

**CHAPTER 54****( SB 55 )**

AN ACT relating to veterans at risk.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 39F.010 is amended to read as follows:

The following definitions apply in this chapter unless the context otherwise requires:

- (1) "Developmental disability" has the same meaning as in KRS 387.510;
- (2) "General rescue squad" means a rescue squad which performs one (1) or more of the following functions as a stated mission of the organization:
  - (a) Light duty rescue;
  - (b) Extrication of persons from vehicles;
  - (c) Water rescue and recovery operations not utilizing divers;
  - (d) Search for lost, trapped, or missing persons not utilizing dogs;
  - (e) Low angle rescue and recovery operations; and
  - (f) High angle rescue and recovery operations;
- (3) "Impaired person" means a person who has a known or reported:
  - (a) Developmental disability, including but not limited to autism, or traumatic brain injury and whose disappearance poses a credible threat to the health or safety of the person, as determined by the Department of Kentucky State Police or a local law enforcement agency; or
  - (b) Physical, mental, or cognitive impairment or organic brain disorder, including but not limited to Alzheimer's disease, and whose disappearance poses a credible threat to the health or safety of the person, as determined by the Department of Kentucky State Police or a local law enforcement agency;
- (4) "Reports and notification" means the reporting and notification of any search and rescue mission to the appropriate agency or person in the manner as specified by this chapter;
- (5) "Rescue" means gaining access, rendering appropriate care, and transporting of a person or persons by whatever means, to a safe environment for appropriate care;
- (6) "Rescue squad" means any organization which engages in the search for lost persons, rescue of persons, rescue of persons who are trapped or who are in need of rescue services, search for and recovery of drowned persons, or any other rescue related activity. "Rescue squad" shall not include the rescue of persons from a fire by a fire department, the extrication of persons from a vehicle or other activities which an emergency medical technician, emergency medical technician first responder, or paramedic is authorized to perform pursuant to applicable statutes and administrative regulations, if the activities are performed by a person for an ambulance service or in the role of a first responder. If these activities are performed other than as a first responder or in the role of an ambulance service and are involved in rescue operations, they come within the purview of activities of a rescue squad;
- (7) "Search" means the process of looking for a person or persons whose location is not precisely known, and who may be in distress;
- (8) "Search and rescue" ("SAR") means the process of looking for a lost, missing, or overdue person or persons who may be in distress, and rendering care with the use of appropriately trained and adequately equipped personnel;
- (9) "Search and rescue mission" includes, but is not limited to, searching for a missing or lost person or persons, cave rescue, high angle or rough terrain rescue, urban search and rescue, dive rescue and recovery of drowning victims, inland water search, rescue, and recovery. "Search and rescue" may also include any mission permitted pursuant to this chapter. A "search and rescue mission" does not include mine rescue missions under the jurisdiction of the Department for Natural Resources pursuant to KRS Chapter 351;

- (10) "Specialized rescue squad" means a rescue squad which performs one (1) or more of the following functions as the primary or sole mission of the organization:
- (a) Cave rescue;
  - (b) Search utilizing dogs for lost, trapped or missing persons;
  - (c) Search for lost, trapped or missing persons, aircraft, or vehicles, utilizing aircraft, but does not apply to licensed air ambulances, active or reserve military organizations, the National Guard, or the Civil Air Patrol; and
  - (d) Water rescue and recovery operations utilizing divers;
- (11) "Traumatic brain injury" has the same meaning as in KRS 211.470;~~and~~
- (12) ***"Veteran at risk" means a veteran or an active-duty member of the Armed Forces, the National Guard, or a military reserve component of the United States who is known to have a physical or mental health condition, to include post-traumatic stress disorder (PTSD), that is related to his or her service; and***
- (13) "Victim recovery" means the search for and the removal to the jurisdiction of the coroner of the remains of a person known or believed to be dead. If the person is found alive, it includes rescue of the person.

➔Section 2. KRS 39F.180 is amended to read as follows:

- (1) All 911 centers and dispatch centers, law enforcement agencies, law enforcement dispatchers, fire departments, rescue squads, emergency medical service agencies, and emergency management agencies shall report the information required to be reported by administrative regulation, for all reports of persons missing, lost, or overdue, if a search for the lost person has lasted for more than two (2) hours to:
    - (a) The local emergency management director; and
    - (b) The local search and rescue coordinator for the jurisdiction in which the person is reported missing.
  - (2) (a) Any search for a missing minor, as that term is defined in KRS 2.015, shall be immediately reported to the Department of Kentucky State Police by the person or organization to whom the missing minor is reported.
  - (b) A search for an impaired person as defined in KRS 39F.010(3)(a) shall immediately be reported as a Golden Alert D to the local emergency management director, local search and rescue coordinator if different from the local emergency manager, local media outlets, and the duty officer of the Division of Emergency Management by the person managing the search or by the organization conducting the search.
  - (c) A search for an impaired person as defined in KRS 39F.010(3)(b) shall immediately be reported as a Golden Alert to the local emergency management director, local search and rescue coordinator if different from the local emergency manager, local media outlets, and the duty officer of the Division of Emergency Management by the person managing the search or by the organization conducting the search. The provisions of this section do not apply to any licensed long-term health care provider conducting a search for a missing resident until the provider requests a search by a person or organization specified in subsection (1) of this section.
  - (d) ***A search for a veteran at risk shall immediately be reported as a Green Alert to the local emergency management director, local search and rescue coordinator if different from the local emergency management manager, local media outlets, and the duty officer of the Division of Emergency Management by the person managing the search or by the organization conducting the search. The provisions of this section do not apply to any licensed long-term health care provider conducting a search for a missing resident until the provider requests a search by a person or organization specified in subsection (1) of this section.***
  - (e) The making of this report does not relieve the person or organization from the duty to make other notifications and reports required in this section.
- (3) Any search and rescue mission which has lasted four (4) hours without the subject being located shall be immediately reported to the duty officer of the Division of Emergency Management by telephone or radio.
  - (4) The results of each lost, missing, or overdue person report or search mission required to be reported under subsections (1) to (3) of this section shall be reported to the division and the local director on forms provided

by the division and containing the information required by administrative regulation. The report shall be filed within twenty (20) days after:

- (a) The search and rescue mission is discontinued; or
  - (b) The victim has not been found and a decision is made to keep the case open or continue searching on a limited basis, whichever occurs earlier.
- (5) Each agency required to notify a local emergency management director or the division of a report of a missing person, or a search mission pursuant to this section shall develop a written standard operating procedure for handling and reporting requests to search for missing, lost, or overdue persons. This standard operating procedure shall be a public record.
  - (6) The contents of reports, information to be conveyed upon notification, and other matters relating to the administration of this section and the securing of information required hereby shall be specified by the division by administrative regulations.
  - (7) There is no requirement in Kentucky to delay the search for or rescue of any lost, missing, or overdue person. Any person who is reported lost, missing, or overdue, adult or child, may be searched for immediately by any emergency management, fire, law enforcement, emergency medical services, search and rescue, rescue squad, or other similar organization to which a missing or overdue person is reported. No public safety answering point, emergency dispatch center, or 911 center shall delay any call reporting a person lost, overdue, or missing to the organization specified in the county search and rescue annex of the county emergency management plan as responsible for searching for lost, missing, or overdue persons.

**Signed by Governor March 22, 2019.**