

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

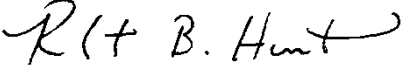
No. 1512

H.P. 1036

House of Representatives, April 25, 2017

An Act To Protect the Health and Safety of First Responders

Submitted by the Department of Public Safety pursuant to Joint Rule 204.
Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Representative HARRINGTON of Sanford.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 17-A MRSA §752-F** is enacted to read:

3 **§752-F. Willful exposure of a first responder to body fluids**

4 1. As used in this section, unless the context otherwise indicates, the following
5 terms have the following meanings.

6 A. "Aggressive blood-borne pathogen" means a blood-borne pathogen whose
7 pathology is such that a person who has been exposed to the pathogen must receive
8 medical treatment to have a chance to effectively neutralize the pathogen.

9 B. "Body fluids" means body fluids that are excreted or secreted from the body,
10 including, but not limited to, urine, feces, blood or saliva.

11 C. "Emergency medical care provider" has the same meaning as in section 752-C,
12 subsection 2.

13 D. "Firefighter" has the same meaning as in section 752-E, subsection 2.

14 E. "First responder" means a law enforcement officer, firefighter or emergency
15 medical care provider.

16 2. A person is guilty of willful exposure of a first responder to body fluids if the
17 person, knowing the person is infected with an aggressive blood-borne pathogen,
18 intentionally, knowingly or recklessly causes any of the person's body fluids to be
19 exposed to a first responder while the first responder is performing official duties.

20 3. Willful exposure of a first responder to body fluids is a Class C crime.

21 **Sec. 2. 22 MRSA §832-A** is enacted to read:

22 **§832-A. Emergency blood-borne pathogen testing**

23 1. Definitions. As used in this section, unless the context otherwise indicates, the
24 following terms have the following meanings.

25 A. "Aggressive blood-borne pathogen" means a blood-borne pathogen whose
26 pathology is such that a person who has been exposed to the pathogen must receive
27 medical treatment to have a chance to effectively neutralize the pathogen.

28 B. "Body fluids" means body fluids that are excreted or secreted from the body,
29 including, but not limited to, urine, feces, blood or saliva.

30 C. "Emergency medical care provider" has the same meaning as in Title 17-A,
31 section 752-C, subsection 2.

32 D. "Firefighter" has the same meaning as in Title 17-A, section 752-E, subsection 2.

33 E. "First responder" means a law enforcement officer, firefighter or emergency
34 medical care provider.

