

HCS SS SB 732 -- EMERGENCY RESPONSES

SPONSOR: Munzlinger

COMMITTEE ACTION: Voted "Do Pass with Amendments" by the Standing Committee on Public Safety and Emergency Preparedness by a vote of 10 to 1. Voted "Do Pass with HCS" by the Select Committee on State and Local Governments by a vote of 10 to 1.

This bill allows urban search and rescue task forces to be reimbursed from the Missouri Disaster Fund for any reasonable and necessary expenditures incurred while responding to any declared emergency.

This bill further requires the Department of Public Safety, in cooperation with any statewide organization representing broadcasters, to establish a program for training and certifying broadcast engineers and technical personnel as first informer broadcasters. The training will concern restoration, repair, and resupply of any broadcaster facilities and equipment in an area affected by emergency or disaster and first informer broadcasters' personal safety. State and local governments must allow first informer broadcasters access to emergency or disaster areas to restore, repair, or resupply critical broadcaster facilities and equipment.

This bill also requires the regional EMS advisory committee, designated by the Department of Health and Senior Services, to advise and make recommendations to the region and the Department of Public Safety on development, review, and recommendation for action to be taken on community and regional time-critical diagnostic plans. Furthermore, the regional EMS medical director must serve as a member of the committee, and he or she will serve a term of four years. He or she will either be elected to an initial two-year term or a four-year term, depending on the region in which he or she is elected. All subsequent terms, however, shall be four years.

This bill also prohibits any emergency medical technician licensed under Sections 190.142 or 190.143, RSMo, to be subject to liability if he or she acts in good faith and without gross negligence when transporting or physically or chemically restraining a patient. The Department of Health and Senior Services may refuse to issue or renew a certificate, permit, or license and file a complaint with the Administrative Hearing Commission if certain actions are violated.

If the department conducts investigations, the department, prior to interviewing a licensee who is the subject of the investigation,

must explain to the licensee that he or she has the right to consult legal counsel or have legal counsel present; have anyone present whom he or she deems necessary or desirable; and refuse to answer any question or refuse to provide or sign any written statement. If a licensee asserts any right herein listed, this shall not be considered by the department to be a failure to cooperate with a department investigation. Finally, the department may only impose a suspension or revocation as a disciplinary action only if it first files the requisite complaint with the Administrative Hearing Commission. The commission may not grant summary decisions in situations where the licensee files an answer contesting the department's intended action.

Complaints, investigatory reports, and any information pertaining to any applicant or certificate, license, or permit holder shall be disclosed only upon written consent of the person whose records are involved.

Additionally, this bill establishes that hospitals licensed under Chapter 198 must have policies and procedures regarding transportation of patients.

This bill exempts unarmed security guards, licensed by the Missouri Gaming Commission, who are working on an excursion gambling boat from the requirements that they first obtain a written license before performing their duties.

PROPONENTS: Supporters say that it is important that first informers be allowed access to repair or replace critical equipment, because citizens rely on first informer broadcasters' information regarding finding safety during an emergency. It is also important that urban search and rescue teams be allowed to recover expenses incurred during an emergency. Currently, these teams are not able to be reimbursed unless the matter becomes a federal disaster.

Testifying for the bill were Senator Munzlinger; Missouri Broadcasters Association; and Robert Wylie, Missouri Association of Career Fire Districts.

OPPONENTS: There was no opposition voiced to the committee.