

HB 3040

RECEIVED

99 MAR 25 PM 3:41

OFFICE OF THE CLERK OF THE HOUSE OF DELEGATES
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1999



ENROLLED

House Bill No. 3040

(By Delegates Givens, Linch, Staton, Mahan,
Hutchins, Webb and Faircloth)



Passed March 12, 1999

In Effect from Passage

RECEIVED

99 MAR 25 PM 3:41

OFFICE OF THE CLERK OF THE HOUSE OF DELEGATES
SECRETARY OF STATE

ENROLLED

H. B. 3040

(BY DELEGATES GIVENS, LINCH, STATON, MAHAN,
HUTCHINS, WEBB AND FAIRCLOTH)

[Passed March 12, 1999; in effect from passage.]

AN ACT to amend and reenact section twenty-three, article four-c, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to directing the commissioner of the bureau of public health to propose for promulgation, legislative rules for licensure and inspection of certain fire department rapid response services.

Be it enacted by the Legislature of West Virginia:

That section twenty-three, article four-c, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 4C. EMERGENCY MEDICAL SERVICES ACT.

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

- 1 (a) The commissioner shall propose for promulgation,
2 legislative rules pursuant to article three, chapter twenty-nine-a
3 of this code to carry out the purposes of this article.
- 4 (b) Notwithstanding the provisions of subsection (a),
5 section six of this article, the commissioner shall propose for
6 promulgation a legislative rule regulating fire department rapid

7 response services, pursuant to article three, chapter twenty-
8 nine-a of this code which: (1) Establishes licensure and
9 certification requirements for fire department rapid response
10 services who do not charge for their services or transport
11 patients; (2) incorporates necessary applicable emergency
12 medical services requirements for licensure for “emergency
13 medical services” as the requirements apply to fire departments
14 and as defined in subsection (d), section three of this article;
15 and (3) creates an exemption from license and inspection fees
16 for fire departments that do not charge fees for their services
17 and which authorizes such fire departments to conduct self
18 inspections of their emergency vehicles in accordance with any
19 applicable state or federal requirements for emergency medical
20 service vehicles. The commissioner shall file the rule required
21 by this subsection as an emergency rule on or before the first
22 day of July, one thousand nine hundred ninety-nine. The
23 Legislature hereby finds that an emergency exists compelling
24 promulgation of an emergency rule, consistent with the
25 provisions of this subsection.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Ray Schoonover
Chairman Senate Committee

John Smith
Chairman House Committee

Originating in the House.

Takes effect from passage.

Harold Johnson
Clerk of the Senate

Gregory W. Smith
Clerk of the House of Delegates

Earl Ray Tomblin
President of the Senate

Robert L. Williams
Speaker of the House of Delegates

The within approval this the 25th
day of March 1999.

Jeff Perdue
Governor

PRESENTED TO THE

GOVERNOR

Date 3/22/99

Time 10:15 am