
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 185

Session of
1981

INTRODUCED BY COCHRAN, RIEGER, COLE, GRAY, MCINTYRE,
PUCCIARELLI AND MAIALE, JANUARY 26, 1981

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 26, 1981

AN ACT

1 Requiring arresting and custodial officers to examine certain
2 persons for medical bracelets or necklaces, to take action on
3 the discovery thereof and providing a penalty.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Duty of arresting officer.

7 (a) Whenever a law enforcement officer arrests a person who
8 is unconscious, semiconscious or otherwise apparently suffering
9 from a disabling condition and unable to provide information on
10 the cause of the condition, he shall make a reasonable effort to
11 determine whether the person arrested is wearing a bracelet or
12 necklace containing the emergency alert symbol of the Medic
13 Alert Foundation to indicate that he suffers from diabetes,
14 epilepsy, a cardiac condition, or any other form of illness
15 which would cause a loss of consciousness. If such symbol is
16 found indicating that the person being arrested suffers from
17 such a condition, the officer shall make a reasonable effort to
18 have appropriate medical care provided.

1 (b) Failure of a law enforcement officer to make a
2 reasonable effort to discover such an emergency alert symbol
3 shall not constitute negligence, but may be considered along
4 with other evidence to determine whether the officer made a
5 reasonable effort to have appropriate medical care provided for
6 the person in his custody.

7 (c) A person who is provided medical care under the
8 provisions of this section shall be liable for the reasonable
9 costs of that care unless he is indigent.

10 Section 2. Duty of custodial officer.

11 (a) Whenever a custodial officer of a lockup, jail or other
12 correctional facility takes custody of a prisoner who is
13 unconscious, semiconscious or otherwise apparently suffering
14 from a disabling condition and unable to provide information on
15 the cause of the condition he shall make a reasonable effort to
16 determine whether the prisoner is wearing a bracelet or necklace
17 containing the emergency alert symbol of the Medic Alert
18 Foundation to indicate that he suffers from diabetes, epilepsy,
19 a cardiac condition or any other form of illness which would
20 cause a loss of consciousness. If such a symbol is found
21 indicating that the prisoner suffers from such a condition the
22 officer shall make a reasonable effort to have appropriate
23 medical care provided.

24 (b) Failure of a custodial officer of a lockup, jail or
25 other correctional facility to make a reasonable effort to
26 discover such an emergency alert symbol shall not constitute
27 negligence but may be considered along with other evidence to
28 determine whether the officer made a reasonable effort to have
29 appropriate medical care provided for the prisoner in his
30 custody.

1 (c) A prisoner who is provided medical care under the
2 provisions of this section shall be liable for the reasonable
3 costs of that care unless he is indigent.

4 Section 3. Penalty for false representation of condition.

5 Willful false representation of the existence of diabetes,
6 epilepsy, a cardiac condition or other disabling condition
7 producing an apparent inability to provide information as to the
8 cause of the condition shall be a misdemeanor of the third
9 degree.

10 Section 4. Effective date.

11 This act shall take effect in 60 days.