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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2014

ENROLLED

COMMITTEE SUBSTITUTE
FOR

House Bill No. 4312

(By Delegates Stagers and Lawrence)

Passed March 8, 2014

In effect ninety days from passage.

HB 4312

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SECRETARY OF STAT**

E N R O L L E D

COMMITTEE SUBSTITUTE

FOR

H. B. 4312

(BY DELEGATES STAGGERS AND LAWRENCE)

[Passed March 8, 2014; in effect ninety days from passage.]

AN ACT to amend the Code of West Virginia, 1931, by adding thereto a new section, designated §16-4C-6c; and to amend and reenact §22A-10-1 of said code, all relating to creating a certification for emergency medical technician-industrial; establishing the certification and recertification requirements; specifying the term of the certification; restricting the practice of emergency medical technician-industrial; clarifying that emergency medical technician-industrial certification replaces emergency medical technician-miner certification; allowing the emergency medical technician-miner certification courses and examinations to be used for emergency medical technician-industrial certification; and authorizing rule-making authority for Commissioner of Bureau for Public Health in consultation with the Board of Miner Training, Education and Certification.

FILED

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Be it enacted by the Legislature of West Virginia:

WEST VIRGINIA
STATE OF STATE

That the Code of West Virginia, 1931, be amended by adding thereto a new section, designated §16-4C-6c; and that §22A-10-1 of said code be amended and reenacted, all to read as follows:

CHAPTER 16. PUBLIC HEALTH.

ARTICLE 4C. EMERGENCY MEDICAL SERVICES ACT.

§16-4C-6c. Certification requirements for emergency medical technician-industrial.

- 1 (a) Commencing July 1, 2014, an applicant for certification
- 2 as an emergency medical technician-industrial shall:
 - 3 (1) Be at least eighteen years old;
 - 4 (2) Apply on a form prescribed by the Commissioner;
 - 5 (3) Pay the application fee;
 - 6 (4) Possess a valid cardiopulmonary resuscitation (CPR)
 - 7 certification;
 - 8 (5) Successfully complete an emergency medical technician-
 - 9 industrial education program authorized by the Commissioner in
 - 10 consultation with the Board of Miner Training, Education and
 - 11 Certification; and
 - 12 (6) Successfully complete emergency medical technician-
 - 13 industrial cognitive and skills examinations authorized by the
 - 14 Commissioner in consultation with the Board of Miner Training,
 - 15 Education and Certification.
- 16 (b) The emergency medical technician-industrial
- 17 certification is valid for three years.
- 18 (c) A certified emergency medical technician-industrial is
- 19 only authorized to practice during his or her regular employment
- 20 on industrial property. For the purposes of this section,

21 "industrial property" means property being used for production,
22 extraction or manufacturing activities.

23 (d) To be recertified as an emergency medical technician-
24 industrial, a certificate holder shall:

25 (1) Apply on a form prescribed by the commissioner;

26 (2) Pay the application fee;

27 (3) Possess a valid cardiopulmonary resuscitation (CPR)
28 certification;

29 (4) Successfully complete one of the following:

30 (A) A one-time thirty-two hour emergency medical
31 technician-industrial recertification course authorized by the
32 commissioner in consultation with the Board of Miner Training,
33 Education and Certification; or

34 (B) Three annual eight-hour retraining and testing programs
35 authorized by the commissioner in consultation with the Board
36 of Miner Training, Education and Certification; and

37 (5) Successfully complete emergency medical technician-
38 industrial cognitive and skills recertification examinations
39 authorized by the commissioner in consultation with the Board
40 of Miner Training, Education and Certification.

41 (e) Commencing July 1, 2014, the certification for
42 emergency medical technician-miner, also known as emergency
43 medical technician-mining, shall be known as the certification
44 for emergency medical technician-industrial, and the
45 certification is valid until the original expiration date, at which
46 time the person may recertify as an emergency medical
47 technician-industrial pursuant to this section.

48 (f) The education program, training, courses, and cognitive
49 and skills examinations required for certification and

50 recertification as an emergency medical technician-miner, also
51 known as emergency medical technician-mining, in existence on
52 January 1, 2014, shall remain in effect for the certification and
53 recertification of emergency medical technician-industrial until
54 they are changed by legislative rule by the commissioner in
55 consultation with the Board of Miner Training, Education and
56 Certification.

57 (g) The administration of the emergency medical technician-
58 industrial certification and recertification program by the
59 commissioner shall be done in consultation with the Board of
60 Miner Training, Education and Certification.

61 (h) The commissioner shall propose rules for legislative
62 approval, pursuant to the provisions of article three, chapter
63 twenty-nine-a of this code, in consultation with the Board of
64 Miner Training, Education and Certification, and may propose
65 emergency rules, to:

66 (1) Establish emergency medical technician-industrial
67 certification and recertification courses and examinations;

68 (2) Authorize providers to administer the certification and
69 recertification courses and examinations, including mine training
70 personnel, independent trainers, community and technical
71 colleges, and Regional Educational Service Agencies (RESA):
72 *Provided*, That the mine training personnel and independent
73 trainers must have a valid cardiopulmonary resuscitation (CPR)
74 certification and must be an approved MSHA or OSHA certified
75 instructor;

76 (3) Establish a fee schedule: *Provided*, That the application
77 fee may not exceed ten dollars and there shall be no fee for a
78 certificate; and

79 (4) Implement the provisions of this section.

**CHAPTER 22A. MINERS' HEALTH,
SAFETY AND TRAINING.**

ARTICLE 10. EMERGENCY MEDICAL PERSONNEL.

§22A-10-1. Emergency personnel in coal mines.

1 (a) Emergency medical services personnel must be employed
2 on each shift at every mine that:

3 (1) Employs more than ten employees; and

4 (2) Has more than eight persons present on the shift.

5 (b) The emergency medical services personnel must be
6 employed at their regular duties at a central location or, when
7 more than one person is required pursuant to the provisions of
8 subsection(d) of this section, at a location which provides for
9 convenient, quick response to an emergency. The emergency
10 medical services personnel must have available to them at all
11 times such equipment prescribed by the Director of the Office of
12 Miners' Health, Safety and Training, in consultation with the
13 Commissioner of the Bureau for Public Health.

14 (c) "Emergency medical services personnel" means any
15 person certified by the Commissioner of the Bureau for Public
16 Health, or authorities recognized and approved by the
17 commissioner, to provide emergency medical services as
18 authorized in article four-c, chapter sixteen of this code,
19 including emergency medical technician-industrial.

20 (d) At least one emergency medical services personnel shall
21 be employed at a mine for every fifty employees or any part
22 thereof who are engaged at any time, in the extraction,
23 production or preparation of coal.

24 (e) Commencing July 1, 2014, the certification for
25 emergency medical technician-miner, also known as emergency
26 medical technician-mining, shall be known as the certification

27 for emergency medical technician-industrial, and the
28 certification is valid until the original expiration date, at which
29 time the person may recertify as an emergency medical
30 technician-industrial pursuant to section six-c, article four-c,
31 chapter sixteen of this code.

32 (f) A person wanting to be certified or recertified as an
33 emergency medical technician-industrial must comply with the
34 provisions of section six-c, article four-c, chapter sixteen of this
35 code.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Danny Wells
Chairman, House Committee

[Signature]
Member — Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

Suzanne Soy
Clerk of the House of Delegates

Joseph M. Minard
Clerk of the Senate

[Signature]
Speaker of the House of Delegates

[Signature]
President of the Senate

The within *is approved* this the *28th*
day of *March*, 2014.

Carl Ray Tomblin
Governor

PRESENTED TO THE GOVERNOR

MAR 28 2017

Time 10:45 AM