

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 6,  
2 Section 190.094, Line 12, by inserting after all of said section and line the following:

3  
4 "190.096. 1. This section shall be known and may be cited as the "Tactical Response to  
5 Traumatic Injuries Act".

6 2. For purposes of this section, "trauma public access kit" or "trauma PAK" means a first aid  
7 response kit that contains at least all of the following:

8 (1) Two tourniquets;

9 (2) Two pressure dressings that are inspected for replacement no less than every three years;

10 (3) Four chest seals that are inspected for replacement no less than every three years;

11 (4) Medical materials and equipment similar to those described in subdivisions (1), (2), and  
12 (3) of this subsection, and any additional items that are approved by local law enforcement or first  
13 responders, that adequately treat a traumatic injury, and can be stored in a readily available kit; and

14 (5) Instructional documents based upon nationally or internationally recognized evidence-  
15 based treatment recommendations, guidelines, and programs.

16 3. In order to ensure public safety, a person or entity that supplies a trauma kit may provide  
17 the person or entity that acquires the trauma kit with all information governing the use, installation,  
18 operation, training, and maintenance of the trauma kit.

19 4. The placement of trauma PAKs in public or private buildings, facilities, or structures is  
20 voluntary, but this shall not preclude any state agency or political subdivision from adopting  
21 mandatory building standards requiring the placement of PAKs in public buildings, facilities, or  
22 structures. If any person or entity places or requires the placement of PAKs in private buildings,  
23 facilities, or structures, then such persons or entities shall comply with the requirements of  
24 subsection 5 of this section in order for such person or entity, or any agents thereof, to claim  
25 immunity from civil damages under subsection 6 of this section.

26 5. In order to ensure public safety, the entity responsible for managing the building, facility,  
27 or tenants of a structure in which a trauma PAK is placed that is an occupied structure shall do all of  
28 the following:

29 (1) Comply with all regulations governing the placement of a trauma PAK;

30 (2) Inspect all trauma PAKs acquired and placed on the premises of a building, facility, or  
31 structure every three years from the date of installation to ensure that all materials, supplies, and  
32 equipment contained in the trauma PAK are not expired, and replace any expired materials, supplies,  
33 and equipment as necessary;

34 (3) Restock the trauma PAK after each use and replace any materials, supplies, and  
35 equipment as necessary to ensure that all materials, supplies, and equipment required to be  
36 contained in the trauma PAK are contained in the trauma PAK;

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1       (4) At least once per year, notify tenants of the building, facility, or structure of the location  
2 of the trauma PAK and provide information to tenants regarding contact information for training in  
3 the use of the trauma PAK; and

4       (5) Provide tenants with instructions in the use of the trauma PAK from the training  
5 programs described in subdivision (5) of subsection 2 of this section.

6       6. Notwithstanding any other provision of law, a person or entity that acquires and places a  
7 trauma kit for emergency care in a structure shall not be liable for any civil damages resulting from  
8 any acts or omissions in the rendering of emergency care by use of the trauma kit if that person or  
9 entity has complied with subsection 5 of this section.

10       7. Any person who gratuitously and in good faith renders emergency care or treatment by  
11 the use of a trauma PAK at the scene of an emergency shall not be held liable for any civil damages  
12 as a result of such care or treatment, unless the person acts in a willful and wanton or reckless  
13 manner in providing the care or treatment. The person or entity who provides appropriate training  
14 to the person using the trauma PAK, the person or entity responsible for the site where the trauma  
15 PAK is located, the person or entity that owns the trauma PAK, the person or entity that provided  
16 clinical protocol for trauma PAK sites or programs, and the person or entity that reviews and  
17 approves the clinical protocol shall likewise not be held liable for civil damages resulting from the  
18 use of a trauma PAK. Nothing in this section shall affect any claims brought pursuant to chapter  
19 537 or 538. The protections specified in this section shall not apply in the case of personal injury or  
20 wrongful death that results from the gross negligence or willful or wanton misconduct of the person  
21 who renders emergency care or treatment by the use of a trauma PAK."; and

22  
23 Further amend said bill by amending the title, enacting clause, and intersectional references  
24 accordingly.