

HB 1005

2013

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 an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

26
27 Section 1. Yellow dot critical motorist medical
28 information programs; yellow dot decal, folder, and information

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29 form.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

89 5. The participant's hospital preference.

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

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

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

101 1. To positively identify the participant.

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

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

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

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

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

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

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

125 Section 2. This act shall take effect July 1, 2013.