



455976

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/16/2013	.	
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The Committee on Community Affairs (Soto) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Yellow dot critical motorist medical information program; yellow dot decal, folder, and information form.-

(1) The governing body of a county may create a yellow dot critical motorist medical information program to assist emergency medical responders and drivers and passengers who participate in the program by making critical medical information readily available to a responder in the event of a motor vehicle accident or a medical emergency involving a



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13 participant's vehicle.

14 (2) (a) The governing body of a county may solicit
15 sponsorships from interested business entities and not-for-
16 profit organizations to cover costs of the program, including
17 the cost of the yellow dot decals and folders that shall be
18 provided free of charge to participants. Two or more counties
19 may enter into an interlocal agreement to solicit such
20 sponsorships.

21 (b) The Department of Highway Safety and Motor Vehicles or
22 the Department of Transportation may provide education and
23 training to encourage emergency medical responders to
24 participate in the program and may take reasonable measures to
25 publicize the program.

26 (3) (a) Any owner or lessee of a motor vehicle may
27 participate in the program upon submission of an application and
28 documentation, in the form and manner prescribed by the
29 governing body of the county.

30 (b) The application form must include a statement that the
31 information submitted will be disclosed only to authorized
32 personnel of law enforcement and public safety agencies,
33 emergency medical services agencies, and hospitals for the
34 purposes authorized in subsection (5).

35 (c) The application form must describe the confidential
36 nature of the medical information voluntarily provided by the
37 participant and must state that, by providing the medical
38 information, the participant has authorized the use and
39 disclosure of the medical information to authorized personnel
40 solely for the purposes listed in subsection (5). The
41 application form must also require the participant's express



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42 written consent for such use and disclosure.

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

45 (4) A participant shall receive a yellow dot decal, a
46 yellow dot folder, and a form with the participant's
47 information.

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

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

55 (c) The yellow dot folder, which shall be stored in the
56 glove compartment of the motor vehicle or in a compartment
57 attached to a motorcycle, must contain a form with the following
58 information about the participant:

59 1. The participant's name.

60 2. The participant's photograph.

61 3. Emergency contact information of no more than two
62 persons for the participant.

63 4. The participant's medical information, including medical
64 conditions, recent surgeries, allergies, and medications being
65 taken.

66 5. The participant's hospital preference.

67 6. Contact information for no more than two physicians for
68 the participant.

69 (5) (a) If a driver or passenger of a motor vehicle becomes
70 involved in a motor vehicle accident or emergency situation, and



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71 a yellow dot decal is affixed to the vehicle, an emergency
72 medical responder at the scene may search the glove compartment
73 of the vehicle for the corresponding yellow dot folder.

74 (b) An emergency medical responder at the scene may use the
75 information in the yellow dot folder for the following purposes
76 only:

77 1. To positively identify the participant.

78 2. To ascertain whether the participant has a medical
79 condition that might impede communications between the
80 participant and the responder.

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

83 4. To learn the nature of any medical information reported
84 by the participant on the form.

85 5. To ensure that the participant's current medications and
86 preexisting medical conditions are considered when emergency
87 medical treatment is administered for any injury to or condition
88 of the participant.

89 (6) Except for wanton or willful conduct, an emergency
90 medical responder or the employer of a responder does not incur
91 any liability if a responder is unable to make contact, in good
92 faith, with a participant's emergency contact person, or if a
93 responder disseminates or fails to disseminate any information
94 from the yellow dot folder to any other emergency medical
95 responder, hospital, or healthcare provider who renders
96 emergency medical treatment to the participant.

97 (7) The governing body of a participating county shall
98 adopt guidelines and procedures for ensuring that any
99 information that is confidential is not made public through the



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100 program.

101 Section 2. This act shall take effect July 1, 2014, or on
102 the same date that legislation which exempts the information
103 required under the yellow dot critical motorist medical
104 information program created pursuant to section 1 of this act
105 from s. 119.071(1), Florida Statutes, and s. 24(a), Article I of
106 the State Constitution, takes effect, whichever occurs later, if
107 such legislation is adopted in the 2014 Regular Session of the
108 Legislature or an extension thereof and becomes law.

109
110 ===== T I T L E A M E N D M E N T =====

111 And the title is amended as follows:

112 Delete everything before the enacting clause
113 and insert:

114 A bill to be entitled
115 An act relating to motorist safety; authorizing the
116 governing body of a county to create a yellow dot
117 critical motorist medical information program for
118 certain purposes; authorizing a county to solicit
119 sponsorships for the medical information program and
120 enter into an interlocal agreement with another county
121 to solicit such sponsorships; authorizing the
122 Department of Highway Safety and Motor Vehicles and
123 the Department of Transportation to provide education
124 and training and publicize the program; requiring the
125 program to be free to participants; providing for
126 applications to participate; providing for a yellow
127 dot decal and a yellow dot folder to be issued to
128 participants and a form containing specified



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129 information about the participant; providing
130 procedures for use of the decal, folder, and form;
131 providing for limited use of information on the forms
132 by emergency medical responders; limiting liability of
133 emergency medical responders; requiring the governing
134 body of a participating county to adopt guidelines and
135 procedures to ensure that confidential information is
136 not made public; providing a contingent effective
137 date.