
Judiciary Committee

HB 2287

Title: An act relating to providing notice to first responders that a person with a disability may be present at the scene of an emergency.

Brief Description: Concerning notice to first responders that a person with a disability may be present at the scene of an emergency.

Sponsors: Representatives McCabe, Appleton, Johnson, Wylie, Dye, Walsh, Dent, Wilson, Kagi, Caldier, Haler, Kochmar and Senn.

Brief Summary of Bill

- Requires the creation of a decal that can be placed on a building entrance, windshield, or license plate to provide notice to first responders that a person with a disability is present.
- Tasks the Department of Health with disseminating information and creating a training program regarding the availability of the decal and responding to emergency situations involving a person with a disability.
- Requires an assessment of the resources necessary to display the decal and other information on the screens of first responders as part of the enhanced 911 system.
- Provides that first responders and emergency personnel and their employing agencies are immune from civil liability absent willful misconduct or gross negligence.

Hearing Date: 1/13/16

Staff: Ellie Page (786-7291) and Cece Clynch (786-7195).

Background:

Enhanced 911

The phone number 911 is the national emergency phone number in the United States. The enhanced 911 program (E911) is the result of a 1991 voter referendum directing enhanced 911

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emergency communications systems to be available statewide. The office coordinating the E911 is located within the Emergency Management Division of the Washington Military Department.

The Adjutant General, commander of all Washington Army and Air National Guard forces, is the Director of the Military Department. The E911 Advisory Committee, established in 2010, assists the state E911 coordinator in facilitating the operation of E911. Its members are appointed by the Adjutant General and include individuals from the Washington State Association of Fire Chiefs, Washington Association of Sheriffs and Police Chiefs (WASPC), and the Washington State Patrol (WSP), among others.

Liability of First Responders

Certain emergency personnel are immune from liability for acts or omissions done or omitted in good faith while rendering emergency medical service under the responsible supervision and control of a licensed physician or an approved medical program director to a person who has suffered illness or bodily injury or while transporting persons to mental health facilities. Those so immune include "physician's trained advanced emergency medical technician and paramedic", "emergency medical technician" and "first responder" as these terms are defined in the licensing laws. The immunity does not apply to any act or omission which constitutes either gross negligence or willful or wanton misconduct.

Summary of Bill:

Creation of a Decal

The Department of Health (DOH) in collaboration with the Department of Social and Health Services, the WSP, the WASPC, and the Superintendent of Public Instruction must design and create a decal. The decal must be able to be placed on the outside or inside of an entrance to a building or on the windshield or license plate of a vehicle to indicate to first responders that a person with a disability is present. It must be no larger than three inches by three inches and include the shape of a puzzle piece colored safety orange on a dark background with no writing.

The DOH must distribute information on the availability of decals to fire departments, schools, and other public places. The DOH must also ensure that information about the decals and how parents can obtain them is disseminated on the websites of relevant public agencies, as well as design a training program. The training program must:

- Familiarize first responders with how to identify and use information indicating that a person with a disability is present;
- Instruct first responders on the techniques for best handling emergency situations in a way that will maximize the safety of persons with a disability and promote the safety of all persons;
- Include a checklist of disabilities, symptoms of such disabilities, and things to do and not do concerning a particular disability; and
- Make the training program available to all first responder agencies in the state.

"Person with a disability" is defined as "an individual who has been diagnosed with a physical, mental, emotional, intellectual, behavioral, developmental, or sensory disability." The parent or guardian of a person with a disability must periodically obtain new decals for the person with a disability's residence or vehicle.

Enhanced 911

The Adjutant General, through the E911 coordinator, and in collaboration with the DOH, the Department of Social and Health Services, the WSP, the WASPC, and other individuals and entities at the direction of the Adjutant General, must assess the resources necessary to immediately display the decal and other personal information to first responders as part of the E911 system. This information could include a photo, emergency contact or phone number of the diagnosing physician, and is confidential unless its release is available under another provision of the law. To use the system, the parent or guardian of the person with a disability must submit proof of the diagnosis of the disability by a licensed health care physician.

Liability of First Responders

First responders, emergency personnel, and their employing agencies are immune from civil liability, and are not liable for damages for any acts or omission in the performance of their duties unless the act or omission is the result of willful misconduct or gross negligence.

Appropriation: None.

Fiscal Note: Requested on 1/6/16.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.