

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

House Bill 4424

FISCAL
NOTE

BY DELEGATES STAGGERS AND BOGGS

[Introduced January 20, 2020; Referred to the
Committee on Veterans' Affairs and Homeland
Security then Finance]

1 A BILL to amend and reenact §16-4C-6 of the Code of West Virginia, 1931, as amended, relating
2 to having a single command center of the office of Emergency Medical Services to be
3 located in Sutton, West Virginia.

Be it enacted by the Legislature of West Virginia:

ARTICLE 4C. EMERGENCY MEDICAL SERVICES ACT.

§16-4C-6. Powers and duties of commissioner.

1 The commissioner has the following powers and duties:

2 (a) To propose rules for legislative approval in accordance with the provisions of §29A-3-
3 1 *et seq.* of this code: Provided, That the rules have been submitted at least 30 days in advance
4 for review by the Emergency Medical Services Advisory Council, who may act only in the
5 presence of a quorum. The rules may include:

6 (1) Standards and requirements for certification and recertification of Emergency Medical
7 Service personnel, including, but not limited to:

8 (A) Age, training, testing, and continuing education;

9 (B) Procedures for certification and recertification, and for denying, suspending, revoking,
10 reinstating, and limiting a certification or recertification;

11 (C) Levels of certification and the scopes of practice for each level;

12 (D) Standards of conduct; and

13 (E) Causes for disciplinary action and sanctions which may be imposed.

14 (2) Standards and requirements for licensure and licensure renewals of Emergency
15 Medical Service agencies, including:

16 (A) Operational standards, levels of service, personnel qualifications and training,
17 communications, public access, records management, reporting requirements, medical direction,
18 quality assurance and review, and other requirements necessary for safe and efficient operation;

19 (B) Inspection standards and establishment of improvement periods to ensure
20 maintenance of the standards;

21 (C) Fee schedules for licensure, renewal of licensure, and other necessary costs;

22 (D) Procedures for denying, suspending, revoking, reinstating, or limiting an agency
23 licensure;

24 (E) Causes for disciplinary action against agencies; and

25 (F) Administrative penalties, fines, and other disciplinary sanctions which may be imposed
26 on agencies;

27 (3) Standards and requirements for Emergency Medical Services vehicles, including
28 classifications and specifications;

29 (4) Standards and requirements for training institutions, including approval or accreditation
30 of sponsors of continuing education, course curricula, and personnel;

31 (5) Standards and requirements for a State Medical Direction System, including
32 qualifications for a State Emergency Medical Services medical director, ~~and regional medical~~
33 ~~directors~~ the establishment of a State Medical Policy and Care Committee, and ~~the designation~~
34 ~~of regional medical command centers~~ by January 1, 2021, the commissioner shall combine the
35 existing five regional command centers into a single state-wide command center to be located in
36 Sutton, West Virginia;

37 (6) Provision of services by Emergency Medical Services personnel in hospital emergency
38 rooms;

39 (7) Authorization to temporarily suspend the certification of an individual Emergency
40 Medical Services provider prior to a hearing or notice if the commissioner finds there is probable
41 cause that the conduct or continued service or practice of any individual certificate holder has or
42 may create a danger to public health or safety: *Provided*, That the commissioner may rely on
43 information received from a physician that serves as a medical director in finding that probable
44 cause exists to temporarily suspend the certification; and

45 (8) Any other rules necessary to carry out the provisions of this article;

46 (b) To apply for, receive, and expend advances, grants, contributions, and other forms of

47 assistance from the state or federal government or from any private or public agencies or
48 foundations to carry out the provisions of this article;

49 (c) To design, develop, and review a Statewide Emergency Medical Services
50 Implementation Plan. The plan shall recommend aid and assistance and all other acts necessary
51 to carry out the purposes of this article:

52 (1) To encourage local participation by area, county, and community officials; and ~~regional~~
53 ~~emergency medical services boards of directors; and~~

54 (2) To develop a system for monitoring and evaluating Emergency Medical Services
55 programs throughout the state;

56 (d) To provide professional and technical assistance and to make information available to
57 ~~regional emergency medical services boards of directors and other~~ potential applicants or
58 program sponsors of Emergency Medical Services for purposes of developing and maintaining a
59 statewide system of services;

60 (e) To assist local government agencies, ~~regional emergency medical services boards of~~
61 ~~directors~~, and other public or private entities in obtaining federal, state, or other available funds
62 and services;

63 (f) To cooperate and work with federal, state, and local governmental agencies, private
64 organizations, and other entities as may be necessary to carry out the purposes of this article;

65 (g) To acquire in the name of the state by grant, purchase, gift, devise, or any other
66 methods appropriate, real and personal property as may be reasonable and necessary to carry
67 out the purposes of this article;

68 (h) To make grants and allocations of funds and property so acquired or which may have
69 been appropriated to the agency to other agencies of state and local government as may be
70 appropriate to carry out the purposes of this article;

71 (i) To expend and distribute by grant or bailment funds and property to all state and local
72 agencies for the purpose of performing the duties and responsibilities of the agency all funds

73 which it may have so acquired or which may have been appropriated by the Legislature of this
74 state;

75 (j) To develop a program to inform the public concerning emergency medical services;

76 (k) To review and disseminate information regarding federal grant assistance relating to
77 emergency medical services;

78 (l) To prepare and submit to the Governor and Legislature recommendations for legislation
79 in the area of emergency medical services;

80 (m) To review, make recommendations for, and assist in all projects and programs that
81 provide for emergency medical services whether or not the projects or programs are funded
82 through the office of Emergency Medical Services. A review and approval shall be required for all
83 emergency medical services projects, programs, or services for which application is made to
84 receive state or federal funds for their operation after the effective date of this act;

85 (n) To cooperate with the Department of Administration, Purchasing Division to establish
86 one or more statewide contracts for equipment and supplies utilized by emergency medical
87 services agencies in accordance with §5A-3-1 *et seq.* of this code:

88 (1) Any statewide contract established hereunder shall be made available to any
89 emergency medical services agency licensed under §16-4C-6a of this code that is designated to
90 provide emergency response by one or more county emergency dispatch centers.

91 (2) The office may develop uniform standards for equipment and supplies used by
92 emergency medical services agencies in accordance with §5A-3-1 ~~*et seq.*~~ of this code.

93 (3) The office shall propose legislative rules for promulgation in accordance with §29A-3-
94 1 *et seq.* of this code to effectuate the provisions of this subsection; and

95 (o) To take all necessary and appropriate action to encourage and foster the cooperation
96 of all emergency medical service providers and facilities within this state.

NOTE: The purpose of this bill is to combine the presently existing five regional command

centers of the office of Emergency Medical Services into a single state-wide center headquartered in Sutton, West Virginia.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.