

By the Committee on Community Affairs; and Senator Abruzzo

578-04460-13

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

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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 must include a statement that the  
54 information submitted will be disclosed only to authorized  
55 personnel of law enforcement and public safety agencies,  
56 emergency medical services agencies, and hospitals for the  
57 purposes authorized in subsection (5).

58       (c) The application form must describe the confidential

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59 nature of the medical information voluntarily provided by the  
60 participant and must 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 must 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 the  
67 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, must contain a form with the following  
81 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 medical  
87 conditions, recent surgeries, allergies, and medications being

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88 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 may search the glove compartment  
96 of the vehicle for the corresponding yellow dot folder.

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

100 1. To positively identify the participant.

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

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

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

108 5. To ensure that the participant's current medications and  
109 preexisting medical conditions are considered when emergency  
110 medical treatment is administered for any injury to or condition  
111 of the participant.

112 (6) Except for wanton or willful conduct, an emergency  
113 medical responder or the employer of a responder does not incur  
114 any liability if a responder is unable to make contact, in good  
115 faith, with a participant's emergency contact person, or if a  
116 responder disseminates or fails to disseminate any information

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117 from the yellow dot folder to any other emergency medical  
118 responder, hospital, or healthcare provider who renders  
119 emergency medical treatment to the participant.

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

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