

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 DAVID STANLEY CONSULTANTS -- WILLIAM TUCKER, REGIONAL MANAGER

Comment 1: I would recommend taking out the thirty two (32) hour recertification language. There are no programs out there for the 32 hour course. This has not been done in years and only potentially leads to confusion.

Response: OMHST rejects this comment. The 32-hour recertification course is an option provided for in West Virginia Code § 22A-10-3(d)(4)(A). Since the 32-hour recertification course is an option provided for in the Code, OMHST cannot remove it through a legislative rule.

Comment 2: Secondly the new language under the new 4.5 concerning missing the annual modules is not clear. I think the original language is much clearer. One could interpret the new language as missing any two modules would mean repeating the initial 60 hour course. EXAMPLE: You miss in 2019 and then in 2023 you have missed two modules and would have to repeat the course.

Response: OMHST rejects this comment. The proposed language will require that if one module is missed the card will remain invalid until that missed module is taken. If at any time two modules are missed, the 60-hour class is required to be taken and passed to reinstate the EMT-M certification. A module that is missed and then taken at a later date is no longer a missed module.

Also, by striking "as long as it is taken by December 31 of the following year", we have

provided for an individual that missed a module and failed to make up that module by December 31 of the following year to still take that missed module and revalidate his/her EMT-M certification at any time. One missed module can be made up at any time by taking the one missed module. The EMT-M certification remains invalid until the missed module is taken.

Comment 3: Lastly there is a small typo in the last sentence of the rule, 7.4. the current language says an nationally and should read a nationally.

Response: OMHST agrees with this comment. OMIIST shall correct “an nationally” to “a nationally” in Subsection 7.4. of the rule.

Young, Willa J

From: Koerber, Barry L
Sent: Thursday, July 18, 2019 11:53 AM
To: Young, Willa J
Subject: FW: [External] EMT-M Rule 56-22

From: William Tucker <wtucker@dsc-llc.com>
Sent: Thursday, July 18, 2019 11:52 AM
To: White, Eugene E <Eugene.E.White@wv.gov>
Cc: Koerber, Barry L <Barry.L.Koerber@wv.gov>; Cook, Danny R <Danny.R.Cook@wv.gov>
Subject: [External] EMT-M Rule 56-22

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There are some very good changes to the EMT -M rule ,however I would like to make a couple comments. I would recommend taking out the thirty two (32) hour recertification language. There are no programs out there for the 32 hour course. This has not been done in years and only potentially leads to confusion. Secondly the new language under the new 4.5 concerning missing the annual modules is not clear. I think the original language is much clearer. One could interpret the new language as missing any two modules would mean repeating the initial 60 hour course. EXAMPLE: You miss in 2019 and then in 2023 you have missed two modules and would have to repeat the course. Lastly there is a small typo in the last sentence of the rule,7.4. the current language says an nationally and should read a nationally. Thanks for the opportunity to comment on this rule.

Respectfully,

William Tucker, Regional Manager, David Stanley Consultants