

By Senator Abruzzo

25-00277-14

2014262__

1 A bill to be entitled
2 An act relating to motorist safety; authorizing the
3 governing body of a county to create a yellow dot
4 critical motorist medical information program for
5 certain purposes; authorizing a county to solicit
6 sponsorships and enter into an interlocal agreement
7 with another county to solicit such sponsorships for
8 the medical information program; authorizing the
9 Department of Highway Safety and Motor Vehicles and
10 the Department of Transportation to provide education
11 and training and publicize the program; requiring the
12 program to be free to participants; providing for
13 yellow dot program applications, decals, folders, and
14 participant information forms; providing procedures
15 for use of the decal, folder, and form; providing for
16 limited use of information on the forms by emergency
17 medical responders; limiting liability of emergency
18 medical responders in certain circumstances; requiring
19 the governing body of a participating county to adopt
20 guidelines and procedures to ensure that confidential
21 information is not made public; providing an effective
22 date.

23
24 Be It Enacted by the Legislature of the State of Florida:

25
26 Section 1. Yellow dot critical motorist medical information
27 program; yellow dot decal, folder, and information form.-

28 (1) The governing body of a county may create a yellow dot
29 critical motorist medical information program to facilitate the

25-00277-14

2014262__

30 provision of emergency medical care to program participants by
31 emergency medical responders by making critical medical
32 information readily available to responders in the event of a
33 motor vehicle accident or a medical emergency involving a
34 participant's vehicle.

35 (2) (a) The governing body of a county may solicit
36 sponsorships from business entities and not-for-profit
37 organizations to cover the costs of the program, including the
38 cost of decals and folders that must be provided free of charge
39 to participants. Two or more counties may enter into an
40 interlocal agreement to solicit such sponsorships.

41 (b) The Department of Highway Safety and Motor Vehicles or
42 the Department of Transportation may provide education and
43 training to encourage emergency medical responders to
44 participate in the program and may take reasonable measures to
45 publicize the program.

46 (3) Any owner or lessee of a motor vehicle may participate
47 in the program upon submission of an application and
48 documentation in the form and manner prescribed by the governing
49 body of the county.

50 (a) The application form must include a statement that the
51 information submitted will be disclosed only to authorized
52 personnel of law enforcement and public safety agencies,
53 emergency medical services agencies, and hospitals for the
54 purposes authorized in subsection (5).

55 (b) The application form must describe the confidential
56 nature of the medical information voluntarily provided by the
57 participant and must include a notice to the participant stating
58 that, by providing the medical information and signing the form,

25-00277-14

2014262__

59 he or she agrees to the disclosure of the medical information to
60 authorized personnel and their use of such information solely
61 for the purposes listed in subsection (5).

62 (c) The county may not charge a fee to participate in the
63 yellow dot program.

64 (4) A participant shall receive a yellow dot decal, a
65 yellow dot folder, and a form containing the personal and
66 medical information provided by the participant.

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

70 (b) A person who rides in a motor vehicle as a passenger
71 may also participate in the program but may not be issued a
72 decal if a decal has been issued to the owner or lessee of the
73 motor vehicle in which the person rides.

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

78 1. The participant's name.

79 2. The participant's photograph.

80 3. Emergency contact information for no more than two
81 persons.

82 4. The participant's medical information, including medical
83 conditions, recent surgeries, allergies, and current
84 medications.

85 5. The participant's hospital preference.

86 6. Contact information for no more than two physicians.

87 (5) (a) If the driver or a passenger of a motor vehicle is

25-00277-14

2014262__

88 involved in a motor vehicle accident or emergency situation and
89 a yellow dot decal is affixed to the vehicle, an emergency
90 medical responder at the scene may search the glove compartment
91 of the vehicle for the corresponding yellow dot folder.

92 (b) The use of the information contained in the yellow dot
93 folder by an emergency medical responder at the scene is limited
94 to the following purposes:

95 1. To positively identify the participant.

96 2. To ascertain whether the participant has a medical
97 condition that might impede communications between the
98 participant and the responder.

99 3. To access the medical information form.

100 4. To ensure that the participant's current medications and
101 preexisting medical conditions are considered when emergency
102 medical treatment is administered for any injury to or condition
103 of the participant.

104 (6) Except for wanton or willful conduct, an emergency
105 medical responder or his or her employer is not liable if a
106 responder disseminates or fails to disseminate any information
107 from the yellow dot folder to any other emergency medical
108 responder, hospital, or health care provider who renders
109 emergency medical treatment to the participant.

110 (7) The governing body of a participating county shall
111 adopt guidelines and procedures to prevent the public disclosure
112 of confidential information through the program.

113 Section 2. This act shall take effect July 1, 2014.