



General Assembly

**Substitute Bill No. 1010**

January Session, 2009

\* \_\_\_\_\_SB01010PH\_\_\_\_\_032509\_\_\_\_\_\*

**AN ACT CONCERNING EXPOSURE TO INFECTIOUS DISEASES AND EMERGENCY RESPONDERS.**

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

1 Section 1. (NEW) (*Effective October 1, 2009*) (a) As used in this  
2 section:

3 (1) "Infectious disease" includes (A) infectious pulmonary  
4 tuberculosis, (B) hepatitis A, (C) hepatitis B, (D) hepatitis C, (E) human  
5 immunodeficiency virus (HIV), including acquired immunodeficiency  
6 syndrome (AIDS), (F) diphtheria, (G) pandemic flu, (H) methicillin-  
7 resistant staphylococcus aureus (MRSA), (I) hemorrhagic fevers, (J)  
8 meningococcal disease, (K) plague, and (L) rabies;

9 (2) "Exposure" means a percutaneous or mucous membrane  
10 exposure of an individual to the blood, semen, vaginal secretions, or  
11 spinal, synovial, pleural, peritoneal, pericardial or amniotic fluid of  
12 another person;

13 (3) "Patient" means a person, whether alive or dead, who has been  
14 attended, treated, assisted, handled or transported for medical care by  
15 an emergency services member as a result of an emergency;

16 (4) "Emergency services member" means any police officer as  
17 defined in section 7-294a of the general statutes, member of a paid or  
18 volunteer fire department, emergency medical technician, ambulance

19 driver, or paramedic as defined in section 19a-175 of the general  
20 statutes, when acting in an official capacity;

21 (5) "Emergency medical technician" means any class of emergency  
22 medical technician certified under regulations adopted pursuant to  
23 section 19a-179 of the general statutes, including, but not limited to,  
24 any emergency medical technician-intermediate or medical response  
25 technician;

26 (6) "Emergency services organization" means the Division of State  
27 Police within the Department of Public Safety, an organized local  
28 police department, municipal constabulary, paid or volunteer fire  
29 department, ambulance company or any organization whether public,  
30 private or voluntary that offers transportation or treatment services to  
31 patients under emergency conditions;

32 (7) "Hospital" has the same meaning as in section 19a-490 of the  
33 general statutes; and

34 (8) "Designated officer" means the employee or volunteer of an  
35 emergency services organization designated in accordance with  
36 subsection (b) of this section.

37 (b) Each emergency services organization shall designate one  
38 employee or volunteer to act as the designated officer to receive  
39 notification of cases of possible exposure to infectious disease,  
40 investigate cases of possible exposure, maintain hospital contact  
41 information, request further information from hospitals and maintain  
42 any records required under this section.

43 (c) (1) Any hospital that diagnoses a patient as having infectious  
44 pulmonary tuberculosis shall verbally notify the designated officer of  
45 the emergency services organization that attended, treated, assisted,  
46 handled or transported such patient no later than forty-eight hours  
47 after making such a diagnosis, and shall make such notification in  
48 writing not later than seventy-two hours after such diagnosis. Such  
49 notification shall include, but not be limited to, the diagnosis and the

50 date on which the patient was attended, treated, assisted, handled or  
51 transported as a result of an emergency to such hospital, provided the  
52 identity of the patient shall not be disclosed in any such notification.

53 (2) Any hospital that determines that a patient, who died at or  
54 before reaching such hospital and who was attended, treated, assisted,  
55 handled or transported by an emergency services member, had  
56 infectious pulmonary tuberculosis shall notify the designated officer of  
57 such determination no later than forty-eight hours after making such  
58 determination.

59 (d) (1) Any member of an emergency service organization who  
60 believes that he or she may have been exposed to an infectious disease  
61 through the member's contact with a patient who was attended,  
62 treated, assisted, handled or transported by the member shall report  
63 such possible exposure to the designated officer. The designated officer  
64 shall immediately collect the facts surrounding such incident of  
65 possible exposure and evaluate such facts to make a determination of  
66 whether it would be reasonable to believe that the member may have  
67 been exposed to an infectious disease. If the designated officer  
68 determines that there may have been exposure to an infectious disease,  
69 the designated officer shall submit a written request to the hospital  
70 that received the patient requesting to be notified of the results of any  
71 test performed on the patient to determine the presence of an  
72 infectious disease. The request shall include:

73 (A) The name, address and telephone number of the designated  
74 officer submitting the request;

75 (B) The name of the designated officer's employer or, in the case of a  
76 volunteer emergency services member, the entity for which the  
77 designated officer volunteers, and the name and contact information of  
78 the emergency services member who may have been exposed to the  
79 infectious disease; and

80 (C) The date, time, location and manner of the possible exposure.

81       (2) Such request shall be valid for ten days after it is made. If at the  
 82 end of such ten-day period no test has been performed to determine  
 83 the presence of an infectious disease, no diagnosis has been made or  
 84 the result of the test is negative, the hospital shall so notify the  
 85 designated officer who made the request. The notification shall not  
 86 include the name of the patient.

87       (3) Any hospital that receives a written request for notification shall  
 88 give an oral notification of the presence of an infectious disease or of a  
 89 confirmed positive test result, if known, to the designated officer no  
 90 later than forty-eight hours after receiving such request, and shall send  
 91 a written notification no later than three days after receiving such  
 92 request. If an infectious disease is present or the test results are  
 93 confirmed positive, both the oral and written notification shall include  
 94 the name of the infectious disease and the date on which the patient  
 95 was attended, treated, assisted, handled or transported by the  
 96 emergency services organization. Such notification shall not disclose  
 97 the name of the patient.

98       (4) If a designated officer makes a request pursuant to this  
 99 subsection and the patient has died at, or before reaching, the hospital  
 100 receiving such request, the hospital shall provide a copy of the request  
 101 to the medical facility ascertaining the cause of death if such facility is  
 102 not the hospital that received the original request.

103       (e) No cause of action for damages shall arise, or any civil penalty be  
 104 imposed, against any hospital or any designated officer for failure to  
 105 comply with the duties established by this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	New section

**Statement of Legislative Commissioners:**

The word "handled" was added in numerous places in subsections (c) and (d) for consistency with the definition of patient. The words "attended" and "assisted" were added to the definition of patient for

