

SENATE No. 1185

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas M. McGee

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to health care providers and first responders education.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|------------------------|--------------------|
| <i>Thomas M. McGee</i> | <i>Third Essex</i> |
| <i>Brian M. Ashe</i> | <i>2nd Hampden</i> |
| <i>Paul R. Heroux</i> | <i>2nd Bristol</i> |

SENATE No. 1185

By Mr. McGee, a petition (accompanied by bill, Senate, No. 1185) of Thomas M. McGee, Brian M. Ashe and Paul R. Heroux for legislation relative to health care providers and first responders education. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1044 OF 2013-2014.]

The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**
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An Act relative to health care providers and first responders education.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 111 of the General Laws, as appearing in the 2012 Official Edition,
2 is hereby amended by inserting after section 70H the following 2 sections:-

3 Section 70I. No health care provider who is licensed or registered pursuant to chapter
4 112 shall obtain a license or registration or renewal of said license or registration unless the
5 health care provider has demonstrated that the health care provider has received appropriate
6 training and continuing education on HIV/AIDS counseling and testing, the diagnosis and
7 treatment of HIV disease and infection control and universal precautions.

8 SECTION 70J. (a) Every health care facility and every agency or department of the
9 commonwealth or subdivision of the commonwealth which has care or custody responsibilities

10 shall provide training to appropriate staff as to the rights, counseling and care of persons
11 diagnosed with HIV or AIDS and on implementation of infection control and universal
12 precautions.

13 (b) Every vendor who receives 50 per cent or more of its operating budget through state
14 contracts for the provision of health care, social or mental health services shall implement plans
15 and provide training and continuing education to staff on HIV/AIDS, including basic information
16 on medical and psychosocial issues related to HIV/AIDS, legal issues affecting individuals with
17 HIV/AIDS and infection control and universal precautions.

18 (c) The department shall develop regulations to implement this section, including
19 requirements governing the persons to be trained and the content and frequency of the training.

20 SECTION 2. Chapter 111C of the General Laws is hereby amended by adding the
21 following section:-

22 Section 26. HIV and AIDS Education and Training. (a) The department, in consultation
23 with the executive office of public safety and security, shall within 60 days develop educational
24 materials and a training curriculum for: EMS first responders, ambulance operators and
25 attendants, emergency medical technicians, emergency paramedics, correction officers and court
26 officers on reducing the risk of transmission of HIV through unprotected exposure. The
27 information and education shall include rights, counseling and care of persons living with HIV or
28 AIDS, routes of transmission, universal precautions, infection control, possible types of exposure
29 and the relative risk associated with each type, current law and regulations on the use of an
30 unprotected exposure trip form or incident report and recommendations for action following an
31 unprotected exposure capable of transmitting a blood borne disease such as HIV.

32 Employers shall ensure that all EMS first responders, ambulance operators and
33 attendants, emergency medical technicians, emergency paramedics, correction officers and court
34 officers receive such training pursuant to the guidelines of the department. Employers shall
35 make available paid leave for all employees that attend such training. The department shall
36 make available training, equipment and materials to persons responsible for providing the
37 training to all EMS first responders, ambulance operators and attendants, emergency medical
38 technicians, emergency paramedics, correction officers and court officers.

39 (b) Employers of EMS first responders, ambulance operators and attendants, emergency
40 medical technicians, emergency paramedics, correction officers and court officers shall develop
41 and implement trainings on and policies for the use of appropriate universal precautions and shall
42 provide at no charge the necessary infection control equipment and materials, including, but not
43 limited to, gloves, gowns, masks, mouthpieces, protective eyewear and resuscitation masks. The
44 equipment and materials shall be made available in adequate supply and in clean working order.
45 The equipment and materials shall be carried on appropriate state, county and municipal vehicles
46 pursuant to the guidelines of the department.

47 Employers shall reduce the risk of exposure to hazardous or infectious medical or
48 biological wastes by complying with department regulations for the storage and disposal of such
49 wastes.