

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Originating

Senate Bill 525

BY GAUNCH, MAYNARD, BALDWIN, BOSO, CLEMENTS,
FACEMIRE, JEFFRIES, MARONEY, PALUMBO, SMITH,
SYPOLT, AND WELD

[Originating in the Committee on Government
Organization; Reported on February 12, 2018]

1 A BILL to repeal §16-4C-6c of the Code of West Virginia, 1931, as amended; and to amend said
2 code by adding thereto a new section, designated §22A-10-3, relating to emergency
3 medical technicians – mining; and transferring certification requirements for emergency
4 medical technician – mining to the chapter governing miners’ health, safety and training.

Be it enacted by the Legislature of West Virginia:

ARTICLE 4C. EMERGENCY MEDICAL SERVICES ACT.

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

1 [Repealed.]

ARTICLE 10. EMERGENCY MEDICAL PERSONNEL.

§22A-10-3. Certification requirements for emergency medical technician – mining.

1 (a) An applicant for certification as an emergency medical technician - mining shall:

2 (1) Be at least 18 years old;

3 (2) Apply on a form prescribed by the Director of Miners’ Health, Safety and Training;

4 (3) Pay the application fee;

5 (4) Possess a valid cardiopulmonary resuscitation certification;

6 (5) Successfully complete an emergency medical technician - mining education program

7 authorized by the Director of Miners’ Health, Safety and Training in consultation with the Board of

8 Coal Mine Health and Safety; and

9 (6) Successfully complete emergency medical technician - mining cognitive and skills

10 examinations authorized by the Director of Miners’ Health, Safety and Training in consultation

11 with the Board of Coal Mine Health and Safety.

12 (b) The emergency medical technician - mining certification is valid for three years.

13 (c) A certified emergency medical technician - mining may only practice on mining

14 operations, as defined in §11-13C-3 of this code.

15 (d) To be recertified as an emergency medical technician - mining, a certificate holder

16 shall:

17 (1) Apply on a form prescribed by the Director of Miners’ Health, Safety and Training;

18 (2) Pay the application fee;

19 (3) Possess a valid cardiopulmonary resuscitation certification;

20 (4) Successfully complete one of the following:

21 (A) A one-time 32-hour emergency medical technician - mining recertification course
22 authorized by the Director of Miners' Health, Safety and Training in consultation with the Board of
23 Coal Mine Health and Safety; or

24 (B) Three annual eight-hour retraining and testing programs authorized by the Director of
25 Miners' Health, Safety and Training in consultation with the Board of Coal Mine Health and Safety;
26 and

27 (5) Successfully complete emergency medical technician - mining cognitive and skills
28 recertification examinations authorized by the Director of Miners' Health, Safety and Training in
29 consultation with the Board of Coal Mine Health and Safety.

30 (e) The education program, training, courses, and cognitive and skills examinations
31 required for certification and recertification as an emergency medical technician - miner, also
32 known as emergency medical technician - mining, in existence on January 1, 2014, shall remain
33 in effect for the certification and recertification of emergency medical technician - industrial until
34 they are changed by legislative rule by the commissioner in consultation with the Board of Coal
35 Mine Health and Safety.

36 (f) The administration of the emergency medical technician - mining certification and
37 recertification program by the Director of Miners' Health, Safety and Training shall be done in
38 consultation with the Board of Coal Mine Health and Safety.

39 (g) The Director of Miners' Health, Safety and Training shall propose rules for legislative
40 approval, pursuant to the provisions of §29A-3-1 et seq. of this code, in consultation with the
41 Board of Coal Mine Health and Safety and may propose emergency rules to:

42 (1) Establish emergency medical technician - mining certification and recertification
43 courses and examinations;

44 (2) Authorize providers to administer the certification and recertification courses and
45 examinations, including mine training personnel, independent trainers, community and technical
46 colleges, regional education service agencies, and educational service cooperatives: *Provided,*
47 That the mine training personnel and independent trainers must have a valid cardiopulmonary
48 resuscitation certification and must be an approved Mine Safety and Health Administration- or
49 Occupational Safety and Health Administration-certified instructor;

50 (3) Establish a fee schedule: *Provided,* That the application fee may not exceed \$10 and
51 there shall be no fee for a certificate; and

52 (4) Implement the provisions of this section.

NOTE: The purpose of this bill is to transfer the governance of emergency medical technicians – mining from the code addressing public health to the code addressing miners' health and safety.

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