
ENGROSSED SUBSTITUTE SENATE BILL 5346

State of Washington

64th Legislature

2015 Regular Session

By Senate Health Care (originally sponsored by Senators Ranker, Mullet, Darneille, Lias, Conway, McAuliffe, Keiser, and Chase)

READ FIRST TIME 02/20/15.

1 AN ACT Relating to providing first responders with contact
2 information for subscribers of personal emergency response services
3 during an emergency; and adding a new section to chapter 70.54 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.54
6 RCW to read as follows:

7 (1) When requested by first responders during an emergency,
8 employees of companies providing personal emergency response services
9 must provide to first responders the name, address, and any other
10 information necessary for first responders to contact subscribers
11 within the jurisdiction of the emergency.

12 (2) Companies providing personal emergency response services may
13 adopt policies to respond to requests from first responders to
14 release subscriber contact information during an emergency. Policies
15 may include procedures to:

16 (a) Verify that the requester is a first responder;

17 (b) Verify that the request is made pursuant to an emergency;

18 (c) Fulfill the request by providing the subscriber contact
19 information; and

20 (d) Deny the request if no emergency exists or if the requester
21 is not a first responder.

1 (3) Information received by a first responder under subsection
2 (1) of this section is confidential and exempt from disclosure under
3 chapter 42.56 RCW, and may be used only in responding to the
4 emergency that prompted the request for information. Any first
5 responder receiving the information must destroy it at the end of the
6 emergency.

7 (4) It is not a violation of this section if a personal emergency
8 response services company or an employee makes a good faith effort to
9 comply with this section. In addition, the company or employee is
10 immune from civil liability for a good faith effort to comply with
11 this section. Should a company or employee prevail upon the defense
12 provided in this section, the company or employee is entitled to
13 recover expenses and reasonable attorneys' fees incurred in
14 establishing the defense.

15 (5) First responders and their employing jurisdictions are not
16 liable for failing to request the information in subsection (1) of
17 this section. In addition, this act does not create a private right
18 of action nor does it create any civil liability on the part of the
19 state or any of its subdivisions, including first responders.

20 (6) For the purposes of this section:

21 (a) "Emergency" means an occurrence that renders the personal
22 emergency response services system inoperable for a period of twenty-
23 four or more continuous hours, and that requires the attention of
24 first responders acting within the scope of their official duties.

25 (b) "First responder" means firefighters, law enforcement
26 officers, and emergency medical personnel, as licensed or
27 certificated by this state.

28 (c) "Personal emergency response services" means a service
29 provided for profit that allows persons in need of emergency
30 assistance to contact a call center by activating a wearable device,
31 such as a pendant or bracelet.

32 (7) This section does not require a personal emergency response
33 services company to:

34 (a) Provide first responders with subscriber contact information
35 in nonemergency situations; or

36 (b) Provide subscriber contact information to entities other than
37 first responders.

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