

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 5347

BY DELEGATES JENNINGS, STATLER, TULLY, MALLOW,

AND SHAMBLIN

[Passed March 4, 2024; in effect July 1, 2024.]

1 AN ACT to amend and reenact §16-4C-6, §16-4C-10, and §16-4C-24 of the Code of West
2 Virginia, 1931, as amended, all relating to emergency medical services; establishing a
3 program for emergency medical technicians to become certified paramedics; revising
4 procedures for hearing; and providing for funding of the program for emergency medical
5 technicians to become certified technicians.

Be it enacted by the Legislature of West Virginia:

ARTICLE 4C. EMERGENCY MEDICAL SERVICES ACT.

§16-4C-6. Powers and duties of secretary.

1 The secretary has the following powers and duties:

2 (a) To propose rules for legislative approval, in consultation with the state health officer,
3 in accordance with the provisions of §29A-3-1 *et seq.* of this code: *Provided*, That the rules have
4 been submitted at least 30 days in advance for review by the Emergency Medical Services
5 Advisory Council, who may act only in the presence of a quorum. The rules may include:

6 (1) Standards and requirements for certification and recertification of emergency medical
7 service personnel, including, but not limited to:

8 (A) Age, training, testing, and continuing education;

9 (B) Procedures for certification and recertification, and for denying, suspending, revoking,
10 reinstating, and limiting a certification or recertification;

11 (C) Levels of certification and the scopes of practice for each level;

12 (D) Standards of conduct; and

13 (E) Causes for disciplinary action and sanctions which may be imposed.

14 (2) Standards and requirements for licensure and licensure renewals of emergency
15 medical service agencies, including:

16 (A) Operational standards, levels of service, personnel qualifications and training,
17 communications, public access, records management, reporting requirements, medical direction,
18 quality assurance and review, and other requirements necessary for safe and efficient operation;

19 (B) Inspection standards and establishment of improvement periods to ensure
20 maintenance of the standards;

21 (C) Fee schedules for licensure, renewal of licensure, and other necessary costs;

22 (D) Procedures for denying, suspending, revoking, reinstating, or limiting an agency
23 licensure;

24 (E) Causes for disciplinary action against agencies; and

25 (F) Administrative penalties, fines, and other disciplinary sanctions which may be imposed
26 on agencies;

27 (3) Standards and requirements for emergency medical services vehicles, including
28 classifications and specifications;

29 (4) Standards and requirements for training institutions, including approval or accreditation
30 of sponsors of continuing education, course curricula, and personnel;

31 (5) Standards and requirements for a State Medical Direction System, including
32 qualifications for a state emergency medical services medical director and regional medical
33 directors, the establishment of a State Medical Policy and Care Committee, and the designation
34 of regional medical command centers;

35 (6) Provision of services by emergency medical services personnel in hospital emergency
36 rooms;

37 (7) Authorization to temporarily suspend the certification of an individual emergency
38 medical services provider prior to a hearing or notice if the secretary finds there is probable cause
39 that the conduct or continued service or practice of any individual certificate holder has or may
40 create a danger to public health or safety: *Provided*, That the secretary may rely on information
41 received from a physician that serves as a medical director in finding that probable cause exists
42 to temporarily suspend the certification; and

43 (8) Any other rules necessary to carry out the provisions of this article;

44 (b) To apply for, receive, and expend advances, grants, contributions, and other forms of
45 assistance from the state or federal government or from any private or public agencies or
46 foundations to carry out the provisions of this article;

47 (c) To design, develop, and review, in consultation with the state health officer, a Statewide
48 Emergency Medical Services Implementation Plan. The plan shall recommend aid and assistance
49 and all other acts necessary to carry out the purposes of this article:

50 (1) To encourage local participation by area, county, and community officials, and regional
51 emergency medical services boards of directors; and

52 (2) To develop a system for monitoring and evaluating emergency medical services
53 programs throughout the state;

54 (d) To provide professional and technical assistance and to make information available to
55 regional emergency medical services boards of directors and other potential applicants or
56 program sponsors of emergency medical services for purposes of developing and maintaining a
57 statewide system of services;

58 (e) To assist local government agencies, regional emergency medical services boards of
59 directors, and other public or private entities in obtaining federal, state, or other available funds
60 and services;

61 (f) To cooperate and work with federal, state, and local governmental agencies, private
62 organizations, and other entities as may be necessary to carry out the purposes of this article;

63 (g) To acquire in the name of the state by grant, purchase, gift, devise, or any other
64 methods appropriate, real and personal property as may be reasonable and necessary to carry
65 out the purposes of this article;

66 (h) To make grants and allocations of funds and property so acquired or which may have
67 been appropriated to the agency to other agencies of state and local government as may be
68 appropriate to carry out the purposes of this article;

69 (i) To expend and distribute by grant or bailment funds and property to all state and local
70 agencies for the purpose of performing the duties and responsibilities of the agency all funds
71 which it may have so acquired or which may have been appropriated by the Legislature of this
72 state;

73 (j) To develop, in consultation with the state health officer, a program to inform the public
74 concerning emergency medical services;

75 (k) To review and disseminate information regarding federal grant assistance relating to
76 emergency medical services;

77 (l) To prepare and submit to the Governor and Legislature recommendations for legislation
78 in the area of emergency medical services;

79 (m) To review, make recommendations for, and assist, in consultation with the state health
80 officer, in all projects and programs that provide for emergency medical services whether or not
81 the projects or programs are funded through the Office of Emergency Medical Services. A review
82 and approval shall be required for all emergency medical services projects, programs, or services
83 for which application is made to receive state or federal funds for their operation after the effective
84 date of this act;

85 (n) To cooperate with the Department of Administration, Purchasing Division to establish
86 one or more statewide contracts for equipment and supplies utilized by emergency medical
87 services agencies in accordance with §5A-3-1 *et seq.* of this code:

88 (1) Any statewide contract established hereunder shall be made available to any
89 emergency medical services agency licensed under §16-4C-6a of this code that is designated to
90 provide emergency response by one or more county emergency dispatch centers.

91 (2) The office may develop uniform standards for equipment and supplies used by
92 emergency medical services agencies in accordance with §5A-3-1 *et seq.* of this code.

93 (3) The office shall propose legislative rules for promulgation in accordance with §29A-3-
94 1 *et seq.* of this code to effectuate the provisions of this subsection;

95 (o) To take all necessary and appropriate action to encourage and foster the cooperation
96 of all emergency medical service providers and facilities within this state; and

97 (p) To establish a program for emergency medical technicians, who, after three years of
98 serving as an emergency medical technician, are eligible for state assistance through the fund
99 established in §16-4C-24 of this code to become a certified paramedic.

§16-4C-10. Procedures for hearing.

1 Hearings are governed by the provisions of §29A-5-1 *et seq.* of this code.

**§16-4C-24. Emergency Medical Services Equipment and Training Fund; establishment of
a grant program for equipment and training of emergency medical service providers
and personnel.**

2 (a) There is continued in the State Treasury a special revenue fund to be known as the
3 Emergency Medical Services Equipment and Training Fund. Expenditures from the fund by the
4 Office of Emergency Medical Services and Bureau for Public Health, are authorized from
5 collections. The fund may only be used for the purpose of providing grants to equip emergency
6 medical services providers and train emergency medical services personnel, as defined in §16-
7 4C-3 of this code, and for the program established in §16-4C-6(p). Any balance remaining in the
8 fund at the end of any fiscal year does not revert to the General Revenue Fund but remains in the
9 special revenue fund.

10 (b) The secretary shall establish a grant program for equipment, training of emergency
11 medical services providers and personnel, and for the program established in §16-4C-6(p). Such
12 grant program shall be open to all emergency medical services personnel and providers, but
13 priority shall be given to rural and volunteer emergency medical services providers.

14 (c) The secretary shall propose legislative rules for promulgation in accordance
15 with §29A-3-1 *et seq.* of this code to implement the grant program established pursuant
16 to this section and for the program established in §16-4C-6(p).

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

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Clerk of the House of Delegates

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Clerk of the Senate

Originated in the House of Delegates.

In effect July 1, 2024.

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Speaker of the House of Delegates

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President of the Senate

The within is this the.....
Day of, 2024.

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Governor