



General Assembly

January Session, 2005

Raised Bill No. 1208

LCO No. 3788

03788 _____ PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING PUBLIC HEALTH PREPAREDNESS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 19a-179 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2005*):

4 (b) The commissioner may issue an emergency medical technician
5 certificate to an applicant who presents evidence satisfactory to the
6 commissioner that the applicant (1) is currently certified as an
7 emergency medical technician in good standing in any New England
8 state, New York or New Jersey, (2) has completed an initial training
9 program consistent with the United States Department of
10 Transportation, National Highway Traffic Safety Administration
11 [paramedic] emergency medical technician curriculum, and (3) has no
12 pending disciplinary action or unresolved complaint against him or
13 her.

14 Sec. 2. Subdivision (5) of section 28-1 of the general statutes is
15 repealed and the following is substituted in lieu thereof (*Effective*
16 *October 1, 2005*):

17 (5) "Civil preparedness forces" means any organized personnel
18 engaged in carrying out civil preparedness functions in accordance
19 with the provisions of this chapter or any regulation or order
20 [thereunder] adopted pursuant to this chapter. All the police and fire
21 forces of the state or any political subdivision of the state, or any part
22 of any political subdivision, including all the auxiliaries of these forces
23 and emergency medical service organizations, as defined in section
24 19a-175, shall be construed to be a part of the civil preparedness forces.
25 The Connecticut Disaster Medical Assistance Team and the Medical
26 Reserve Corps, under the auspices of the Department of Public Health,
27 the Connecticut Urban Search and Rescue Team, under the auspices of
28 the Department of Emergency Management and Homeland Security,
29 and the Connecticut behavioral health regional crisis response teams,
30 under the auspices of the Department of Mental Health and Addiction
31 Services and the Department of Children and Families, and their
32 members, shall be construed to be a part of the civil preparedness
33 forces while engaging in authorized civil preparedness duty or while
34 assisting or engaging in authorized training for the purpose of
35 eligibility for immunity from liability as provided in section 28-13, as
36 amended by this act, and for death, disability and injury benefits as
37 provided in section 28-14. Any member of the civil preparedness forces
38 who is called upon either by civil preparedness personnel or state or
39 municipal police personnel to assist in any emergency shall be deemed
40 to be engaging in civil preparedness duty while assisting in such
41 emergency or while engaging in training under the auspices of the
42 Department of Emergency Management and Homeland Security, the
43 Department of Public Safety, the Division of State Police within the
44 Department of Public Safety or a municipal police department, for the
45 purpose of eligibility for death, disability and injury benefits as
46 provided in section 28-14.

47 Sec. 3. Section 28-13 of the general statutes is repealed and the
48 following is substituted in lieu thereof (*Effective October 1, 2005*):

49 (a) Neither the state nor any political subdivision of the state nor,

50 except in cases of wilful misconduct, the agents or representatives of
51 the state or any political subdivision [thereof] of the state nor any
52 member of the civil preparedness forces of the state nor any person
53 authorized by such civil preparedness forces or by any member of
54 such civil preparedness forces complying with or attempting to
55 comply with this chapter or any order or regulation promulgated
56 pursuant to the provisions of this chapter, or pursuant to any
57 ordinance relating to blackout or other precautionary measures
58 enacted by any political subdivision of the state nor any person
59 employed by or authorized to assist any agency of the federal
60 government in the prevention or mitigation of any major disaster or
61 emergency nor any staff member of a sponsor hospital who oversees
62 the training, distribution or quality assurance of nerve agent antidote
63 kits for purposes of section 28-8b, shall be liable for the death of or
64 injury to persons or for damage to property as a result of any such
65 activity. The Attorney General shall appear for and defend the state,
66 any political subdivision of the state and the agents or representatives
67 of the state or any political subdivision [thereof] of the state or any
68 member of the civil preparedness forces of the state or any other
69 person exempted from liability for [his] acts under this section in any
70 civil action brought for the death of or injury to persons or for damage
71 to property as a result of any civil preparedness activity.

72 (b) Any person, corporation, partnership or association [who] that
73 denies access to property owned or under the control of such entity to
74 any person acting in accordance with this chapter during a civil
75 preparedness emergency, shall be fined not less than fifty dollars nor
76 more than five hundred dollars.

77 (c) For purposes of this section, "sponsor hospital" means a hospital
78 that has agreed to maintain staff for the provision of medical control,
79 supervision and direction to an emergency medical service
80 organization and its personnel and that has been approved for such
81 activity by the Office of Emergency Medical Services.

82 Sec. 4. (NEW) (*Effective October 1, 2005*) Any emergency medical
83 technician or paramedic who is part of The Connecticut Disaster
84 Medical Assistance Team or the Medical Reserve Corps, under the
85 auspices of the Department of Public Safety, or the Connecticut Urban
86 Search and Rescue Team, under the auspices of the Department of
87 Public Safety, shall be under the active surveillance, medical control
88 and direction of the chief medical officer of such team or corps while
89 engaged in officially authorized civil preparedness duty or civil
90 preparedness training conducted by such team or corps.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005</i>	19a-179(b)
Sec. 2	<i>October 1, 2005</i>	28-1(5)
Sec. 3	<i>October 1, 2005</i>	28-13
Sec. 4	<i>October 1, 2005</i>	New section

Statement of Purpose:

To extend immunity from liability to staff members of hospitals who oversee the training, distribution and quality assurance of nerve antidote kits for emergency preparedness, and to allow emergency medical technicians and paramedics to operate under the surveillance, medical control and direction of the medical directors of the state's emergency preparedness forces.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]