

RESPONSE TO COMMENTS

TITLE 56 SERIES 22

RULES GOVERNING THE CERTIFICATION, RECERTIFICATION AND TRAINING OF EMT-MINERS AND THE CERTIFICATION OF EMT-M INSTRUCTORS

The West Virginia Office of Miners' Health, Safety and Training (OMHST) responds to the comments received as follows:

COMMENTS RECEIVED FROM WEST VIRGINIA UNIVERSITY MINING AND INDUSTRIAL EXTENSION -- CHRISTOPHER STEWART

Comment 1: Medical Direction, within the scope of practice there should be a medical director to oversee the prescription of oxygen and oversee the program to assure that we are giving the best care possible to the WV miner.

Response: OMHST rejects this comment. Under the Rule, OMHST intends to use the current DOT First Responder curriculum as the educational component to the EMT-M's training. OMHST does not intend to develop its own curriculum for EMT-M training nor does OMHST intend to develop protocols for patient care. Thus, OMHST does not believe there is a need to have a Medical Director to oversee the certification process for EMT-M's or EMT-M Instructors.

Comment 2: The Term Emergency Medical Technician have always followed the DOT curriculum that has been put in place for years, we should adopt the national standard for Emergency Medical Responder program and have the miners nationally certified, if not then I believe we should eliminate the usage of EMT-M and call the training and certification "Enhanced" or "Advanced" Mining First Aid or something to eliminate the words EMT.

Response: OMHST agrees in part with this comment. OMHST shall add a new section 4.13 which reads:

4.13. The EMT-M curriculum in conjunction with the National DOT Curriculum for First Responders shall be followed when teaching the sixty (60) hour EMT-M certification course. Updates in the DOT curriculum will also apply to the EMT-M curriculum.

In addition, OMHST shall add to the Definitions a new section 3.8, which reads:

3.8. National DOT Curriculum for First Responders. The term “National DOT Curriculum for First Responders” means the United States Department of Transportation, National Highway Traffic Safety Administration, First Responder National Standard Curriculum.

As a state agency, OMHST does not have the authority to nationally certify an EMT-M.

Under this law, an EMT-M can only perform EMT-M duties on mine property in West Virginia.

Comment 3: Instructors, I personally feel that giving someone a “instructor” certification based on the qualifications that are set in place now will be detrimental to the WV miner by the instructor not providing the proper experience and knowledge base, I cannot see how someone who has never taught any type of medical related class is now an EMT-M instructor. The new instructor qualifications needs to be more stringent and proactive. There should be a screening process, some type of educator methodology class on basic adult education and evaluations before they teach (RESA programs) and the most important the instructor candidate has to be EMT-M certified himself. How can you teach something if you have never held the certification or training yourself? By definition Emergency Medical Technician and Emergency Medical Responder are a step above First Aid training, this profoundly disturbs me that we are cheating the WV Miner in being a competent and confident life saver by certifying possibly incompetent instructors to teach who only hold a CPR/First Aid rating.

Response: OMHST rejects this comment. This comment was discussed with the Board of Miner Training, Education and Certification, and it was decided that the current qualifications of an EMT-M Instructor are adequate.

COMMENTS RECEIVED FROM ALPHA NATURAL RESOURCES

Comment 1: I ask that we strike 4.5.c.1 -- we discussed in the session held here at the RRLA that to our knowledge there is not an approved 32 hour EMT-M course, and personally I do not see where it is economically feasible. To wait three years, and then take the miner out of the work force for four days, instead of one day per year under the normal practice, is not a good business decision and thus not an option for companies to do.

Response: OMHST rejects this comment. The 32-hour recertification course is only an option to be used if the coal operator so desires.

Comment 2: Secondly, based upon the prior comment, I ask that we also strike the same 32 hour wording from the language in 4.6 as it is not a feasible option.

Response: OMHST rejects this comment for the same reason as in Comment 1.

Comment 3: Thirdly, we ask under 4.10: what are the qualifications for another entity to become authorized? Presently the Running Right Leadership Academy received the endorsement of the WVDHHR, Office of OEMS, and would we be qualified then per WVOMHST? Will we need a Medical Director (required by DHHR) as part of the approval process?

Response: OMHST rejects this comment. It is OMHST's intention that after January 1, 2017, OMHST shall be the only entity conducting the examinations.

COMMENTS RECEIVED FROM (REGIONAL EDUCATION SERVICE AGENCIES (RESA)

Comment 1: I am submitting on behalf of the RESA Public Safety Training coordinators a comment on 56CSR22 the new rules governing the certification, recertification and training of EMT-Miners, specifically section 5.2.a. that deals with the qualifications to instruct the EMT-M program.

This section allows first-aid instructors to teach the EMT-M program. The EMT-Mining curriculum is of a higher level than that of a basic first aid instructor. Thus, a basic first aid instructor would be instructing material which is above their level of training. This presents a problem because you would have an instructor teaching techniques that they have not been taught or tested on. While section 5.6 of the rule allows instructors to bring in persons with special expertise to assist in teaching, an instructor that is unfamiliar with that subject matter would have no way of evaluating if the material was being taught correctly. The best way to deliver the training is to use instructors that have at a minimum the level of training that they are instructing.

Response: OMHST rejects this comment. This comment was discussed with the Board of Miner Training, Education and Certification, and it was decided that the current qualifications of an EMT-M Instructor are adequate.

COMMENTS RECEIVED FROM SOUTHERN SAFETY, INC.

Comment 1: EMT-M's should have a period of one year from the date of the original test to retake any part of the test they failed.

Response: OMHST agrees with this comment. OMHST shall add a new section 4.12 which reads:

4.12. The initial applicant shall have up to one (1) year to retake the parts of the test that he or she failed in order to obtain the EMT-M certification. After one (1) year has passed, if the applicant fails to obtain his/her certification, he/she must repeat the entire EMT-M course.

Comment 2: Due to a number of circumstances including mine closures, not being aware of where classes were available, etc. several EMT-M's failed to get recertified during 2015. (This may be the highest number ever to lose their certification in one year)

Can we grandfather those EMT's into the new rule and allow them to take the 2015 class to get back into the system. This would give them a December 2016 expiration date and allow them to get completely caught up this year.

Response: OMHST agrees with this comment. OMHST has added a sentence in section 4.6 which reads: "This includes those individuals who failed to take their recertification module in 2015."

Tucker, William A

From: Chris Stewart <costewart@mail.wvu.edu>
Sent: Friday, June 03, 2016 8:21 AM
To: Tucker, William A
Subject: EMT-Miner

Mr. Tucker,

As per our conversations here are my thoughts on the EMT-M Program

1. Medical Direction, within the scope of practice there should be a medical director to oversee the prescription of oxygen and oversee the program to assure that we are giving the best care possible to the WV miner.
2. The Term Emergency Medical Technician have always followed the DOT curriculum that has been put in place for years, we should adopt the national standard for Emergency Medical Responder program and have the miners nationally certified, If not then I believe we should eliminate the usage of EMT-M and call the training and certification "Enhanced" or "Advanced" Mining First Aid or something to eliminate the words EMT.
3. Instructors, I personally feel that giving someone a "instructor" certification based on the qualifications that are set in place now will be detrimental to the WV miner by the instructor not providing the proper experience and knowledge base, I cannot see how someone who has never taught any type of medical related class is now an EMT-M instructor. The new instructor qualifications needs to be more stringent and proactive. There should be a screening process, some type of educator methodology class on basic adult education and evaluations before they teach(RESA programs) and the most important the instructor candidate has to be EMT-M certified himself. How can you teach something if you have never held the certification or training yourself? By definition Emergency Medical Technician and Emergency Medical Responder are a step above First Aid training, this profoundly disturbs me that we are cheating the WV Miner in being a competent and confident life saver by certifying possibly incompetent instructors to teach who only hold a CPR/First Aid rating.

Again these are my professional and personal thoughts based on my experience. I am 100% at the WVOMHST disposal for anything I can be of assistance with. I want this program to succeed and move forward, but foremost I want the absolute best training that can be offered the West Virginia miner.

Thank you,
Christopher Stewart

Sent from Mail for Windows 10

Tucker, William A

From: Gary Frampton <gframpton@alphanr.com>
Sent: Thursday, June 02, 2016 2:41 PM
To: Tucker, William A
Subject: WV EMT-M Comments
Attachments: WV EMT-M Comments.docx

Bill,

Here are a couple of comments on the EMT-M bill, thanks.

June 2, 2016

To: Bill Tucker

From: Gary Frampton

Subject: Comments Concerning 56CSR22

I ask that we strike 4.5.c.1—we discussed in the session held here at the RRLA that to our knowledge there is not an approved 32 hour EMT-M course, and personally I do not see where it is economically feasible. To wait three years, and then take the miner out of the work force for four days, instead of one day per year under the normal practice, is not a good business decision and thus not an option for companies to do.

Secondly, based upon the prior comment, I ask that we also strike the same 32 hour wording from the language in 4.6 as it is not a feasible option.

Thirdly, we ask under 4.10: what are the qualifications for another entity to become authorized? Presently the Running Right Leadership Academy received the endorsement of the WVDHHR, Office of OEMS, and would we be qualified then per WVOMHST? Will we need a Medical Director (required by DHHR) as part of the approval process?

Thanks for what you do, and making a difference there.

Gary Frampton

*Regional Education
Service Agencies*

RESA

A powerful engine for education

214 North Kanawha Street . Beckley, WV 25801

681.207.7038 or 681.207.7050

Public Service Training

RESA 1 – Mercer, McDowell, Monroe, Raleigh, Summers, Wyoming

RESA 4 – Braxton, Greenbrier, Fayette, Nicholas, Pocahontas, Webster

May 26, 2016

William A. Tucker
Office of Miner's Health, Safety and Training
7 Players Club Drive, Suite 2
Charleston, WV 25311-2126

Dear Mr. Tucker,

I am submitting on behalf of the RESA Public Safety Training coordinators a comment on 56CSR22 the new rules governing the certification, recertification and training of EMT-Miners, specifically section 5.2.a. that deals with the qualifications to instruct the EMT-M program.

This section allows first-aid instructors to teach the EMT-M program. The EMT-Mining curriculum is of a higher level than that of a basic first aid instructor. Thus, a basic first aid instructor would be instructing material which is above their level of training. This presents a problem because you would have an instructor teaching techniques that they have not been taught or tested on. While section 5.6 of the rule allows instructors to bring in persons with special expertise to assist in teaching, an instructor that is unfamiliar with that subject matter would have no way of evaluating if the material was being taught correctly. The best way to deliver the training is to use instructors that have at a minimum the level of training that they are instructing.

Thank you for the opportunity to comment on this rule.

Sincerely,



Billie L. Trump

Public Service Training coordinator RESA 1 & 4

Southern Safety, Inc.

**P.O. Box 251
Sophia, WV 25921**



Phone - 304-683-9493

Fax - 304-683-9497

Donnie.coleman@frontier.com

5-23-16

**Mr. Bill Tucker
WV Office of
Miners Health, Safety, and Training
#7 Players Club Suite 2
Charleston, WV 25311**

**Ref: Proposed EMT-M Rule
56CSR22 Title 56, Series 22**

Dear Mr. Tucker,

In response to the proposed EMT-M rule I would like to make the following comments:

- 1. EMT-M's should have a period of one year from the date of the original test to retake any part of the test they failed.**
- 2. Due to a number of circumstances including mine closures, not being aware of where classes were available, etc. several EMT-M's failed to get recertified during 2015. (This may be the highest number ever to lose their certification in one year)**

Can we grandfather those EMT's into the new rule and allow them to take the 2015 class to get back into the system. This would give them a December 2016 expiration date and allow them to get completely caught up this year.

Sincerely,


**Donnie Coleman
EMT, Instructor**