

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-28-79

Time 8:05 p.m.

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1979



ENROLLED

Committee Substitute for

HOUSE BILL No. 1166

(By Mrs. Uehle)



Passed March 10, 1979

In Effect Ninety Days From Passage



No. 1166

ENROLLED
COMMITTEE SUBSTITUTE
FOR

H. B. 1166

(MRS. WEHRLE)

[Passed March 10, 1979; in effect ninety days from passage.]

AN ACT to amend and reenact section four, article four-c, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to allowing registered professional nurses and licensed practical nurses to be included among those who are qualified to accompany patients being transported in ambulances; and changing term of certification from two years to three years.

Be it enacted by the Legislature of West Virginia:

That section four, 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 SERVICE.

§16-4C-4. Standards for emergency medical service attendants; issuance, renewal, suspension and revocation of emergency medical service attendant certificates.

- 1 After the first day of January, one thousand nine hundred
- 2 seventy-five, every ambulance, except those vehicles and
- 3 aircraft exempted in section three of this article, shall have at
- 4 least one of the following: physician, osteopathic physician,
- 5 registered professional nurse, licensed practical nurse qualified

6 to render first aid, any state licensed health provider qualified
7 to render first aid or mobile intensive care paramedic duly
8 licensed to serve in such capacity under the laws of this state
9 or one person who possesses a valid emergency medical service
10 attendant certificate issued hereunder by the director in
11 its patient compartment at all times when a patient is being
12 transported.

13 In accordance with the provisions of chapter twenty-nine-a
14 of this code, the state board shall promulgate rules regarding
15 the age, training and physical requirements of emergency
16 medical service attendants. As a minimum training require-
17 ment, every emergency medical service attendant shall have
18 earned and possess a valid American Red Cross advanced first
19 aid certificate, or an advanced first aid certificate issued
20 by the Mine Safety and Health Administration, United
21 States Department of Labor or the equivalent thereof;
22 or have successfully completed the course on emer-
23 gency care and transportation of the sick and injured
24 recommended by the American academy of orthopedic
25 surgeons or the equivalent thereof, before he is issued
26 a certificate: *Provided*, That any member of a rescue
27 unit organized and engaged in providing ambulance ser-
28 vice prior to the first day of January, one thousand
29 nine hundred seventy-five, which is operated by a rescue
30 squad, fire department, police department, county or muni-
31 cipality of this state, who on that date is certified by the
32 respective county health officer of the county wherein such
33 unit is based, or, if there is no county health officer, by the
34 county commission or governing body of the jurisdiction
35 wherein such unit is based, that he is adequately trained
36 and is capable of performing the service required of an
37 emergency medical service attendant, shall be issued an
38 original emergency medical service attendant certificate by
39 the director upon his submitting proper application for such
40 certificate. The state board may promulgate rules for emer-
41 gency medical service attendants which exceed this minimum
42 training requirement.

43 Any person desiring certification as an emergency medical
44 service attendant shall apply to the director using forms

45 and procedures prescribed by the director. Upon receipt
46 of such application, the director shall determine if the
47 applicant meets the requirements for certification and
48 examine the applicant as, in his discretion, is necessary to
49 make such determination. If it is determined that the ap-
50 plicant meets all of the requirements, the director shall issue
51 an emergency medical service attendant certificate to the ap-
52 plicant. Emergency medical service attendant certificates
53 issued by the director shall be valid for three years from
54 the date of their issuance unless sooner suspended or revoked
55 by the director. Certificates may be renewed for additional
56 three year periods after examination of the certificate holder
57 and determination by the director that such holder meets the
58 requirements established for emergency medical service at-
59 tendants: *Provided*, That if any county health officer of any
60 county, or, if there is no county health officer, the county
61 commission or governing body of the jurisdiction concludes
62 that any area of that jurisdiction has not been afforded the
63 necessary training or equipment to implement this section,
64 then this section shall not apply.

65 The director may issue a temporary emergency medical
66 service attendant certificate to an applicant, with or without
67 examination of the applicant, when it finds such issuance
68 to be in the public interest. Unless sooner suspended or
69 revoked, a temporary certificate shall be valid initially for a
70 period not exceeding one hundred twenty days and it shall
71 not be renewed thereafter unless it be in the public interest:
72 *Provided*, That the expiration date of any such temporary
73 certificate issued shall be extended until the holder of such
74 certificate is afforded at least one opportunity to take an
75 emergency medical care attendant training course within the
76 general area where he serves as an emergency medical service
77 attendant, but the expiration date shall not be extended for
78 any longer period of time or for any other reasons.

79 There shall be no fee or other payment required of an
80 applicant for original certification as an emergency medical
81 service attendant, or renewal of such certificate.

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

James L. Davis
Chairman Senate Committee

Clarence C. Chester Jr
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

J. C. Willson, Jr.
Clerk of the Senate

V. Blankenship
Clerk of the House of Delegates

H. C. Borker
President of the Senate

Hyde H. See, Jr.
Speaker House of Delegates

The within is approved this the 20
day of March, 1979.

John D. Raley
Governor

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GOV. OF STATE