

DOWNLOAD PDF EMERGENCY RESPONSE AND EMERGENCY MANAGEMENT LAW

Chapter 1 : Emergency Management | Office of the Texas Governor | Greg Abbott

This second edition is a major revision and update of Emergency Response and Emergency Management Law. As the first text to be published on emergency response and emergency management law this book provides an understanding of the legal challenges faced on a daily basis by the front-line troops in emergent situations.

The Operations Chief will be designated based on the type of incident and the operational expertise needed. The Incident Command Response Team consists of representatives listed above as well as others with the authority to allocate resources in order to appropriately respond to an emergency. The Team is responsible for the development of this Emergency Response Plan and its implementation. Academic Affairs Officer Provost: A representative from the Office of the Provost will serve as a member of the Command Center as the primary liaison between the Command Center and the Deans and Faculty. The Office of the Provost will also work with the Incident Commander and Public Relations to craft messages that will be recommended to the President. These messages will be relayed to faculty, staff, students, and the public regarding the event. EHS personnel are on-call at all times and will respond to incidents, assume command as necessary, and provide guidance and expertise to ensure appropriate response and proper cleanup and disposal. EHS coordinates the emergency response planning process and maintains the most up-to-date Emergency Response Plan. Security Officer Public Safety: The Security Officer is the university official that is the advisor to the Incident Commander regarding all matters concerning public safety. Public Safety is first responder, thus it responds to all calls for service and addresses any situation it encounters. In the event of an emergency, Public Safety will respond to the incident, assume command, declare a Phase A Emergency, assist and protect life and property, secure the area, and make necessary notifications as required by the situation at hand. Public Safety coordinates responses by the Boston and Brookline Police Departments, the Boston and Brookline Fire Departments, the Massachusetts State Police, and any other law enforcement or fire protection agency required by the situation. The PIO is responsible for compiling, examining, appraising, coordinating, and sharing accurate information which should be accessible and distributed in a timely fashion to both internal and external audiences. Since outside agencies such as the Fire Department usually provide information to the media directly, PR will identify outside agency spokespersons and coordinate information dissemination with them. This information is often picked up and shared directly on media channels as well. The Legal Officer is responsible for providing legal advice and representation to appropriate university officials. In the event of an emergency, OGC will advise the Incident Commander and other university officials on compliance with federal, state, and local laws and regulations. Incident dependent The Operations Chief is tasked with the direct management of all incident-related tactical activities for an assigned operational period. The Operations Section under this position is charged with implementing strategic activities in order to lessen the immediate hazard, save lives and property, maintaining control of the situation, and restoration of normal organizational operations. Emergency Management The Planning Chief is tasked with creating an action plan to achieve objectives such as gathering and analyzing information and managing the status of resources. The Planning Section under this position is responsible for compiling, examining, and circulating incident situation information and intelligence to the Incident Commander as well as incident management personnel. Emergency Management EMD will provide recommendations related to emergency management planning, training, and response coordination. EMD, as part of EHS, may assume command during incidents and will participate in the development and implementation of emergency response plans, risk reduction initiatives, and risk prevention measures and serves as liaison to local, state, and federal emergency management agencies. The Logistics Section under this position is tasked with attaining, administering, dispensing, mobilizing, and demobilizing items such as supplies, equipment, transportation, security, food, communications and information technology support, emergency responder medical services, etc. FMP is responsible for the management of all university properties, provides routine maintenance, custodial services, construction

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management and hours a day response for emergency service. Staff is trained to provide mechanical, electrical, and plumbing solutions to failures of university systems as well as those from utility companies.

Information Services and Technology The Information Services and Technology Chief is responsible for monitoring and managing all University information systems to support the tactical operations during an incident. Information Services acts as a clearinghouse for computer security information and coordinator for computer security incidents. In the event of an emergency situation, the team works with the local system administrator to identify the problem and assess the risks and impact on the user community. The team determines the scope of isolation necessary to contain and repair the damage, installs preventive measures, and brings the system back online and reconnects it to the network. This position is required to record utilizations and costs and report it to Incident Command. Incident management may require additional incident-specific or on-scene administrative assistance and may involve vendor contracts, cost analysis, recordation of personal time, and administration of compensation claims.

Student Affairs Branch Dean of Students: The Student Affairs Branch is a branch within the Logistics Section responsible for providing personnel, equipment, and supplies to support student life and includes Student Health, Enrollment and Admissions services. The Student Affairs Branch Director will be alerted to any event that requires the Command Center to be activated and will coordinate all activities relating to student life, including preparing a script based on information obtained through the Command Center to relay to concerned students and parents.

Support Branch Facilities Management and Planning: The Support Branch is a branch within the Logistics Section responsible for providing personnel, equipment, and supplies to support incident operations and includes, as needed, Supply, Facilities, and Ground Support Units.

Service Branch Assigned by Logistics Chief: The Service Branch is a branch within the Logistics Section responsible for service activities at the incident and includes, as needed, Communications, Medical, and Food Units.

The Residence Life staff is responsible for conducting orderly and efficient evacuations of the Boston University residence halls. Each residence hall has a written emergency evacuation plan and Resident Assistant staff is trained to implement this plan. As part of this training, RL conducts evacuation drills each fall in all large residence halls. Additionally, Residence Life will ensure that evacuated students and their parents receive information concerning the cause and duration of the evacuation, and that they receive appropriate and necessary resources during the crisis, such as alternate accommodations and counseling services, if necessary. RL has access to a Crisis Intervention Counselor and other mental health professionals to assist students. Housing is responsible for providing alternate accommodations during incidents that require the evacuation and relocation of students residing in university housing. Residential Safety staff will assist all departments in access control of the larger residences during an emergency. Risk Management is immediately notified of any incident involving heavy property damage, an environmental spill, or in the case of serious bodily injury to employees, students, or outside parties. RM is responsible for notification to the applicable insurance carrier or Third Party Administrator.

Student and Occupational Health Services: Health Services medical personnel may be directed to go to the disaster site and help take care of injured or sick patients.

Telecommunications Telecom responsible for the provision of telephone and related communications services, support systems, and facilities. Telecom is also responsible for the readiness of the primary disaster recovery Command Center. Telecom is also responsible for the promulgation of announcements to the university community via the voicemail system. Telecom is a unit of IST.

Human Resources are responsible for notifying university departments and employees of a decision to: Human Resources advise departments as to pay procedures resulting from the decision.

Boston Medical Center Emergency Preparedness: Emergency Phases The three emergency phases are as follows: Phase A Advisory A Phase A Advisory is the initial response of the University to the report of a potential emergency situation or an actual event when the impact on the university is uncertain. For example, a Phase A Advisory might involve a large fire, an approaching blizzard or hurricane, or building system failures that may extend for more than a few hours or involve multiple buildings. A Phase A Advisory allows the university to notify and, if appropriate, assemble the Emergency Response

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Team at the Command Center or another location. Departments identified in this plan are responsible for contacting those employees within their department who have specific duties to perform during an emergency incident. The Incident Commander may decide to activate the Command Center or may manage the incident from the location where it occurs, depending on the situation. The Incident Commander may terminate a Phase A Advisory if the situation is under control and the response can be handled by routine operations. The Incident Commander determines the need to advance to Phase B. For example, a Phase B Emergency might involve a blizzard or hurricane, a fire in multiple buildings, extended or wide-spread power failures, or a significant chemical, biological, or radiation release on campus. The purpose of Phase B response is to quickly mobilize personnel and resources necessary to deal effectively with the incident at hand. Other key department personnel will report immediately to their assigned areas or to their supervisor for instruction. At this level, all Incident Command Response Team members will report to the Command Center and key personnel will immediately report to their assigned areas. A Phase C Emergency dictates the transfer of overall university response coordination to the Command Center. Declaration of a Phase C Emergency requires specific administrative concurrence. If none of the above persons can be contacted in a reasonable period of time, and the delay involved in obtaining joint concurrence jeopardizes operations, a mobilization may be authorized by the two most senior managers involved in the Phase B response. Upon notification of a Phase C Emergency, all personnel will report immediately to their assigned areas or to their supervisor. Phase C may be terminated or downgraded by the Incident Commander when it becomes apparent that the levels of resources being utilized are no longer required. Notification of an Emergency Situation and Declaration of Emergency Phases

Large incidents usually start small and Boston University utilizes the BU Incident Notification System to alert key personnel of a situation that may warrant their attention. Public Safety and FMP control technicians are responsible for sending out the initial notifications and updates. Upon receipt of reliable information about a large-scale emergency or potential emergency, the recipient will immediately contact Public Safety for determination of the proper notifications and emergency phase-level for the Incident Command Response Team. The notification will include a short description of the situation, the level of emergency or anticipated level, and the reporting location, e. Incident Command Post or Command Center. If the situation warrants immediate action, Public Safety will initiate the appropriate steps to protect the lives and property of Boston University students, patients, visitors, faculty, staff and the community. These actions may include the declaration of an emergency phase-level, the response to meet that level of emergency, and utilization of the Boston University Emergency Alert Service. Public Safety will convey those actions at the earliest time to the Incident Commander. Command Center

When Incident Command Response Team members are instructed to report to the Command Center, they should report as soon as possible or send their alternate. Incident Command Response Team members should bring a copy of the Emergency Response Plan and contact information for their staff. This will require the installation of telephones, radio consoles, scanners, and other communications equipment and the activation of the Command Center telephone. Public Safety will secure the Command Center. Procedures for the establishing the Command Center includes: They will set-up the Command Center in accordance with procedures for establishing a Command Center. Locations for the Command Center include the following: Charles River and Fenway Campuses: The first floor of the Moakley Building. School of Public Health Auditorium in the Evans Building basement If necessary, other locations may be designated, including relocating from the Charles River Campus to the Medical Campus or vice versa and off-campus locations. The Incident Commander will temporarily assign a member of the Command Center to answer and manage the telephones until permanent support can be summoned. The Incident Commander will create a schedule for managing the telephones with the available support staff. Every effort will be made to acquire telephone support, so Incident Command Response Team members are not answering telephones. Information will be reviewed quickly so it may be disseminated, as deemed appropriate, to those calling the Command Center. This information will be updated as new information is received, with a minimum time-frame of minutes.

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Chapter 2 : Oregon Office of Emergency Management : OEM Home Page : State of Oregon

The emergency response law section begins with the duty to respond First, emergency response law is considered with the goal of providing an understanding of the legal challenges faced on a daily basis by the front line troops in emergent situations.

Description based on print version record. Includes bibliographical references and index. Partial contents
Section I. Duty to act ; Who must act? Hot pursuit ; Vehicle accident ; Criminal liability for emergency vehicle accident
4. Delayed dispatch ; Dispatch standards, infliction of mental distress, and creation of new law
5. Documentation and liability protection ; Patient consent ; Treatment of minor patients ; Good Samaritan acts ; Delayed response
6. Fiscal year NIMS implementation objectives
7. Hazardous materials incidents and terrorism ; 29 CFR Traditional legal standards for volunteers ; The Volunteer Protection Act of ; Licensing and liability of volunteer emergency management workers ; Who is a volunteer? State emergency management statute ; Michael S. State and local responsibilities: Indiana Code state planning responsibilities ; The structure and responsibilities of state and local emergency management authorities A brief history of Federal emergency management: Federal emergency management grants: Difficulties in mitigating legal exposure: Introduction ; The requirements for competent legal counsel and the consideration of legal issues ; Anecdotal information regarding local legal counsel and local emergency management coordinators ; Existing research on the relationship between LGAs and EMCs ; Training for LGAs and EMCs on legal issues in emergency management ; Conclusion Legal steps for mitigation: Quantifying legal risk ; Mitigation case Potential negligence liability in emergency management: Introduction ; Statutory immunity provisions ; Application of traditional governmental immunity tests to emergency management in litigation ; Conclusion Limited English proficient LEP populations and emergency management: Introduction ; Legal requirements and standards for the provision of language services ; Overview of the language services profession ; The need for greater awareness of language issues in the emergency management field ; The role of professional interpreter and translator associations in LEP access ; Federal and state court interpreter certification programs ; Language services initiatives in the public and private sectors ; FEMA and other website materials in languages other than English LOEs ; The need for recruitment of fluent bilingual EM staff personnel ; Use of the Internet and social networking sites like Facebook in the emergency management field ; Conclusion Emergency preparedness and the court system Introduction ; The law ; Lessons learned, or forgotten? The ethical imperative Local disaster or emergency ordinance ; Appendix B: Web sites of interest to emergency responders and emergency managers ; Appendix C: Emergency planning web resources.

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Chapter 3 : Statutes & Constitution :View Statutes : Online Sunshine

Emergency Response and Emergency Management Law. , Springfield, IL: Charles C. Thomas Publisher, Ltd. Nicholson, William C. b. "Integrating Local, State and Federal Responders and Emergency Management: New Packaging and New Controls," Journal of Emergency Management 1(15),

State policy for responding to disasters is to support local emergency response efforts. In the case of a major or catastrophic disaster, however, the needs of residents and communities will likely be greater than local resources. In these situations, the state must be capable of providing effective, coordinated, and timely support to communities and the public. Therefore, the Legislature hereby determines and declares that the provisions of this act fulfill an important state interest. Disasters shall be identified by the severity of resulting damage, as follows: Specific emergency management responsibilities include, but are not limited to: The division is responsible for coordination with efforts of the Federal Government with other departments and agencies of state government, with county and municipal governments and school boards, and with private agencies that have a role in emergency management. In performing its duties, the division shall: The division must adopt the plan as a rule in accordance with chapter The plan shall be implemented by a continuous, integrated comprehensive emergency management program. The plan must contain provisions to ensure that the state is prepared for emergencies and minor, major, and catastrophic disasters, and the division shall work closely with local governments and agencies and organizations with emergency management responsibilities in preparing and maintaining the plan. The state comprehensive emergency management plan shall be operations oriented and: Include an evacuation component that includes specific regional and interregional planning provisions and promotes intergovernmental coordination of evacuation activities. This component must, at a minimum: Include a shelter component that includes specific regional and interregional planning provisions and promotes coordination of shelter activities between the public, private, and nonprofit sectors. Include a postdisaster response and recovery component that includes specific regional and interregional planning provisions and promotes intergovernmental coordination of postdisaster response and recovery activities. This component must provide for postdisaster response and recovery strategies according to whether a disaster is minor, major, or catastrophic. The postdisaster response and recovery component must, at a minimum: Include additional provisions addressing aspects of preparedness, response, recovery, and mitigation as determined necessary by the division. Address the need for coordinated and expeditious deployment of state resources, including the Florida National Guard. In the case of an imminent major disaster, procedures should address predeployment of the Florida National Guard, and, in the case of an imminent catastrophic disaster, procedures should address predeployment of the Florida National Guard and the United States Armed Forces. Establish guidelines and schedules for annual exercises that evaluate the ability of the state and its political subdivisions to respond to minor, major, and catastrophic disasters and support local emergency management agencies. Such exercises shall be coordinated with local governments and, to the extent possible, the Federal Government. Assign lead and support responsibilities to state agencies and personnel for emergency support functions and other support activities. The complete state comprehensive emergency management plan shall be submitted to the President of the Senate, the Speaker of the House of Representatives, and the Governor on February 1 of every even-numbered year. The standards and requirements must ensure that county plans are coordinated and consistent with the state comprehensive emergency management plan. If a municipality elects to establish an emergency management program, it must adopt a city emergency management plan that complies with all standards and requirements applicable to county emergency management plans. Emergency management drills, tests, or exercises of whatever nature. Warnings and signals for tests and drills, attacks, or other imminent emergencies or threats thereof and the mechanical devices to be used in connection with such warnings and signals. This shall include an intensive public educational campaign on emergency preparedness issues, including, but not limited to, the personal responsibility of individual citizens to be self-sufficient for

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up to 72 hours following a natural or manmade disaster. The public educational campaign shall include relevant information on statewide disaster plans, evacuation routes, fuel suppliers, and shelters. All educational materials must be available in alternative formats and mediums to ensure that they are available to persons with disabilities. In establishing such schedule, the division shall consider facility size, review complexity, and other factors. This shall include a continuous training program for agencies and individuals that will be called on to perform key roles in state and local postdisaster response and recovery efforts and for local government personnel on federal and state postdisaster response and recovery strategies and procedures. The inventory must identify, at a minimum, the location of each generator, the number of generators stored at each specific location, the agency to which each generator belongs, the primary use of the generator by the owner agency, and the names, addresses, and telephone numbers of persons having the authority to loan the stored generators as authorized by the division during a declared emergency. In addition, the division may keep a list of private entities, along with appropriate contact information, which offer generators for sale or lease. The list of private entities shall be available to the public for inspection in written and electronic formats. In addition, the division may adopt rules in accordance with chapter to administer and distribute federal financial predisaster and postdisaster assistance for prevention, mitigation, preparedness, response, and recovery. The registration shall identify those persons in need of assistance and plan for resource allocation to meet those identified needs. The registration program must be developed by January 1, , and fully implemented by March 1, The division shall develop a brochure that provides information regarding special needs shelter registration procedures. All appropriate agencies and community-based service providers, including aging and disability resource centers, memory disorder clinics, home health care providers, hospices, nurse registries, and home medical equipment providers, shall, and any physician licensed under chapter or chapter may, assist emergency management agencies by annually registering persons with special needs for special needs shelters, collecting registration information for persons with special needs as part of the program intake process, and establishing programs to educate clients about the registration process and disaster preparedness safety procedures. A client of a state-funded or federally funded service program who has a physical, mental, or cognitive impairment or sensory disability and who needs assistance in evacuating, or when in a shelter, must register as a person with special needs. The registration program shall give persons with special needs the option of preauthorizing emergency response personnel to enter their homes during search and rescue operations if necessary to ensure their safety and welfare following disasters. An initial notification upon the activation of new residential service with the electric utility, followed by one annual notification between January 1 and May 31; or 2. Two separate annual notifications between January 1 and May The notification may be made by any available means, including, but not limited to, written, electronic, or verbal notification, and may be made concurrently with any other notification to residential customers required by law or rule. Local law enforcement agencies shall be given complete shelter roster information upon request. These provisions shall include, but shall not be limited to: The Department of Agriculture and Consumer Services shall assist the division in determining strategies regarding this activity. Pursuant to this responsibility, there is established within the Department of Agriculture and Consumer Services a state agricultural response team. The agency, by July 15, annually, shall publish on the Internet an emergency telephone number that may be used by nursing homes and assisted living facilities to contact the agency on a schedule established by the agency to report requests for assistance. The agency may also provide the telephone number to each facility when it makes the initial facility call. The time period for the waiver of prescription medication refills may be extended in or day increments by emergency orders issued by the Office of Insurance Regulation. This section does not excuse or exempt an insured or subscriber from compliance with all other terms of the policy or contract providing prescription medication coverage. The division may not certify a person other than a person who routinely transports or distributes essentials. In developing the system, the division: Each certificate may be renewed so long as the criteria for certification are met. The Governor is authorized to delegate such powers as she or he may deem prudent. Such executive

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orders, proclamations, and rules shall have the force and effect of law. The state of emergency shall continue until the Governor finds that the threat or danger has been dealt with to the extent that the emergency conditions no longer exist and she or he terminates the state of emergency by executive order or proclamation, but no state of emergency may continue for longer than 60 days unless renewed by the Governor. The Legislature by concurrent resolution may terminate a state of emergency at any time. Thereupon, the Governor shall issue an executive order or proclamation ending the state of emergency. All executive orders or proclamations issued under this section shall indicate the nature of the emergency, the area or areas threatened, and the conditions which have brought the emergency about or which make possible its termination. An executive order or proclamation shall be promptly disseminated by means calculated to bring its contents to the attention of the general public; and, unless the circumstances attendant upon the emergency prevent or impede such filing, the order or proclamation shall be filed promptly with the Department of State and in the offices of the county commissioners in the counties to which the order or proclamation applies. For a major or catastrophic disaster, the proclamation is authority for a health care practitioner licensed in another state to assist in providing health care in the disaster area according to the provisions specified in the proclamation. For a catastrophic disaster, the proclamation constitutes a formal request for mobilization of the military, which shall be communicated to the President of the United States. However, nothing contained in ss. The provisions of s. Further, the emergency declaration extends the period remaining to exercise the rights under a permit or other authorization for 6 months in addition to the tolled period. This paragraph applies to the following: The expiration of a development order issued by a local government. The expiration of a building permit. The expiration of a permit issued by the Department of Environmental Protection or a water management district pursuant to part IV of chapter The buildout date of a development of regional impact, including any extension of a buildout date that was previously granted as specified in s. The notice must be in writing and identify the specific permit or other authorization qualifying for extension. A permit or other authorization for a building, improvement, or development located outside the geographic area for which the declaration of a state of emergency applies. A permit or other authorization under any programmatic or regional general permit issued by the Army Corps of Engineers. The holder of a permit or other authorization who is determined by the authorizing agency to be in significant noncompliance with the conditions of the permit or other authorization through the issuance of a warning letter or notice of violation, the initiation of formal enforcement, or an equivalent action. A permit or other authorization that is subject to a court order specifying an expiration date or buildout date that would be in conflict with the extensions granted in this section. The plan must identify a baseline of preparedness for a full range of potential emergencies to establish a viable capability to perform essential functions during any emergency or other situation that disrupts normal operations. Each agency is encouraged to initiate and complete development of its plan immediately, but no later than July 1, At a minimum, the annual progress report must: Assess the relevance, level, and significance of current agency efforts to address the impacts of natural hazards; and 2. Strategize and prioritize ongoing efforts to address the impacts of natural hazards. If the Governor finds that the demands placed upon these funds in coping with a particular disaster declared by the Governor as a state of emergency are unreasonably great, she or he may make funds available by transferring and expending moneys appropriated for other purposes, by transferring and expending moneys out of any unappropriated surplus funds, or from the Budget Stabilization Fund. Following the expiration or termination of the state of emergency, the Governor may transfer moneys with a budget amendment, subject to approval by the Legislative Budget Commission, to satisfy the budget authority granted for such emergency. Upon such acceptance, the division or the presiding officer or governing body of such political subdivision may authorize receipt of the gift, grant, or loan on behalf of the state or such political subdivision, subject to the terms of the offer and the rules and regulations of the agency making the offer. Upon such acceptance, the division or the presiding officer or governing body of the political subdivision may authorize receipt of the gift, grant, or loan on behalf of the state or such political subdivision, subject to the terms of the offer. The affected local government shall be required to

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provide one-half of the required match prior to receipt of such financial assistance. The surcharge shall be paid by the policyholder to the insurer. The insurer shall collect the surcharge and remit it to the Department of Revenue, which shall collect, administer, audit, and enforce the surcharge pursuant to s. The surcharge is not to be considered premiums of the insurer; however, nonpayment of the surcharge by the insured may be a valid reason for cancellation of the policy. For those policies in which the surplus lines tax and the service fee are collected and remitted to the Surplus Lines Service Office, as created under s. All penalties for failure to remit the surplus lines tax and service fee are applicable for those surcharges required to be remitted to the service office. The service office shall deposit all surcharges that it collects into the Emergency Management, Preparedness, and Assistance Trust Fund at least monthly. All proceeds of the surcharge shall be deposited in the Emergency Management, Preparedness, and Assistance Trust Fund and may not be used to supplant existing funding. The division shall establish criteria and procedures for competitive allocation of these funds by rule. No more than 5 percent of any award made pursuant to this subparagraph may be used for administrative expenses.

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Chapter 4 : Emergency response and emergency management law : cases and materials | Search Results

Emergency Response and Emergency Management Law was a required textbook for a college level course in *Emergency and Disaster Management* I was taking online with WCU while I was deployed to a major tornado disaster on behalf of DHS/FEMA.

Key Federal Laws and Policies Regarding Emergency Authority and Immunity Executive Overview This document provides a brief overview of key federal laws and policies that govern or affect state emergency preparedness and response activities. This list does not contain all relevant or controlling federal authorities, but highlights items frequently queried by state health agencies regarding emergency authority and immunity issues. Laws Emergency Management Assistance Compact EMAC “A congressionally authorized interstate mutual aid compact that provides a mechanism through which states can provide assistance to other states during emergencies. EMAC addresses reimbursement, liability, compensation, and licensure issues. Volunteers who may deploy in states under federal programs like the National Disaster Medical System or are otherwise deemed to be federal employees are covered under FECA. FTCA allows individuals to seek compensation when they are injured by federal employees acting within the scope of their duties. Volunteers of federal agencies deployed by those agencies are entitled to coverage under FTCA. National Emergencies Act NEA “Allows the president to declare a national emergency, which triggers emergency authorities contained in other federal statutes. NEA does not contain any specific emergency authority on its own but relies on the emergency authorities in other statutes, such as the Public Health Service Act. Pandemic and All Hazards Preparedness Act PAHPA “Addresses the organization of public health emergency preparedness and response activities and authorizes programs concerning medical surge capacity, the capacity of states and localities to prepare for and respond to public health emergencies, and the development of countermeasures to biological threats the Biodefense Advanced Research and Development Authority [BARDA]. The act also focuses on the needs of at-risk populations in emergency planning and response. Public Health Service Act Section “Authorizes the HHS secretary to determine that a public health emergency exists, which triggers emergency powers that permit the federal government to assist state and local governments, suspend or modify certain legal requirements, and expend available funds to address public health emergencies. A Section public health emergency declaration is separate and distinct from a presidential declaration under the National Emergencies Act or the Stafford Act. The secretary does not need a presidential declaration to issue a public health emergency declaration under Section ; however, a presidential declaration is required in addition to a Section declaration if the secretary wants to exercise waiver authority under Social Security Act Section Other sections of the Public Health Service Act, including Sections and , permit the secretary to render assistance to states and localities without declaring a public health emergency. Public Readiness and Emergency Preparedness Act PREP Act “Authorizes the HHS secretary to issue a declaration that provides immunity from tort liability for claims of loss caused by countermeasures against diseases or other threats of public health emergencies. The act covers persons and entities involved in the manufacture, testing, distribution, administration, and use of covered countermeasures. Stafford Disaster Relief and Emergency Assistance Act Stafford Act “Authorizes the delivery of federal emergency technical, financial, logistical, and other assistance to states and localities. The President can declare an emergency without first receiving a gubernatorial request if the emergency involves an area of federal primary responsibility such as a federal building. A Stafford Act declaration can be used to trigger other public health emergency response authorities such as Social Security Act Section waiver authorities. Volunteer Protection Act “Provides immunity from ordinary negligence to volunteers of nonprofit organizations or governmental entities. It does not cover gross negligence, willful misconduct, recklessness or acts committed by the volunteer while intoxicated or operating a motor vehicle. It does not cover organizational entities of any type or persons volunteering at private businesses. The act does not require a declared emergency for its protections to apply. HSPDs and PPDs

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establish policies, strategies, and frameworks directing executive agency activities on a range of homeland security matters. Directives important for public health are: National Incident Management System NIMS – A system of incident command developed by the Department of Homeland Security to coordinate emergency response efforts at all levels of government and the private sector. It is a scalable system that can be used for events and incidents of all sizes regardless of whether a federal emergency or disaster is declared under the Stafford Act. National Response Framework NRF – A Department of Homeland Security policy document that uses a national, all-hazards approach to describe and integrate roles for governments at all levels and the private sector in preparing, responding, and recovering from emergencies of all sizes, regardless of whether an emergency is declared. The NRF includes 15 Emergency Support Function ESF supplemental documents that detail the roles and responsibilities of governmental and certain private sector capacities in key areas. Relevant to public health are ESF-8 public health and medical services and ESF-6 mass care, emergency assistance, housing, and human services. National Strategy Documents – Federal legislation and directives mandated the creation of various strategies and plans to chart national emergency planning and response activities. These national strategy documents are intended to complement the National Response Framework and address plans for coordinating with state, local, territorial, and tribal governments and the private sector. This document was compiled from June-December and reviewed in May ; it reflects the laws and programs current then. It reflects only portions of the laws relevant to public health emergencies and is not intended to be exhaustive of all relevant legal authority. This resource is for informational purposes only and is not intended as a substitute for professional legal or other advice.

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Chapter 5 : Emergency response and emergency management law : cases and materials (Book,) [calendar

As the first text to be published on emergency response and emergency management law, this book addresses important topics. First, emergency response law is considered with the goal of providing an understanding of the legal challenges faced on a daily basis by the front line troops in emergent situations.

Emergency Management Planning for Emergencies and Disasters in Texas In Texas, Mayors and County Judges have responsibility for emergency preparedness and response within their local jurisdictions. Local emergency management and homeland security programs include threat identification and prevention activities, emergency planning, providing or arranging training for local officials and emergency responders, planning and conducting drills and exercises, carrying out public education relating to known hazards, designing and implementing hazard mitigation programs, coordinating emergency response operations during incidents and disasters, and carrying out recovery activities in the aftermath of a disaster. Local emergency management and homeland security organizations may be organized at the city level, at the county level or as an inter-jurisdictional program that includes one or more counties and multiple cities. Local emergency management and homeland security agencies may be identified as emergency management offices or agencies, homeland security offices or agencies, or some combination of the two. Most local governments have an Emergency Operations Center EOC staffed by members of its various departments that is activated to manage the response to major threats and incidents and coordinate internal and external resource support. Some local governments have an alternate or mobile EOC as well. Under ICS, an Incident Commander typically directs the on-scene response by local responders from a field command post set up at or near the incident site. Responders from other jurisdictions and state and federal responders that have been called on to assist when local resources are inadequate to deal with a major emergency are integrated into the local incident command system. Citizens should be aware of who their local emergency management contacts are for their county of residence. Citizens Basic Planning Materials: These requirements include transmitting the emergency message in at least two formats e. See Senate Bill from the 82nd legislative session for more information. Promotes cooperation between public service providers issuing emergency notifications and local emergency management directors. Texas Prepares Are You Ready? An In-depth page Guide to Citizen Preparedness: The following hazards are covered: The Red Cross also has materials in other languages, as well as large print and text only , to help people with disabilities prepare for a disaster. The public may register year-round. Local OEMs have the responsibility for coordinating evacuations. STEAR provides citizens with a means to voluntarily register their needs during an emergency response. This registry was developed for people who need assistance during an emergency response, including evacuation assistance during a hurricane response. The public may register for the Texas Emergency Assistance Registry year-round. Individuals registering should understand that the Emergency Assistance Registry assists emergency officials in planning for emergency events. Having your information helps to determine what kinds of services might be required during a disaster, and helps responders plan and train more effectively. Communities use the information in different ways, so realize that having your information in the registry does not guarantee that you will receive a specific service during an emergency. Registration is not a substitute for developing and maintaining your family disaster plan. Any Texan is eligible to register. There are 3 ways to register: On the internet at: For more information on the system please go to <https://www.n2n.org/> Neighbor to Neighbor Initiative The N2N or Neighbor to Neighbor is a challenge to the Disability Community and to Community organizations to reach out to citizens with and without disabilities who have medical or access and functional needs to make a personalized emergency plan in their home and neighborhood in non-disaster times. It is based on the premise of taking personal responsibility for preparedness efforts. The N2N Toolkit is based on an all hazards format to leave or shelter in place. Any organization at the local level, for example:

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Chapter 6 : Emergency Response and Emergency Management Law: Cases and Materials by William C. M

National Incident Management System (NIMS)â€”A system of incident command developed by the Department of Homeland Security to coordinate emergency response efforts at all levels of government and the private sector. It is a scalable system that can be used for events and incidents of all sizes regardless of whether a federal emergency or.

Emergency medical services -- Chap. Hazardous materials incidents -- Chap. Using volunteer resources -- Chap. Powers of governors -- Chap. State and local responsibilities -- Chap. Federal emergency management -- Chap. Potential negligence liability in emergency management -- Chap. Conclusion -- Appendix A. Web sites of interest to emergency responders and emergency managers -- Appendix B. Emergency planning Web resources -- Appendix C. State emergency management statutes -- Index. This book surveys the laws that regulate emergency responses by the fire service, hazardous materials teams, emergency medical services, law enforcement agents, and volunteer groups; relevant case law is also examined. The first section of the book addresses emergency response law, including case law. The topics addressed are the duty to act in crisis situations and who must act; training accidents; vehicle issues hot pursuit and vehicle accidents ; dispatch issues delayed dispatch and dispatch standards ; emergency medical services; managing a response; hazardous materials incidents; using volunteer resources; recovery by responders rescue ; and lessons learned for emergency responders from September The second section of the book focuses on emergency management law. A chapter on the powers of State governors compares gubernatorial powers in emergency management in various States; and a chapter on State and local responsibilities examines responsibilities and potential liabilities for emergency planning by States and local units of government. The chapter on Federal emergency management looks at the Federal structure for emergency mitigation, preparedness, response, and recovery. Other chapters in this section address potential negligence liability in emergency management and lessons learned for emergency management from September In its conclusion chapter, the book notes that one key theme in this discussion is the lack of preparedness for legal hazards of the vast majority of emergency response organizations. All too often, legal counsel is consulted only after an injured party files a lawsuit. This book is a starting point for attorneys and policymakers who want to have a part in safeguarding emergency response and emergency management from legal liability. Reviews Add a review and share your thoughts with other readers. Add a review and share your thoughts with other readers.

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These pages address the release of protected health information for planning or response activities in emergency situations. In addition, please view the Civil Rights Emergency Preparedness page to learn how nondiscrimination laws apply during an emergency.

Chapter 8 : CDC - Emergency Preparedness - Publications by Topic - Public Health Law

Build your emergency response plan using this worksheet. Protective Actions for Life Safety When there is a hazard within a building such as a fire or chemical spill, occupants within the building should be evacuated or relocated to safety.

Chapter 9 : calendrierdelascience.com: Customer reviews: Emergency Response and Emergency Management

The ESS includes emergency management, fire and Emergency Medical Services, hazardous materials teams, law enforcement, bomb squads, tactical operations/special weapons assault teams, and search and rescue.