WEST VIRGINIA CODE CHAPTER 22A ARTICLE 10

WV Legislature

§22A-10-1. Emergency personnel in coal mines.

(a) Emergency medical services personnel must be employed on each shift at every mine that:

(1) Employs more than ten employees; and

(2) Has more than eight persons present on the shift.

(b) The emergency medical services personnel must be employed at their regular duties at a central location or, when more than one person is required pursuant to the provisions of subsection (d) of this section, at a location which provides for convenient, quick response to an emergency. The emergency medical services personnel must have available to them at all times such equipment prescribed by the Director of the Office of Miners' Health, Safety and Training, in consultation with the Commissioner of the Bureau for Public Health.

(c) "Emergency medical services personnel" means any person certified by the Commissioner of the Bureau for Public Health, or authorities recognized and approved by the commissioner, to provide emergency medical services as authorized in article four-c, chapter sixteen of this code, including emergency medical technician- -industrial.

(d) At least one emergency medical services personnel shall be employed at a mine for every fifty employees or any part thereof who are engaged at any time, in the extraction, production or preparation of coal.

(e) Commencing July 1, 2014, the certification for emergency medical technician-miner, also known as emergency medical technician-mining, shall be known as the certification for emergency medical technician-industrial, and the certification is valid until the original expiration date, at which time the person may recertify as an emergency medical technician-industrial pursuant to section six-c, article four-c, chapter sixteen of this code.

(f) A person wanting to be certified or recertified as an emergency medical technician-industrial must comply with the provisions of section six-c, article four-c, chapter sixteen of this code.

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§22A-10-2. First-aid training of coal mine employees.

Each coal mine operator shall provide every new employee within six months of the date of employment with the opportunity for first-aid training as prescribed by the Director of the Office of Miners' Health, Safety and Training unless such employee has previously received such training. Each coal mine employee shall be required to take refresher first-aid training of not less than five hours within each twenty-four months of employment. The employee shall be paid regular wages, or overtime pay if applicable, for all periods of first-aid training.

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

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

(1) Be at least 18 years old;

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

(3) Pay the application fee;

(4) Possess a valid cardiopulmonary resuscitation certification;

(5) Successfully complete an emergency medical technician - mining education program authorized by the Director of Miners' Health, Safety and Training in consultation with the Board of Coal Mine Health and Safety; and

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

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

(c) A certified emergency medical technician - mining may only practice on mining operations, as defined in §11-13C-3 of this code.

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

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

(2) Pay the application fee;

(3) Possess a valid cardiopulmonary resuscitation certification;

(4) Successfully complete one of the following:

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

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

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

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

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

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

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

(2) Authorize providers to administer the recertification courses and examinations, including mine training personnel, independent trainers, community and technical colleges, regional education service agencies, and educational service cooperatives: Provided, That the mine training personnel and independent trainers must obtain an EMT-M Instructor Certification issued by the West Virginia Office of Miners' Health, Safety and Training;

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

(4) Implement the provisions of this section.

WV Legislature