

HB 17

2014

1 A bill to be entitled  
2 An act relating to motorist safety; authorizing the  
3 governing body of a county to create a yellow dot  
4 critical motorist medical information program for  
5 certain purposes; authorizing a county to solicit  
6 sponsorships for the medical information program and  
7 enter into an interlocal agreement with another county  
8 to solicit such sponsorships; authorizing the  
9 Department of Highway Safety and Motor Vehicles and  
10 the Department of Transportation to provide education  
11 and training and publicize the program; requiring the  
12 program to be free to participants; providing for  
13 applications to participate; providing for a yellow  
14 dot decal and a yellow dot folder to be issued to  
15 participants and a form containing specified  
16 information about the participant; providing  
17 procedures for use of the decal, folder, and form;  
18 providing for limited use of information on the forms  
19 by emergency medical responders; limiting liability of  
20 emergency medical responders; requiring the governing  
21 body of a participating county to adopt guidelines and  
22 procedures to ensure that confidential information is  
23 not made public; providing a contingent effective  
24 date.

25  
26 Be It Enacted by the Legislature of the State of Florida:

27  
28 Section 1. Yellow dot critical motorist medical

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29 information program; yellow dot decal, folder, and information  
30 form.—

31 (1) The governing body of a county may create a yellow dot  
32 critical motorist medical information program to assist  
33 emergency medical responders and drivers and passengers who  
34 participate in the program by making critical medical  
35 information readily available to a responder in the event of a  
36 motor vehicle accident or a medical emergency involving a  
37 participant's vehicle.

38 (2) (a) The governing body of a county may solicit  
39 sponsorships from interested business entities and not-for-  
40 profit organizations to cover costs of the program, including  
41 the cost of the yellow dot decals and folders that shall be  
42 provided free of charge to participants. Two or more counties  
43 may enter into an interlocal agreement to solicit such  
44 sponsorships.

45 (b) The Department of Highway Safety and Motor Vehicles or  
46 the Department of Transportation may provide education and  
47 training to encourage emergency medical responders to  
48 participate in the program and may take reasonable measures to  
49 publicize the program.

50 (3) (a) Any owner or lessee of a motor vehicle may  
51 participate in the program upon submission of an application and  
52 documentation in the form and manner prescribed by the governing  
53 body of the county.

54 (b) The application form shall include a statement that  
55 the information submitted will be disclosed only to authorized  
56 personnel of law enforcement and public safety agencies,

57 emergency medical services agencies, and hospitals for the  
58 purposes authorized in subsection (5).

59 (c) The application form shall describe the confidential  
60 nature of the medical information voluntarily provided by the  
61 participant and shall state that, by providing the medical  
62 information, the participant has authorized the use and  
63 disclosure of the medical information to authorized personnel  
64 solely for the purposes listed in subsection (5). The  
65 application form shall also require the participant's express  
66 written consent for such use and disclosure.

67 (d) The county may not charge any fee to participate in  
68 the yellow dot program.

69 (4) A participant shall receive a yellow dot decal, a  
70 yellow dot folder, and a form with the participant's  
71 information.

72 (a) The participant shall affix the decal onto the rear  
73 window in the left lower corner of a motor vehicle or in a  
74 clearly visible location on a motorcycle.

75 (b) A person who rides in a motor vehicle as a passenger  
76 may also participate in the program but may not be issued a  
77 decal if a decal is issued to the owner or lessee of the motor  
78 vehicle in which the person rides.

79 (c) The yellow dot folder, which shall be stored in the  
80 glove compartment of the motor vehicle or in a compartment  
81 attached to a motorcycle, shall contain a form with the  
82 following information about the participant:

- 83 1. The participant's name.  
84 2. The participant's photograph.

85        3. Emergency contact information of no more than two  
86 persons for the participant.

87        4. The participant's medical information, including  
88 medical conditions, recent surgeries, allergies, and medications  
89 being taken.

90        5. The participant's hospital preference.

91        6. Contact information for no more than two physicians for  
92 the participant.

93        (5) (a) If a driver or passenger of a motor vehicle becomes  
94 involved in a motor vehicle accident or emergency situation, and  
95 a yellow dot decal is affixed to the vehicle, an emergency  
96 medical responder at the scene is authorized to search the glove  
97 compartment of the vehicle for the corresponding yellow dot  
98 folder.

99        (b) An emergency medical responder at the scene may use  
100 the information in the yellow dot folder for the following  
101 purposes only:

102        1. To positively identify the participant.

103        2. To ascertain whether the participant has a medical  
104 condition that might impede communications between the  
105 participant and the responder.

106        3. To inform the participant's emergency contacts about  
107 the location, condition, or death of the participant.

108        4. To learn the nature of any medical information reported  
109 by the participant on the form.

110        5. To ensure that the participant's current medications  
111 and preexisting medical conditions are considered when emergency

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112 medical treatment is administered for any injury to or condition  
113 of the participant.

114 (6) Except for wanton or willful conduct, an emergency  
115 medical responder or the employer of a responder does not incur  
116 any liability if a responder is unable to make contact, in good  
117 faith, with a participant's emergency contact person, or if a  
118 responder disseminates or fails to disseminate any information  
119 from the yellow dot folder to any other emergency medical  
120 responder, hospital, or healthcare provider who renders  
121 emergency medical treatment to the participant.

122 (7) The governing body of a participating county shall  
123 adopt guidelines and procedures for ensuring that any  
124 information that is confidential is not made public through the  
125 program.

126 Section 2. This act shall take effect July 1, 2014.