for Orcas Island, but for the entire state, because it addresses the crisis of a general telephone outage. San Juan Island lost telephone and 911 service for 13 days in November 2013. One serious injury and one death are possibly related to life alert signals that failed to be transmitted because of the outage. During the outage, the fire department tried to visit the homes of local at-risk persons in order to provide support.

Persons Testifying: PRO: Senator Ranker, prime sponsor; Kevin O'Brien, Orcas Fire Dept.