

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Health Policy

BILL: SB 1014

INTRODUCER: Senator Rouson

SUBJECT: Public Safety Telecommunicator Training

DATE: February 3, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Williams</u>	<u>Brown</u>	<u>HP</u>	<u>Pre-meeting</u>
2.	_____	_____	<u>AHS</u>	_____
3.	_____	_____	<u>AP</u>	_____

I. Summary:

SB 1014 modifies standards and requirements for public safety telecommunicator certification to add the requirement that 911 public safety telecommunicators who take telephone calls and provide dispatch functions for emergency medical conditions must receive “telecommunicator cardiopulmonary resuscitation (CPR) training,” as that term is specifically defined, every two years. The bill directs the Department of Health (DOH) to establish a procedure to monitor adherence with the added training requirements and authorizes the DOH to adjust state grant and shared revenue funds to a public safety agency based on the agency’s employees’ adherence with the added requirements.

The fiscal impact of the bill is unknown.

The effective date of the bill is July 1, 2020.

II. Present Situation:

911 Public Safety Telecommunicator Certification

Chapter 401, F.S., relates to medical telecommunications and transportation. Part I of ch. 401, F.S., is specific to the state’s emergency telecommunication systems, administered by the Department of Management Services. Part II of ch. 401, F.S., is specific to the emergency medical services (EMS) grants program administered by the DOH.

Part III of ch. 401, F.S., consisting of ss. 401.2101-401.465, F.S., is specific to medical transportation services and provides for the regulation of emergency medical services by the DOH, including the licensure of EMS service entities, the certification of staff employed by those services, and the permitting of vehicles used by such staff—whether for basic life support (BLS), advanced life support (ALS), or air ambulance services (AAS). At present, the DOH is

responsible for the licensure and oversight of more than 60,000 emergency medical technicians and paramedics, more than 270 advanced and basic life support agencies, and over 4,500 EMS vehicles.¹

Section 401.465, F.S., is specific to 911 public safety telecommunicator certification, as administered as part of the DOH EMS program. For purposes of that section of statute, the following terms are defined:²

- “911 public safety telecommunicator” means a public safety dispatcher or 911 operator whose duties and responsibilities include the answering, receiving, transferring, and dispatching functions related to 911 calls; dispatching law enforcement officers, fire rescue services, emergency medical services, and other public safety services to the scene of an emergency; providing real-time information from federal, state, and local crime databases; or supervising or serving as the command officer to a person or persons having such duties and responsibilities. However, the term does not include administrative support personnel, such as, but not limited to, those whose primary duties and responsibilities are in accounting, purchasing, legal, and personnel.
- “Public safety telecommunication training program” means a 911 emergency public safety telecommunication training program that the DOH determines to be equivalent to the public safety telecommunication training program curriculum framework developed by the Department of Education (DOE) and consists of not less than 232 hours.

Any person employed as a 911 public safety telecommunicator (PST) at a public safety answering point, as defined in s. 365.172(3), F.S.,³ must be certified by the DOH. A public safety agency, as defined in s. 365.171(3)(d), F.S.,⁴ may employ a PST for a period not to exceed 12 months if the trainee works under the direct supervision of a certified 911 public safety telecommunicator, as determined by rule of the DOH, and is enrolled in a PST training program. An applicant for certification or recertification as a PST must apply to the DOH under oath on DOH-provided forms. The DOH establishes by rule educational and training criteria for the certification and recertification of PSTs. The DOH determines whether the applicant meets the statutory and rule requirements and issues a certificate to any person who meets such requirements, including those specific to training program completion, an oath of no addiction, an oath that there is no physical or mental impairment, application fee, application submission, and passage of a certification examination.⁵

A PST certification expires automatically if not renewed at the end of the two-year period and may be renewed if the certificate holder meets the DOH-established qualifications. The DOH establishes by rule a procedure that requires 20 hours of training for the biennial renewal certification of PSTs. The DOH may suspend or revoke a certificate at any time if it determines

¹ See <http://www.floridahealth.gov/licensing-and-regulation/ems-system/index.html> (last visited January 29, 2020).

² Section 401.465(1), F.S.

³ Section 365.172 (3)(y), F.S., defines a “public safety answering point” as the public safety agency that receives incoming 911 requests for assistance and dispatches appropriate public safety agencies to respond to the requests in accordance with the state E911 plan.

⁴ Section 365.171(3)(d), F.S., defines a “public safety agency” as a functional division of a public agency which provides firefighting, law enforcement, medical, or other emergency services.

⁵ Section 401.465(2), F.S.

that the certificate holder does not meet the applicable qualifications. There is a process by which a certificate holder may request that his or her certificate be placed on inactive status.⁶

A person who was employed as a PST or a state-certified firefighter before April 1, 2012, must pass the examination approved by the DOH which measures the competency and proficiency in the subject material of the PST program, and upon passage of the examination, the completion of the PST training program is waived. In addition, the requirement for certification as a PST is waived for a person employed as a sworn, state-certified law enforcement officer, provided specified criteria are met.⁷

The following PST-related fees are specified in statute:

- Initial application for original certification: \$50
- Examination fee, set by the DOH, not to exceed \$75
- Biennial renewal certificate, set by the DOH, not to exceed \$50
- Training program fee, set by the DOH, not to exceed \$50
- Duplicate, substitute or replacement certificate fee, set by the DOH, not to exceed \$25

Fees collected are deposited into the DOH EMS Trust Fund and used solely for administering this program.⁸ The fees currently applied by the DOH are the maximum fees indicated above.⁹

The DOH has adopted three rules specific to its PST program responsibilities. These rules, which address PST certification, certification renewal, and PST course equivalency, were adopted in 2012.¹⁰ These rules not only link to the DOH forms and reference documents but also link to the relevant DOE documents, such as PST curriculum framework.

The DOH website has extensive details specific to the PST program and includes links to all applicable forms for individuals who are seeking to become certified or re-certified as a PST, including PST examination details, training program requirements, and fees. Training programs must follow the DOE Public Safety Telecommunication Curriculum Framework and consist of not less than 232 hours in order to be approved as a PST training program. The DOH uses a vendor, Prometric,¹¹ to administer the testing for PST candidates.¹²

The DOH develops the learning objectives for the PST program, and these are reflected in the 142-page program study guide.¹³ Until State Fiscal Year 2014-2015, the DOH learning objectives and the DOE curriculum framework included a requirement that PST training must

⁶ *Id.*

⁷ *Id.*

⁸ Section 401.465(3), F.S.

⁹ See the Department of Health, 911 Public Safety Telecommunicator Program, *available at* <http://www.floridahealth.gov/licensing-and-regulation/911-public-safety-telecommunicator-program/index.html> (last visited January 29, 2020).

¹⁰ Fla. Adm. Code R. 64J-3 (2012).

¹¹ Prometric is a provider of technology-enabled testing and assessment solutions to many licensing and certification organizations, academic institutions, and government agencies.

¹² *Supra* Note 9.

¹³ See the Department of Health, Florida 911 Public Safety Telecommunicator Study Guide, *available at* <http://www.floridahealth.gov/licensing-and-regulation/911-public-safety-telecommunicator-program/documents/911-pst-studyguide-2017E4.pdf.pdf> (last visited January 29, 2020).

include CPR training. In conjunction with the DOE and other stakeholders, the CPR element of required training was discontinued.¹⁴

According to the DOH, there are currently 115 active approved PST training programs in the state.¹⁵

Curriculum Framework for Public Safety Telecommunication

One of the divisions within the DOE is the Division of Adult and Community Education. Under this division is the DOE's Career & Technical Education (CTE) Programs section, which is responsible for developing and maintaining educational programs that prepare individuals for occupations important to Florida's economic development. These programs are organized into 17 different career clusters and are geared toward middle school, high school, district technical school, and Florida College System students throughout the state. Listed among the DOE's Career Clusters and Programs is Law, Public Safety, and Security. Among the certificate programs is the public safety telecommunicator program.¹⁶

The DOE Curriculum Framework for the PST program title indicates that the program offers a sequence of courses that:

- Provide coherent and rigorous content aligned with challenging academic standards and relevant technical knowledge and skills needed to prepare for further education and careers in DOE's Law, Public Safety and Security career cluster;
- Provide technical skill proficiency, and;
- Include competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills, occupation-specific skills, and knowledge of all aspects of the Law, Public Safety and Security career cluster.¹⁷

Cardiopulmonary Resuscitation (CPR): First Aid

Cardiopulmonary resuscitation (CPR) is a lifesaving technique useful in many emergencies, including a heart attack or near drowning, in which someone's breathing or heartbeat has stopped. At its most basic, CPR is a technique which utilizes chest compressions when a patient has suffered from cardiac arrest. The American Heart Association recommends that everyone — untrained bystanders and medical personnel alike — begin CPR with chest compressions. CPR can keep oxygenated blood flowing to the brain and other vital organs until more definitive medical treatment can restore a normal heart rhythm. When the heart stops, the lack of

¹⁴ Email from Department of Education to staff of the Senate Committee on Health Policy (January 30, 2020) (on file with the Senate Committee on Health Policy).

¹⁵ Email from the Department of Health to staff of the Senate Committee on Health Policy (January 30, 2020) (on file with the Senate Committee on Health Policy).

¹⁶ Department of Education, Career and Technical Education, available at <http://www.fldoe.org/academics/career-adult-edu/career-tech-edu/> (last visited January 29, 2020).

¹⁷ *Id.*

oxygenated blood can cause brain damage in only a few minutes. A person may die within eight to 10 minutes.¹⁸

III. Effect of Proposed Changes:

Section 1 amends s. 401.465, F.S., relating to standards and requirements for 911 public safety telecommunicator certification, to:

- Add a definition of “telecommunicator cardiopulmonary resuscitation training” to mean specific training that is evidence based and contains nationally accepted guidelines for the recognition of out-of-hospital cardiac arrest over the telephone and the delivery of telephonic instructions for treating cardiac arrest and performing compression-only cardiopulmonary resuscitation.
- Incorporate a conforming cross-reference change.
- Add the requirement that 911 public safety telecommunicators who take telephone calls and provide dispatch functions for emergency medical conditions must receive “telecommunicator cardiopulmonary resuscitation training,” as that term is defined above, every two years.
- Direct the DOH to establish a procedure to monitor adherence with the added training requirements and authority to adjust state grant and shared revenue funds to a public safety agency, as defined in s. 365.171(3), F.S., based on the agency’s employees’ adherence or failure to adhere with the added requirements.

Section 2 provides for an effective date of July 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

¹⁸ See Mayo Clinic: Cardiopulmonary resuscitation (CPR): First aid, available at <https://www.mayoclinic.org/first-aid/first-aid-cpr/basics/art-20056600> (last visited January 29, 2020).

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Unknown.

C. Government Sector Impact:

Unknown.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Training in CPR was previously, but is not currently, part of the public safety telecommunicator core training competencies. When CPR was previously a required element in the training program, the CPR requirement was not specified in statute; it was part of the DOH program learning objectives. Elements for public telecommunicator training are not specified in statute. Training content is determined by the DOH and is reflected in the DOH learning objectives for the program. The DOH learning objectives are then reflected in the DOE curriculum framework, which is adopted by reference in rule.¹⁹

The approach proposed in the bill would require those who have undergone training and become certified in all other respects as a public safety telecommunicator to undergo another, separate level of training. The focus of this separate training requirement would be to prepare a public safety telecommunicator in performing CPR and in the delivery of telephonic instruction in the performance of CPR.

VIII. Statutes Affected:

This bill substantially amends the following section of the Florida Statutes: 401.465.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

¹⁹ Fla. Adm. Code R. 64J-3.002 (2012).

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
