



504298

LEGISLATIVE ACTION

Senate

House

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Floor: WD/3R

05/03/2013 03:03 PM

Senator Abruzzo moved the following:

1 **Senate Amendment to Amendment (740626) (with title**
2 **amendment)**

3
4 Between lines 4378 and 4379
5 insert:

6 Section 85. Blue square critical motorist medical
7 information program; blue square decal, folder, and information
8 form.-

9 (1) The governing body of a county may create a blue square
10 critical motorist medical information program to assist
11 emergency medical responders and drivers and passengers who
12 participate in the program by making critical medical
13 information readily available to a responder in the event of a



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14 motor vehicle accident or a medical emergency involving a
15 participant's vehicle.

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

23 (b) The Department of Transportation may provide education
24 and 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 blue square program.

46 (4) A participant shall receive a blue square decal, a blue
47 square folder, and a form with the participant's 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 blue square folder, which shall be stored in the
56 glove compartment of the motor vehicle or in a compartment
57 attached to a motorcycle, shall contain a form with the
58 following 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
71 a blue square decal is affixed to the vehicle, an emergency



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72 medical responder at the scene is authorized to search the glove
73 compartment of the vehicle for the corresponding blue square
74 folder.

75 (b) An emergency medical responder at the scene may use the
76 information in the blue square folder for the following purposes
77 only:

78 1. To positively identify the participant.

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

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

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

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

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

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



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101 program.

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

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

112 And the title is amended as follows:

113 Delete line 4830

114 and insert:

115 deceptive trade practice; authorizing the governing
116 body of a county to create a blue square critical
117 motorist medical information program for certain
118 purposes; authorizing a county to solicit sponsorships
119 for the medical information program and enter into an
120 interlocal agreement with another county to solicit
121 such sponsorships; authorizing the Department of
122 Transportation to provide education and training and
123 publicize the program; authorizing an owner or lessee
124 of a motor vehicle to participate in the program upon
125 the submission of certain documentation; providing for
126 an application form that must contain statements
127 regarding the disclosure of personal information and
128 confidentiality; providing for distribution to
129 participants of a blue square decal, a blue square



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