

1 AN ACT relating to veterans at risk.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 39F.010 is amended to read as follows:

4 The following definitions apply in this chapter unless the context otherwise requires:

5 (1) "Developmental disability" has the same meaning as in KRS 387.510;

6 (2) "General rescue squad" means a rescue squad which performs one (1) or more of  
7 the following functions as a stated mission of the organization:

8 (a) Light duty rescue;

9 (b) Extrication of persons from vehicles;

10 (c) Water rescue and recovery operations not utilizing divers;

11 (d) Search for lost, trapped, or missing persons not utilizing dogs;

12 (e) Low angle rescue and recovery operations; and

13 (f) High angle rescue and recovery operations;

14 (3) "Impaired person" means a person who has a known or reported:

15 (a) Developmental disability, including but not limited to autism, or traumatic  
16 brain injury and whose disappearance poses a credible threat to the health or  
17 safety of the person, as determined by the Department of Kentucky State  
18 Police or a local law enforcement agency; or

19 (b) Physical, mental, or cognitive impairment or organic brain disorder, including  
20 but not limited to Alzheimer's disease, and whose disappearance poses a  
21 credible threat to the health or safety of the person, as determined by the  
22 Department of Kentucky State Police or a local law enforcement agency;

23 (4) "Reports and notification" means the reporting and notification of any search and  
24 rescue mission to the appropriate agency or person in the manner as specified by  
25 this chapter;

26 (5) "Rescue" means gaining access, rendering appropriate care, and transporting of a  
27 person or persons by whatever means, to a safe environment for appropriate care;

- 1 (6) "Rescue squad" means any organization which engages in the search for lost  
2 persons, rescue of persons, rescue of persons who are trapped or who are in need of  
3 rescue services, search for and recovery of drowned persons, or any other rescue  
4 related activity. "Rescue squad" shall not include the rescue of persons from a fire  
5 by a fire department, the extrication of persons from a vehicle or other activities  
6 which an emergency medical technician, emergency medical technician first  
7 responder, or paramedic is authorized to perform pursuant to applicable statutes and  
8 administrative regulations, if the activities are performed by a person for an  
9 ambulance service or in the role of a first responder. If these activities are  
10 performed other than as a first responder or in the role of an ambulance service and  
11 are involved in rescue operations, they come within the purview of activities of a  
12 rescue squad;
- 13 (7) "Search" means the process of looking for a person or persons whose location is not  
14 precisely known, and who may be in distress;
- 15 (8) "Search and rescue" ("SAR") means the process of looking for a lost, missing, or  
16 overdue person or persons who may be in distress, and rendering care with the use  
17 of appropriately trained and adequately equipped personnel;
- 18 (9) "Search and rescue mission" includes, but is not limited to, searching for a missing  
19 or lost person or persons, cave rescue, high angle or rough terrain rescue, urban  
20 search and rescue, dive rescue and recovery of drowning victims, inland water  
21 search, rescue, and recovery. "Search and rescue" may also include any mission  
22 permitted pursuant to this chapter. A "search and rescue mission" does not include  
23 mine rescue missions under the jurisdiction of the Department for Natural  
24 Resources pursuant to KRS Chapter 351;
- 25 (10) "Specialized rescue squad" means a rescue squad which performs one (1) or more  
26 of the following functions as the primary or sole mission of the organization:  
27 (a) Cave rescue;

- 1 (b) Search utilizing dogs for lost, trapped or missing persons;
- 2 (c) Search for lost, trapped or missing persons, aircraft, or vehicles, utilizing
- 3 aircraft, but does not apply to licensed air ambulances, active or reserve
- 4 military organizations, the National Guard, or the Civil Air Patrol; and
- 5 (d) Water rescue and recovery operations utilizing divers;

6 (11) "Traumatic brain injury" has the same meaning as in KRS 211.470;~~and~~

7 (12) **"Veteran at risk" means a veteran or an active-duty member of the Armed**

8 **Forces, the National Guard, or a military reserve component of the United States**

9 **who is known to have a physical or mental health condition, to include post-**

10 **traumatic stress disorder (PTSD), that is related to his or her service; and**

11 **(13)** "Victim recovery" means the search for and the removal to the jurisdiction of the

12 coroner of the remains of a person known or believed to be dead. If the person is

13 found alive, it includes rescue of the person.

14 ➔Section 2. KRS 39F.180 is amended to read as follows:

15 (1) All 911 centers and dispatch centers, law enforcement agencies, law enforcement

16 dispatchers, fire departments, rescue squads, emergency medical service agencies,

17 and emergency management agencies shall report the information required to be

18 reported by administrative regulation, for all reports of persons missing, lost, or

19 overdue, if a search for the lost person has lasted for more than two (2) hours to:

20 (a) The local emergency management director; and

21 (b) The local search and rescue coordinator for the jurisdiction in which the

22 person is reported missing.

23 (2) (a) Any search for a missing minor, as that term is defined in KRS 2.015, shall be

24 immediately reported to the Department of Kentucky State Police by the

25 person or organization to whom the missing minor is reported.

26 (b) A search for an impaired person as defined in KRS 39F.010(3)(a) shall

27 immediately be reported as a Golden Alert D to the local emergency

1 management director, local search and rescue coordinator if different from the  
2 local emergency manager, local media outlets, and the duty officer of the  
3 Division of Emergency Management by the person managing the search or by  
4 the organization conducting the search.

5 (c) A search for an impaired person as defined in KRS 39F.010(3)(b) shall  
6 immediately be reported as a Golden Alert to the local emergency  
7 management director, local search and rescue coordinator if different from the  
8 local emergency manager, local media outlets, and the duty officer of the  
9 Division of Emergency Management by the person managing the search or by  
10 the organization conducting the search. The provisions of this section do not  
11 apply to any licensed long-term health care provider conducting a search for a  
12 missing resident until the provider requests a search by a person or  
13 organization specified in subsection (1) of this section.

14 (d) *A search for a veteran at risk shall immediately be reported as a Green Alert*  
15 *to the local emergency management director, local search and rescue*  
16 *coordinator if different from the local emergency manager, local media*  
17 *outlets, and the duty officer of the Division of Emergency Management by*  
18 *the person managing the search or by the organization conducting the*  
19 *search. The provisions of this section do not apply to any licensed long-term*  
20 *health care provider conducting a search for a missing resident until the*  
21 *provider requests a search by a person or organization specified in*  
22 *subsection (1) of this section.*

23 (e) The making of this report does not relieve the person or organization from the  
24 duty to make other notifications and reports required in this section.

25 (3) Any search and rescue mission which has lasted four (4) hours without the subject  
26 being located shall be immediately reported to the duty officer of the Division of  
27 Emergency Management by telephone or radio.

- 1 (4) The results of each lost, missing, or overdue person report or search mission  
2 required to be reported under subsections (1) to (3) of this section shall be reported  
3 to the division and the local director on forms provided by the division and  
4 containing the information required by administrative regulation. The report shall be  
5 filed within twenty (20) days after:
- 6 (a) The search and rescue mission is discontinued; or
  - 7 (b) The victim has not been found and a decision is made to keep the case open or  
8 continue searching on a limited basis, whichever occurs earlier.
- 9 (5) Each agency required to notify a local emergency management director or the  
10 division of a report of a missing person, or a search mission pursuant to this section  
11 shall develop a written standard operating procedure for handling and reporting  
12 requests to search for missing, lost, or overdue persons. This standard operating  
13 procedure shall be a public record.
- 14 (6) The contents of reports, information to be conveyed upon notification, and other  
15 matters relating to the administration of this section and the securing of information  
16 required hereby shall be specified by the division by administrative regulations.
- 17 (7) There is no requirement in Kentucky to delay the search for or rescue of any lost,  
18 missing, or overdue person. Any person who is reported lost, missing, or overdue,  
19 adult or child, may be searched for immediately by any emergency management,  
20 fire, law enforcement, emergency medical services, search and rescue, rescue squad,  
21 or other similar organization to which a missing or overdue person is reported. No  
22 public safety answering point, emergency dispatch center, or 911 center shall delay  
23 any call reporting a person lost, overdue, or missing to the organization specified in  
24 the county search and rescue annex of the county emergency management plan as  
25 responsible for searching for lost, missing, or overdue persons.