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## Judiciary Committee

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### HB 1258

**Title:** An act relating to persons with a disability present at the scene of an accident.

**Brief Description:** Concerning persons with a disability present at the scene of an accident.

**Sponsors:** Representatives McCabe, Orwall, Johnson, Cody, Dent, Kirby, Griffey, Van Werven, Caldier, Dye, Gregerson, Wylie, Jinkins, Haler, McBride and Muri.

#### Brief Summary of Bill

- Tasks the Department of Health in collaboration with other entities, and subject to the availability of amounts appropriated for this specific purpose, with designing a training program that will familiarize first responders and 911 personnel with the techniques, procedures, and protocols for best handling situations in which persons with disabilities are present at the scene of an emergency.
- Requires the Adjutant General in collaboration with other entities, and subject to the availability of amounts appropriated for this specific purpose, with assessing, among other things, the resources necessary to immediately display to first responders as part of the Enhanced 911 system that a person with a disability may be present at the scene of an emergency.

**Hearing Date:** 1/19/17

**Staff:** Cece Clynch (786-7195).

#### Background:

The Department of Health (DOH) is tasked with setting minimum standards and establishing training for numerous health care professionals and services, including first responders and emergency medical technicians. The Secretary of the DOH (Secretary) must prescribe procedures for certification and decertification, requirements for training curriculum, and standards for ongoing training and evaluation. The Secretary must also set minimum requirements for liability insurance to be carried by licensed services excluding public bodies.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The phone number 911 is the national emergency phone number in the United States. The Enhanced 911 system (E911) is the result of a 1991 voter referendum directing E911 emergency communications systems to be available statewide. The office coordinating the E911 is located within the Emergency Management Division of the Washington Military Department.

The Adjutant General, commander of all Washington Army and Air National Guard forces, is the Director of the Military Department. The E911 Advisory Committee, established in 2010, assists the state E911 coordinator in facilitating the operation of E911. Its members are appointed by the Adjutant General and include individuals from the Washington State Association of Fire Chiefs, Washington Association of Sheriffs and Police Chiefs, and the Washington State Patrol, among others.

### **Summary of Bill:**

"Persons with disabilities" means "individuals who have been diagnosed medically to have a physical, mental, emotional, intellectual, behavioral, developmental, or sensory disability."

### Training Program.

Subject to the availability of amounts appropriated for this specific purpose, the Department of Health (DOH), in collaboration with the Department of Social and Health Services (DSHS), the Washington State Patrol (WSP), the Washington Association of Sheriffs and Police Chiefs (WASPC), the Washington Council of Police and Sheriffs, the state Fire Marshal's Office, and the Superintendent of Public Instruction, must review existing local training programs and training programs being used in other states and design a training program that will familiarize first responders and 911 personnel with the techniques, procedures, and protocols for best handling situations in which persons with disabilities are present at the scene of an emergency in order to maximize the safety of persons with disabilities, minimize the likelihood of injury, and promote the safety of all persons.

The training program must include the following:

- checklist of disabilities;
- symptoms of such disabilities; and
- things to do and not do relevant to a particular disability in order that responders can easily and quickly determine the specific scenario into which they are entering.

The DOH must make the training program available on its website, and include on the website a list of public and private nonprofit disability-related agencies and organizations and their contact information.

First responder and 911 agencies must ensure their officers, employees, and agents are adequately trained in, and familiarized with, techniques, procedures, and protocols for best handling situations in which persons with disabilities are present at the scene of an emergency.

### Enhanced 911.

Subject to the availability of amounts appropriated for this specific purpose, the Adjutant General, through the state Enhanced 911 (E911) coordinator, and in collaboration with the DOH, the DSHS, the WSP, the WASPC, the Washington Council of Police and Sheriffs, state Fire

Marshal's Office, a representative of a first responder organization, and other individuals and entities at the direction of the Adjutant General, must assess the following:

- the resources necessary to immediately display to first responders as part of the E911 system that a person with a disability may be present at the scene of an emergency, the caller's identification, location, phone number, address, and additional information if made available;
- how to best acquire, implement, and safeguard a secure website and the information provided regarding a person with a disability, such as requiring a person who chooses to use the system to submit proof of the diagnosis, and allowing or requiring the person to update the information in the system on a periodic basis, and making the information directly available to first responders;
- how to best ensure that people know and understand there is no requirement or obligation for them to provide such information;
- what information must remain confidential under law, and how to best ensure this; and
- the need to provide various agencies and employees that are first responders and emergency personnel immunity from civil liability for acts or omissions in the performance of their duties.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.