

SENATE No. 1367

The Commonwealth of Massachusetts

PRESENTED BY:

James E. Timilty

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 emergency first responder notification.

PETITION OF:

NAME:

James E. Timilty

DISTRICT/ADDRESS:

Bristol and Norfolk

SENATE No. 1367

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 1367) of James E. Timilty for legislation relative to the Massachusetts Emergency Information Program. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1326 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to emergency first responder notification.

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 6A of the General Laws is hereby amended by adding after section
2 18L the following new section:-

3 Section 18M Massachusetts Emergency Information Program

4 (a) As used in this section, the following words shall, unless the context clearly requires
5 otherwise, have the following meanings:—

6 "Disability," an individual's physical or mental impairment that substantially limits one or
7 more of the major life activities; a record of such impairment; or when the individual is regarded
8 as having such an impairment.

9 “Major life activities,” include, but are not limited to, caring for oneself, performing
10 manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking,
11 breathing, learning, reading, concentrating, thinking, communicating, and working.

12 "Special needs individuals," those individuals who have or are at increased risk for a
13 chronic physical, developmental, behavioral, or emotional condition and who also require
14 medical and related services of a type or amount beyond that required by individuals generally.

15 "Public safety agency," a functional division of a public agency that provides firefighting,
16 police, medical, emergency management or other emergency services.

17 "Computer aided dispatch" or "CAD," a database maintained by the public safety agency
18 or public safety answering point used in conjunction with 911 caller data.

19 "Emergency Information Program" or "EIP," a supplemental 911 and Emergency
20 Management database to be used in emergency scenarios.

21 “Public Safety Answering Point” or “PSAP,” a call center responsible for answering calls
22 to an emergency telephone number for police, firefighting, and ambulance services.

23 (b) The EIP shall be a hosted supplemental 911 and Emergency Management database
24 and shall be used by all PSAPs and Emergency Management Agencies within the state. This
25 supplemental database should allow for individuals to provide information to be used in
26 emergency scenarios and planning. The EIP service should: (1) Collect a variety of formatted
27 data relevant to 911, Emergency Management, and other Public Safety agencies. Among other
28 items, this information should include photographs of the individual, physical descriptions,
29 medical conditions, allergies, household data, primary language indicator, and emergency

30 contacts (2) allow for information to be entered by individuals via a secure website where they
31 can elect to provide as little or as much information as they choose. (3) allow for additional
32 information to be sourced from third-party, and displayed alone or in combination provided to
33 the EIP by individuals (4) Be compliant with all accessibility elements of Section 508 of the
34 Rehabilitation Act of 1973 (5) manage the currency of the data through an aging and reminder
35 process, at least twice per year, requesting community members to keep their data up-to-date,
36 where the system will not display information it deems to no longer be up-to-date (6)
37 Automatically display data provided by individuals to 911 call takers for all types of phones
38 (Landline, Mobile, VoIP) when a call is placed to 911 from a registered and confirmed phone
39 number on a pre-existing monitor or screen within the PSAP. (7) Support the delivery of
40 community member information via a secure internet connection to all PSAPs within
41 Massachusetts (8) service should work across all 9-1-1 call taking equipment in Massachusetts
42 and allow for the easy transfer of information into Computer Aided Dispatch (CAD) or Records
43 Management Systems (RMS) (9) make data available to first responders in the field through a
44 secure portal only accessible to public safety and emergency management personnel (10) be
45 designed to work in today's environment or future NG9-1-1 systems. (11) Data collected through
46 the EIP shall be stored off-site in a secure location, and shall be maintained by a third-party, non-
47 government entity. (12) Citizen data entered into the EIP shall become accessible by public
48 safety agencies only when a 9-1-1 call is placed from a phone number associated with the EIP
49 data. When displayed for a 9-1-1 call the EIP information and shall be presented to
50 telecommunicators for a limited period, not to exceed forty-five minutes unless authorized by a
51 designated supervisor.

52 (c) Public safety and Emergency Management agencies shall make reasonable efforts to
53 publicize the Emergency Information Program (EIP). Means of publicizing the database may
54 include, but are not limited to, pamphlets, social media, neighborhood watch programs,
55 community policing programs, television, municipal notification systems and websites.

56 (d) When special needs information is made available with the 911 call, the
57 telecommunicator shall, where appropriate, relay that information to responding personnel.

58 (e) The information gathered as part of EIP shall remain strictly confidential. The
59 information shall be used only to provide assistance to 911 telecommunicators, first responders,
60 and Emergency Management personnel. No public safety worker shall knowingly violate this
61 confidentiality clause.

62 (f) Citizens electing to participate in EIP must be advised that the provision of special
63 needs information will not result in preferential treatment.

64 (g) EIP shall offer a means of non-verbal communication to callers using a mobile device
65 to contact 911. The EIP service shall: (1) Enable telecommunicators to send an outgoing SMS
66 text message to the caller's mobile device whenever an inbound mobile call to 911 is placed; (2)
67 Have the capability to initiate a non-verbal text-based conversation with a 911 caller even after
68 that call has been disconnected, dropped, or abandoned, whether through the caller's actions or
69 due to service area or connectivity issues; (3) Have measures in place that enable non-verbal
70 communication only when initiated by the telecommunicator, and which prevent the caller from
71 non-verbally communicating without first placing a 911 call. (4) Ability to transmit non-verbal
72 messages between a caller and 911 telecommunicator should be confined to a specific time

73 period, beginning when the 911 call is connected, and which shall be extended only when
74 authorized by a designated administrator.

75 (h) With regard to the protection of buildings and facilities, the EIP shall: (1) Have the
76 ability to collect and aggregate data pertaining to facilities in a community that utilizes EIP
77 services through a secure web portal. Such data shall include, but not be limited to: The
78 collection of building floorplans, the location of emergency equipment, landline phone numbers
79 at the facility, entry and exit points for the facility, the names and contact information for key
80 building personnel, and other information pertinent to public safety agencies; (2) Offer a method
81 of presenting such data to 911 telecommunicators when a 911 call is placed from a landline
82 associated with a registered facility, or when a person calls 911 from a mobile phone while they
83 are on or proximate to the facility's property. This shall be achieved through a location-based
84 information system that can identify calls emanating from a facility's property, and through the
85 routing engine for emergency communications, which shall identify the location of a caller, and
86 provide the relevant information to 911 telecommunicators; (3) Be stored and maintained off-site
87 in a secure location, and shall be maintained by a third-party, non-government entity, and not
88 require storage or maintenance by telecommunicators or emergency personnel. Such information
89 should present itself automatically when a 911 call is placed from within a registered facility,
90 which shall be achieved through the location-based information capabilities of the EIP, or where
91 the call is placed from a landline associated with the facility; (4) Offer a means of searching for a
92 registered facility, and accessing relevant data without requiring that a 911 call is placed from
93 within the facility.

94 (i) When identifying the location of a caller, EIP must provide location-based information
95 for emergency management where available and pre-authorized by the caller. EIP shall (1)

96 present the 9-1-1 telecommunicator with the best geographical location available by the phone
97 carrier at the time of the 9-1-1 call; (2) enable the telecommunicators to manually update the
98 location of a mobile caller directly through the EIP, and without the need for human intervention
99 or assistance by the mobile device carrier.

100 (j) EIP shall provide telecommunicators with the ability to make notations that are
101 associated with the phone number of the incoming 9-1-1 call. Notes shall (1) be made available
102 to public safety during future 9-1-1 calls emanating from the number. (2) all notations shall be
103 private and made available only when a 9-1-1 call is placed from the number associated with the
104 notation; (3) Notations made and appended to a specific phone number shall be available only to
105 public safety personnel, (4) shall only be presented when a 9-1-1 call is placed from that phone
106 number, (5) and are not shared publically with the citizen or the community-at-large.

107 SECTION 2: This act shall take effect upon its passage.