

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

Senate Bill 577

BY SENATORS PHILLIPS, STOLLINGS, ROBERTS, AND

JEFFRIES

[Introduced March 5, 2021; referred
to the Committee on Government Organization]

1 A BILL to amend and reenact §16-4C-23 of the Code of West Virginia, 1931, as amended, relating
2 to exempting certain fire departments from licensure requirements for the provision of
3 rapid response services.

Be it enacted by the Legislature of West Virginia:

ARTICLE 4C. EMERGENCY MEDICAL SERVICES ACT.

§16-4C-23. Authority of the commissioner to make rules.

1 (a) The commissioner shall propose for promulgation, legislative rules pursuant to §29A-
2 3-1 *et seq.* of this code to carry out the purposes of this article.

3 (b) Notwithstanding the provisions of §16-4C-6(a) of this ~~article~~ code, the commissioner
4 shall propose for promulgation a legislative rule regulating fire department rapid response
5 services, pursuant to §29A-3-1 *et seq.* of this code which: (1) Establishes licensure and
6 certification requirements for fire department rapid response services who ~~do not~~ charge for their
7 services or transport patients; (2) incorporates necessary applicable emergency medical services
8 requirements for licensure for “emergency medical services” as the requirements apply to fire
9 departments and as defined in ~~subsection (d) section three of this article~~ §16-4C-3(e) of this code;
10 and (3) creates an exemption from ~~license and inspection fees for fire departments that do not~~
11 ~~charge fees for their services and which authorizes such fire departments to conduct self~~
12 ~~inspections of their emergency vehicles in accordance with any applicable state or federal~~
13 ~~requirements for emergency medical service vehicles. The commissioner shall file the rule~~
14 ~~required by this subsection as an emergency rule on or before July 1, 1999. The Legislature~~
15 ~~hereby finds that an emergency exists compelling promulgation of an emergency rule, consistent~~
16 ~~with the provisions of this subsection~~ licensure for certain fire departments who do not charge for
17 their services or patient transport, but who provide rapid response services pursuant to an
18 agreement with a licensed emergency medical services agency that addresses medical direction,
19 training, quality assurance, and liability insurance.