

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Slosberg offered the following:

2  
3 **Amendment (with title amendment)**

4 Between lines 5143 and 5144, insert:

5 Section 62. Yellow dot critical motorist medical  
6 information program; yellow dot decal, folder, and information  
7 form.-

8 (1) The governing body of a county may create a yellow dot  
9 critical motorist medical information program to assist  
10 emergency medical responders and drivers and passengers who  
11 participate in the program by making critical medical  
12 information readily available to a responder in the event of a  
13 motor vehicle accident or a medical emergency involving a  
14 participant's vehicle.

15 (2) (a) The governing body of a county may solicit  
16 sponsorships from interested business entities and not-for-

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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  
32 the 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  
43 written consent for such use and disclosure.

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44 (d) The county may not charge any fee to participate in  
45 the 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  
65 medical conditions, recent surgeries, allergies, and medications  
66 being 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  
77 the information in the yellow dot folder for the following  
78 purposes 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  
84 the 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  
88 and 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.

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

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112 -----  
113                   **T I T L E   A M E N D M E N T**

114           Remove line 353 and insert:  
115           of destruction; authorizing the governing body of a  
116           county to create a yellow dot critical motorist  
117           medical information program for certain purposes;  
118           authorizing a county to solicit sponsorships for the  
119           medical information program and enter into an  
120           interlocal agreement with another county to solicit  
121           such sponsorships; authorizing the Department of  
122           Highway Safety and Motor Vehicles and the Department  
123           of Transportation to provide education and training  
124           and publicize the program; requiring the program to be  
125           free to participants; providing for applications to  
126           participate; providing for a yellow dot decal and a

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