HOUSE . . . . No. 04469

The Commonwealth of Massachusetts

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PRESENTED BY:

Ruth B. Balser

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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 passage of the accompanying bill:

An Act protecting the health and safety of people in restaurants.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:

HOUSE . . . . No. 04469

Substituted by the House, on motion of Ms. Balser of Newton, for a bill with the same title (House, No. 1462). October 9, 2012.

The Commonwealth of Massachusetts

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In the Year Two Thousand Twelve

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An Act protecting the health and safety of people in restaurants.

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

1   Chapter 94 of the General Laws is hereby amended by striking out section 305D and inserting in

2   place thereof the following section:-

3   Section 305D. Each restaurant shall have on its premises, when food is being served, an

4   employee trained in manual procedures approved by the department of public health to remove

5   food lodged in a person's throat. The department of public health shall adopt regulations listing

6   all approved manual procedures which it determines may be used effectively to remove food

7   lodged in a person's throat. Each such restaurant shall make adequate provisions for insurance to

8   cover employees trained in rendering such assistance. Any person, or employee of any person

9   who, in good faith, volunteers to remove or attempts to remove such food in an emergency shall

10   not be liable for any civil damages as a result of any acts or omissions by such person or

11   employee in rendering such emergency assistance. Take-out only restaurants, so-called, with no

12   customer seating on the premises, shall not be subject to this section.