

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 Appropriations

BILL: SB 890

INTRODUCER: Senator Burgess

SUBJECT: Telecommunicator Cardiopulmonary Resuscitation

DATE: February 23, 2022

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Looke</u>	<u>Brown</u>	<u>HP</u>	Favorable
2.	<u>Howard</u>	<u>Money</u>	<u>AHS</u>	Recommend: Favorable
3.	<u>Howard</u>	<u>Sadberry</u>	<u>AP</u>	Pre-meeting

I. Summary:

SB 890 amends section 401.465, Florida Statutes, to require that all 911 public safety telecommunicators (PST) who make telephone calls and provide dispatch functions for emergency medical conditions complete telecommunicator cardiopulmonary resuscitation (TCR) training and continuing education, as deemed appropriate by the Department of Health (DOH). The bill defines TCR training and allows a public safety agency (PSA) to enter into a reciprocal agreement with another PSA, a dedicated telephone line, or a call center to provide TCR as long as the PSA or other agency receiving the call has PSTs who are trained in TCR.

The bill will have no fiscal impact on state government.

The bill provides an effective date of July 1, 2022.

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 through 401.465, F.S., is specific to medical transportation services and provides for the regulation of EMS 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).

Section 401.465, F.S., is specific to PST certification, as administered as part of the DOH EMS program. For purposes of that section of statute, the following terms are defined:¹

- “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 PST at a public safety answering point, as defined in s. 365.172(3), F.S.,² must be certified by the DOH. A public safety agency, as defined in s. 365.171(3)(d), F.S.,³ 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 the DOH-provided forms. The DOH establishes by rule, educational and training criteria for the certification and recertification of PSTs, 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.⁴

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 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.⁵

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

¹ Section 401.465(1), F.S.

² 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.

³ 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.

⁴ Section 401.465(2), F.S.

⁵ *Id.*

waived for a person employed as a sworn, state-certified law enforcement officer, provided specified criteria are met.⁶

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; and
- 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.⁷ The fees currently applied by the DOH are the maximum fees indicated above.⁸

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 2012.⁹ These rules not only link to the DOH forms and reference documents but also link to the relevant DOE documents, such as the 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,¹⁰ to administer the testing for PST candidates.¹¹

The DOH develops the learning objectives for the PST program, and these are reflected in the 142-page program study guide.¹² Until Fiscal Year 2014-2015, the DOH learning objectives and the DOE curriculum framework included a requirement that PST training must include CPR training. In conjunction with the DOE and other stakeholders, the CPR element of required training was discontinued.¹³

⁶ *Id.*

⁷ Section 401.465(3), F.S.

⁸ 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 Jan. 3, 2022).

⁹ Chapter 64J-3, L.O.F. (2012).

¹⁰ Prometric is a provider of technology-enabled testing and assessment solutions to many licensing and certification organizations, academic institutions, and government agencies.

¹¹ *Supra* note 9.

¹² 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 Jan. 3, 2022).

¹³ E-mail 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).

According to the DOH, as of January 30, 2020, there were 115 active approved PST training programs in the state.¹⁴

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 that 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 oxygenated blood can cause brain damage in only a few minutes. A person may die within eight to 10 minutes.¹⁵

III. Effect of Proposed Changes:

The bill amends s. 401.465, F.S., to require that, in addition to the current certification and recertification requirements, PSTs who take telephone calls and provide dispatch functions for emergency medical conditions complete TCR training and continuing education, as deemed appropriate by the DOH. The bill defines TCR training to mean specific training and continuing education that is evidence-based and uses nationally accepted guidelines for high-quality TCR, including training in the recognition of out-of-hospital cardiac arrest over the telephone and the delivery of telephonic instructions for treating such cardiac arrest and performing compression-only cardiopulmonary resuscitation.

The bill allows PSAs to enter into a reciprocal agreement with another PSA, a dedicated telephone line, or a call center to provide TCR as long as the PSA or other agency receiving the call has PSTs who are TCR trained. The bill also requires that any employee of a PSA who answers EMS calls must, as appropriate, provide TCR or transfer the call to the entity with which the PSA has entered into a reciprocal agreement to provide TCR.

The bill provides an effective date of July 1, 2022.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

¹⁴ E-mail 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).

¹⁵ See Mayo Clinic: *Cardiopulmonary resuscitation (CPR): First aid*, available at <https://www.mayoclinic.org/first-aid/first-aid-cpr/basics/art-20056600> (last visited Jan. 3, 2022).

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

SB 890 may have a negative fiscal impact on PSAs who are required to obtain additional TCR training under the bill.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 401.465 of the Florida Statutes.

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.

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