WEST virginia legislature

2021 regular session

Introduced

Senate Bill 577

By Senators Phillips, Stollings, Roberts, and Jeffries

[Introduced March 5, 2021; referred  
to the Committee on Government Organization]

A BILL to amend and reenact §16-4C-23 of the Code of West Virginia, 1931, as amended, relating to exempting certain fire departments from licensure requirements for the provision of rapid response services.

Be it enacted by the Legislature of West Virginia:

ARTICLE 4C. EMERGENCY MEDICAL SERVICES ACT.

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

(a) The commissioner shall propose for promulgation, legislative rules pursuant to §29A-3-1 *et seq.* of this code to carry out the purposes of this article.

(b) Notwithstanding the provisions of §16-4C-6(a) of this ~~article~~ code, the commissioner shall propose for promulgation a legislative rule regulating fire department rapid response services, pursuant to §29A-3-1 *et seq.* of this code which: (1) Establishes licensure and certification requirements for fire department rapid response services who ~~do not~~ charge for their services or transport patients; (2) incorporates necessary applicable emergency medical services requirements for licensure for “emergency medical services” as the requirements apply to fire departments and as defined in ~~subsection (d) section three of this article~~ §16-4C-3(e) of this code; and (3) creates an exemption from ~~license and inspection fees for fire departments~~ ~~that do not charge fees for their services and which authorizes such fire departments to conduct self inspections of their emergency vehicles in accordance with any applicable state or federal requirements for emergency medical service vehicles. The commissioner shall file the rule required by this subsection as an emergency rule on or before July 1, 1999. The Legislature hereby finds that an emergency exists compelling promulgation of an emergency rule, consistent with the provisions of this subsection~~ licensure for certain fire departments who do not charge for their services or patient transport, but who provide rapid response services pursuant to an agreement with a licensed emergency medical services agency that addresses medical direction, training, quality assurance, and liability insurance.