

CHAPTER 152
SB 281 – FINAL VERSION

03/07/12 1030s
11Apr2012... 1455h
05/16/12 2206EBA

2012 SESSION

12-2805
08/01

SENATE BILL **281**

AN ACT relative to exposure to infectious disease by emergency response and public safety workers and notification of public health authorities.

SPONSORS: Sen. Rausch, Dist 19; Sen. Lambert, Dist 13; Rep. Reagan, Rock 1

COMMITTEE: Health and Human Services

AMENDED ANALYSIS

This bill requires emergency response and public safety workers to notify public health officials of exposure to infectious disease.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twelve

AN ACT relative to exposure to infectious disease by emergency response and public safety workers and notification of public health authorities.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 152:1 Notification of Emergency Response/Public Safety Workers After Exposure to Infectious
2 Disease; Infection Control Officer. Amend RSA 141-G:3, II to read as follows:

3 II. When the source individual is transported to a health care facility, the infection control
4 officer shall:

5 (a) Receive copies of emergency response/public safety worker incident report forms and
6 coordinate the acquisition of any source individual information required for evaluating an emergency
7 care worker's possible exposure ***and for evaluating the possible exposure of an individual***
8 ***protected under RSA 508:12, if any.***

9 (b) Review the incident report form and source individual medical information.

10 (c) Notify the medical referral consultant, in accordance with RSA 141-G:5, of any source
11 individual infection which, in the event that an unprotected exposure occurred, may place an
12 emergency response/public safety worker at significant risk for disease.

13 (d) ***Notify public health in accordance with RSA 141-C:7, of any source***
14 ***individual infection which, in the event that an unprotected exposure occurred, may place***
15 ***an individual protected under RSA 508:12 at tangible risk for disease.***

16 152:2 Notification of Emergency Response/Public Safety Workers After Exposure to Infectious
17 Disease. Amend RSA 141-G:4, I to read as follows:

18 I. Any emergency response/public safety worker who, while in the line of duty, sustains an
19 unprotected exposure ***to himself or herself or another individual protected under RSA 508:12,***
20 ***or who suspects such an exposure, shall, as soon as possible, provide a copy of the emergency***
21 ***response/public safety worker incident report form to the worker's medical referral consultant. If the***
22 ***source individual is transported to a health care facility licensed under RSA 151, the exposed worker***
23 ***shall also provide a copy of the incident report form to the infection control officer of the facility as***
24 ***soon as possible after arrival of the source individual at the facility.***

25 152:3 Notification of Emergency Response/Public Safety Workers After Exposure to Infectious
26 Disease; Immunity from Civil Liability. Amend RSA 141-G:7 to read as follows:

27 141-G:7 Immunity From Civil Liability. No facility licensed under RSA 151 or agent, employee,

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1 administrator, physician, official, [or] other representative of such facility, **or emergency**
2 **response/public safety worker** shall be held jointly or severally liable, either as a facility or
3 personally, for reporting as required under this chapter, if such report was made in good faith and
4 was in accordance with the confidentiality procedures of the facility and RSA 141-F. All such parties
5 who have acted in good faith shall have total immunity from civil or criminal liability for any act
6 performed in the fulfillment of the duties imposed by this chapter.

7 152:4 Medical Referral Consultant; Good Samaritan Cases. Amend RSA 141-G:2, I to read as
8 follows:

9 I. Each employer of emergency response/public safety workers shall identify a medical
10 referral consultant who has agreed to accept referrals and to evaluate and follow up such workers'
11 unprotected exposures. The medical referral consultant shall be a licensed physician, a registered
12 nurse, advanced practice registered nurse or licensed physician assistant. If none of these is
13 available the employer shall request written approval from the department for an alternate. **For**
14 **purposes of this chapter, in such case involving an individual protected under RSA 508:12**
15 **the department shall act as the medical referral consultant.**

16 152:5 Effective Date. This act shall take effect January 1, 2013.

17 Approved: June 7, 2012

18 Effective Date: January 1, 2013