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LEGISLATIVE ACTION

Senate

House

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Floor: WD/2R

04/29/2013 04:15 PM

Senator Abruzzo moved the following:

Senate Amendment (with title amendment)

Between lines 4573 and 4574

insert:

Section 63. 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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14 participant's vehicle.

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

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

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

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

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



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43 written consent for such use and disclosure.

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

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

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

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

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

60 1. The participant's name.

61 2. The participant's photograph.

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

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

67 5. The participant's hospital preference.

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

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



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

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

79 1. To positively identify the participant.

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

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

85 4. To learn the nature of any medical information reported
86 by the participant on the form.

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

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

99 (7) The governing body of a participating county shall
100 adopt guidelines and procedures for ensuring that any



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101 information that is confidential is not made public through the
102 program.

103 (8) This section shall take effect July 1, 2014, or on the
104 same date that legislation which exempts the information
105 required under the yellow dot critical motorist medical
106 information program from s. 119.071(1), Florida Statutes, and s.
107 24(a), Article I of the State Constitution, takes effect,
108 whichever occurs later, if such legislation is adopted in the
109 2014 Regular Session of the Legislature or an extension thereof
110 and becomes law.

111
112 ===== T I T L E A M E N D M E N T =====

113 And the title is amended as follows:

114 Delete line 331

115 and insert:

116 vessel; authorizing the governing body of a county to
117 create a yellow dot critical motorist medical
118 information program for certain purposes; authorizing
119 a county to solicit sponsorships for the medical
120 information program and enter into an interlocal
121 agreement with another county to solicit such
122 sponsorships; authorizing the Department of Highway
123 Safety and Motor Vehicles and the Department of
124 Transportation to provide education and training and
125 publicize the program; authorizing an owner or lessee
126 of a motor vehicle to participate in the program upon
127 the submission of certain documentation; providing for
128 an application form that must contain statements
129 regarding the disclosure of personal information and



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130 confidentiality; providing for distribution to
131 participants of a yellow dot decal, a yellow dot
132 folder to be issued to participants, and a form
133 containing specified information about the
134 participant; providing procedures for use of the
135 decal, folder, and form; providing for limited use of
136 information on the forms by emergency medical
137 responders; limiting liability of emergency medical
138 responders; requiring the governing body of a
139 participating county to adopt guidelines and
140 procedures to ensure that confidential information is
141 not made public; providing for applicability; amending
142 ss. 212.08, 261.03, 316.2122,