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**HOUSE BILL 1258**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Representatives McCabe, Orwall, Johnson, Cody, Dent, Kirby, Griffey, Van Werven, Caldier, Dye, Gregerson, Wylie, Jinkins, Haler, McBride, and Muri

AN ACT Relating to persons with a disability present at the scene of an accident; adding a new section to chapter 43.70 RCW; adding a new section to chapter 38.52 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  This act may be known and cited as the Travis alert act.

NEW SECTION. **Sec.**  A new section is added to chapter 43.70 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department of health, in collaboration with the department of social and health services, the Washington state patrol, the Washington association of sheriffs and police chiefs, the Washington council of police and sheriffs, the state fire marshal's office, and the superintendent of public instruction, must review existing local training programs and training programs being used in other states and design a statewide training program that will familiarize first responders and 911 personnel with the techniques**,** procedures, and protocols for best handling situations in which persons with disabilities are present at the scene of an emergency in order to maximize the safety of persons with disabilities, minimize the likelihood of injury to persons with disabilities, and promote the safety of all persons present. The program must include a checklist of disabilities, symptoms of such disabilities, and things to do and not do relevant to a particular disability so first responders and emergency personnel can easily and quickly determine the specific scenario into which they are entering. The department must make the training program available on the department's web site for use by all first responder agencies in the state. The department must include on its web site a list of public and private nonprofit disability-related agencies and organizations and the contact information of each agency and organization. First responder and 911 agencies must ensure their officers, employees, and agents are adequately trained in and familiarized with techniques, procedures, and protocols for best handling situations in which persons with particular disabilities are present at the scene of an emergency.

(2) For purposes of this section, "persons with disabilities" means individuals who have been diagnosed medically to have a physical, mental, emotional, intellectual, behavioral, developmental, or sensory disability.

NEW SECTION. **Sec.**  A new section is added to chapter 38.52 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the director, through the state enhanced 911 coordinator, and in collaboration with the department of health, the department of social and health services, the Washington state patrol, the Washington association of sheriffs and police chiefs, the Washington council of police and sheriffs, the state fire marshal's office, a representative of a first responder organization with experience in addressing the needs of a person with a disability, and other individuals and entities at the discretion of the director, must assess:

(a) The resources, capabilities, techniques, protocols, and procedures available or required in order to include as part of the enhanced 911 emergency service the ability to allow an immediate display on the screen indicating that a person with a disability may be present at the scene of an emergency, the caller's identification, location, phone number, address, and if made available the following information: The vehicle license plate number that is linked to the caller, emergency contact information for other persons who will know about the person with a disability such as guardians, caretakers, parents, siblings, grandparents, or other relatives, friends, or neighbors, information regarding alternative residences and vehicles a person with a disability frequently or regularly lives or commutes in, detailed information regarding the disability of the person, including a picture and physical description of a person, and the name, address, and phone number of the diagnosing physician;

(b) How best to acquire, implement, and safeguard a secure web site and the information in the system provided by a person with a disability, or a parent, guardian, or caretaker of a person with a disability, such as requiring a person who chooses to use the system to submit proof of the diagnosis of the disability by a licensed health care physician along with the information listed in (a) of this subsection, allowing or requiring the person to update the information in the system on a periodic basis in order to keep the information current, and making such information directly available to first responders at the scene of an emergency or on the way to the scene of an emergency;

(c) How to best ensure that people know and understand there is no requirement or obligation for them to provide such information and that such information is being provided voluntarily by those who choose to participate in the system;

(d) What information provided by a person must remain confidential under state or federal law, or otherwise should remain confidential, and how to best ensure such information remains confidential, unless the person providing the information gives written permission to release it for purposes of this act or the information is otherwise releasable or available under other provisions of law; and

(e) The need to provide various agencies and employees that are first responders and emergency personnel immunity from civil liability for acts or omissions in the performance of their duties, and what standard should apply, such as if the act or omission is the result of simple negligence, gross negligence, or willful misconduct.

(2) For purposes of this section, "person with a disability" means an individual who has been diagnosed medically to have a physical, mental, emotional, intellectual, behavioral, developmental, or sensory disability.

**--- END ---**