

SENATE No. 1523

The Commonwealth of Massachusetts

PRESENTED BY:

Michael F. Rush

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to requiring trauma kits in public buildings.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>	
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>2/18/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>2/18/2021</i>
<i>William M. Straus</i>	<i>10th Bristol</i>	<i>2/19/2021</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>2/23/2021</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/23/2021</i>

SENATE No. 1523

By Mr. Rush, a petition (accompanied by bill, Senate, No. 1523) of Michael F. Rush, Shawn Dooley, Steven G. Xiarhos, William M. Straus and other members of the General Court for legislation relative to requiring trauma kits in public buildings. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1337 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to requiring trauma kits in public buildings.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. This act shall be known and may be cited as “The Massachusetts Trauma
2 Response Preparedness Act”.

3 SECTION 2. Chapter 111 of the General Laws, as appearing in the 2016 Official Edition,
4 is hereby amended by inserting the following new section:-

5 "Section 237. (a) For the purposes of this section, the following terms shall have the
6 following meanings, unless the context clearly requires otherwise:

7 “Public Building”, (1) Any state or local government building that is used for a public
8 purpose, including but not limited to, public schools, town or city halls, libraries, transportation
9 facilities, and senior centers; or (2) any building that is regularly used by the general public - or

10 funded by public sources - with a listed maximum occupancy of at least 300 persons, including
11 but not limited to private and parochial schools, places of worship, meeting halls, recreational
12 facilities, entertainment venues, and sporting venues

13 “Trauma Kit”, a kit designed to contain materials to help a general bystander provide first
14 aid to another citizen suffering from a serious, life threatening bleed. At minimum kits must
15 include an adequate tourniquet, gauze, gloves, and a proper training booklet as defined by the
16 American College of Surgeons or an equivalent organization

17 “Trauma Kit Designee”, a person trained and certified by a representative of the
18 American College of Surgeons or an equivalent organization in the area of bleeding control

19 (b) All public buildings as defined by subsection (a) as well as any buildings required to
20 house an AED pursuant to section 78A of chapter 93 and section 54C of chapter 71 shall be
21 required to have clearly visible, centrally located, and easily accessible trauma kits as defined by
22 subsection (a) ready for use at all times. The number of trauma kits required per building shall
23 be determined by a formula, which shall take into account the maximum capacity of said
24 building, to be promulgated by the Secretary of Health and Human Services. Said formula shall
25 be informed by the research of the American College of Surgeons.

26 (c) Any building falling under the purview of subsection (b) shall be required to have on
27 staff an appropriately qualified trauma kit designee as defined by subsection (a) at all times

28 (d) For the purposes of organizational efficiency, buildings falling under the purview of
29 subsections (b) and (c) as well as section 78A of chapter 93 or section 54C of chapter 71 may
30 share the same storage space for the AED device and the trauma kit as well as designate the same
31 person both an AED provider and Trauma Kit Designee

32 (e) Any person who, in good faith, attempts to render emergency care including, but not
33 limited to, bleeding control, and does so without compensation, shall not be liable for acts or
34 omissions, other than gross negligence or willful or wanton misconduct, resulting from the
35 attempt to render such emergency care."

36 SECTION 3. Section 8A of Chapter 69 of the General Laws is hereby amended by
37 inserting at the end thereof the following:-

38 "(8) The availability and location of trauma kits and those personnel designated as trauma
39 kit designee"

40 SECTION 4. Section 5 of chapter 44B of the General Laws is hereby amended by
41 inserting at the end thereof the following:-

42 "A city or town may appropriate money in any year from the Community Preservation
43 Fund for the procurement of trauma kits and a trauma kit designee in a town or city owned
44 building or a public school facility pursuant to section 237 of chapter 111."