

SSB 5346 - S AMD 80  
By Senator Ranker

ADOPTED 3/10/2015

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 70.54  
4 RCW to read as follows:

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

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

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

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

16 (c) Fulfill the request by providing the subscriber contact  
17 information; and

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

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

26 (4) It is not a violation of this section if a personal emergency  
27 response services company or an employee makes a good faith effort to  
28 comply with this section. In addition, the company or employee is  
29 immune from civil liability for a good faith effort to comply with  
30 this section. Should a company or employee prevail upon the defense  
31 provided in this section, the company or employee is entitled to  
32 recover expenses and reasonable attorneys' fees incurred in  
33 establishing the defense.

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

6 (6) For the purposes of this section:

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

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

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

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

20 (a) Provide first responders with subscriber contact information  
21 in nonemergency situations; or

22 (b) Provide subscriber contact information to entities other than  
23 first responders."

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24 On page 1, line 3 of the title, after "emergency;" strike the  
25 remainder of the title and insert "and adding a new section to  
26 chapter 70.54 RCW."

EFFECT: (1) Information provided by first responders may only be  
used in responding to the emergency that prompted the request for the  
information.

(2) The class 1 civil infraction for failure to destroy the  
information is removed.

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