

SECOND REGULAR SESSION

HOUSE BILL NO. 2057

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SAULS.

3852H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 67.145, 70.631, 170.310, 190.091, 650.320, and 650.340, RSMo, and to enact in lieu thereof six new sections relating to telecommunicator first responders.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 67.145, 70.631, 170.310, 190.091, 650.320, and 650.340, RSMo, are repealed and six new sections enacted in lieu thereof, to be known as sections 67.145, 70.631, 170.310, 190.091, 650.320, and 650.340, to read as follows:

67.145. 1. No political subdivision of this state shall prohibit any first responder from engaging in any political activity while off duty and not in uniform, being a candidate for elected or appointed public office, or holding such office unless such political activity or candidacy is otherwise prohibited by state or federal law.

2. As used in this section, "first responder" means any person trained and authorized by law or rule to render emergency medical assistance or treatment. Such persons may include, but shall not be limited to, emergency first responders, **telecommunicator first responders**, police officers, sheriffs, deputy sheriffs, firefighters, ambulance attendants and attendant drivers, emergency medical technicians, mobile emergency medical technicians, emergency medical technician-paramedics, registered nurses, or physicians.

70.631. 1. Each political subdivision may, by majority vote of its governing body, elect to cover ~~[emergency telecommunicators]~~ **telecommunicator first responders**, jailors, and emergency medical service personnel as public safety personnel members of the system. The clerk or secretary of the political subdivision shall certify an election concerning the coverage of ~~[emergency telecommunicators]~~ **telecommunicator first responders**, jailors, and emergency medical service personnel as public safety personnel members of the system

EXPLANATION — Matter enclosed in bold-faced brackets ~~[thus]~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

7 to the board within ten days after such vote. The date in which the political subdivision's
8 election becomes effective shall be the first day of the calendar month specified by such
9 governing body, the first day of the calendar month next following receipt by the board of the
10 certification of the election, or the effective date of the political subdivision's becoming an
11 employer, whichever is the latest date. Such election shall not be changed after the effective
12 date. If the election is made, the coverage provisions shall be applicable to all past and future
13 employment with the employer by present and future employees. If a political subdivision
14 makes no election under this section, no ~~[emergency]~~ telecommunicator **first responder**,
15 jailor, or emergency medical service personnel of the political subdivision shall be considered
16 public safety personnel for purposes determining a minimum service retirement age as
17 defined in section 70.600.

18 2. If an employer elects to cover ~~[emergency telecommunicators]~~ **telecommunicator**
19 **first responders**, jailors, and emergency medical service personnel as public safety personnel
20 members of the system, the employer's contributions shall be correspondingly changed
21 effective the same date as the effective date of the political subdivision's election.

22 3. The limitation on increases in an employer's contributions provided by subsection
23 6 of section 70.730 shall not apply to any contribution increase resulting from an employer
24 making an election under the provisions of this section.

25 4. The provisions of this section shall only apply to counties of the third classification
26 and any county of the first classification with more than seventy thousand but fewer than
27 eighty-three thousand inhabitants and with a city of the fourth classification with more than
28 thirteen thousand five hundred but fewer than sixteen thousand inhabitants as the county seat,
29 and any political subdivisions located, in whole or in part, within such counties.

170.310. 1. For school year 2017-18 and each school year thereafter, upon
2 graduation from high school, pupils in public schools and charter schools shall have received
3 thirty minutes of cardiopulmonary resuscitation instruction and training in the proper
4 performance of the Heimlich maneuver or other first aid for choking given any time during a
5 pupil's four years of high school.

6 2. Beginning in school year 2017-18, any public school or charter school serving
7 grades nine through twelve shall provide enrolled students instruction in cardiopulmonary
8 resuscitation. Students with disabilities may participate to the extent appropriate as
9 determined by the provisions of the Individuals with Disabilities Education Act or Section
10 504 of the Rehabilitation Act. Instruction shall be included in the district's existing health or
11 physical education curriculum. Instruction shall be based on a program established by the
12 American Heart Association or the American Red Cross, or through a nationally recognized
13 program based on the most current national evidence-based emergency cardiovascular care
14 guidelines, and psychomotor skills development shall be incorporated into the instruction.

15 For purposes of this section, "psychomotor skills" means the use of hands-on practicing and
16 skills testing to support cognitive learning.

17 3. The teacher of the cardiopulmonary resuscitation course or unit shall not be
18 required to be a certified trainer of cardiopulmonary resuscitation if the instruction is not
19 designed to result in certification of students. Instruction that is designed to result in
20 certification being earned shall be required to be taught by an authorized cardiopulmonary
21 instructor. Schools may develop agreements with any local chapter of a voluntary
22 organization of first responders to provide the required hands-on practice and skills testing.
23 **For purposes of this subsection, first responders shall include telecommunicator first**
24 **responders as defined in section 650.320.**

25 4. The department of elementary and secondary education may promulgate rules to
26 implement this section. Any rule or portion of a rule, as that term is defined in section
27 536.010, that is created under the authority delegated in this section shall become effective
28 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
29 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
30 vested with the general assembly pursuant to chapter 536 to review, to delay the effective
31 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant
32 of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be
33 invalid and void.

190.091. 1. As used in this section, the following terms mean:

2 (1) "Bioterrorism", the intentional use of any microorganism, virus, infectious
3 substance, or biological product that may be engineered as a result of biotechnology or any
4 naturally occurring or bioengineered component of any microorganism, virus, infectious
5 substance, or biological product to cause death, disease, or other biological malfunction in a
6 human, an animal, a plant, or any other living organism to influence the conduct of
7 government or to intimidate or coerce a civilian population;

8 (2) "Department", the Missouri department of health and senior services;

9 (3) "Director", the director of the department of health and senior services;

10 (4) "Disaster locations", any geographical location where a bioterrorism attack,
11 terrorist attack, catastrophic or natural disaster, or emergency occurs;

12 (5) "First responders", state and local law enforcement personnel, **telecommunicator**
13 **first responders**, fire department personnel, and emergency medical personnel who will be
14 deployed to bioterrorism attacks, terrorist attacks, catastrophic or natural disasters, and
15 emergencies.

16 2. The department shall offer a vaccination program for first responders who may be
17 exposed to infectious diseases when deployed to disaster locations as a result of a
18 bioterrorism event or a suspected bioterrorism event. The vaccinations shall include, but are

19 not limited to, smallpox, anthrax, and other vaccinations when recommended by the federal
20 Centers for Disease Control and Prevention's Advisory Committee on Immunization
21 Practices.

22 3. Participation in the vaccination program shall be voluntary by the first responders,
23 except for first responders who, as determined by their employer, cannot safely perform
24 emergency responsibilities when responding to a bioterrorism event or suspected bioterrorism
25 event without being vaccinated. The recommendations of the Centers for Disease Control
26 and Prevention's Advisory Committee on Immunization Practices shall be followed when
27 providing appropriate screening for contraindications to vaccination for first responders. A
28 first responder shall be exempt from vaccinations when a written statement from a licensed
29 physician is presented to their employer indicating that a vaccine is medically contraindicated
30 for such person.

31 4. If a shortage of the vaccines referred to in subsection 2 of this section exists
32 following a bioterrorism event or suspected bioterrorism event, the director, in consultation
33 with the governor and the federal Centers for Disease Control and Prevention, shall give
34 priority for such vaccinations to persons exposed to the disease and to first responders who
35 are deployed to the disaster location.

36 5. The department shall notify first responders concerning the availability of the
37 vaccination program described in subsection 2 of this section and shall provide education to
38 such first responders and their employers concerning the vaccinations offered and the
39 associated diseases.

40 6. The department may contract for the administration of the vaccination program
41 described in subsection 2 of this section with health care providers, including but not limited
42 to local public health agencies, hospitals, federally qualified health centers, and physicians.

43 7. The provisions of this section shall become effective upon receipt of federal
44 funding or federal grants which designate that the funding is required to implement
45 vaccinations for first responders in accordance with the recommendations of the federal
46 Centers for Disease Control and Prevention's Advisory Committee on Immunization
47 Practices. Upon receipt of such funding, the department shall make available the vaccines to
48 first responders as provided in this section.

650.320. For the purposes of sections 650.320 to 650.340, the following terms mean:

- 2 (1) "Board", the Missouri 911 service board established in section 650.325;
- 3 (2) "Public safety answering point", the location at which 911 calls are answered;
- 4 (3) "Telecommunicator **first responder**", any person employed as an emergency
5 telephone worker, call taker or public safety dispatcher whose duties include receiving,
6 processing or transmitting public safety information received through a 911 public safety
7 answering point.

650.340. 1. The provisions of this section may be cited and shall be known as the "911 Training and Standards Act".

2. Initial training requirements for ~~[telecommunicators]~~ **telecommunicator first responders** who answer 911 calls that come to public safety answering points shall be as follows:

- (1) Police telecommunicator **first responder**, 16 hours;
- (2) Fire telecommunicator **first responder**, 16 hours;
- (3) Emergency medical services telecommunicator **first responder**, 16 hours;
- (4) Joint communication center telecommunicator **first responder**, 40 hours.

3. All persons employed as a telecommunicator **first responder** in this state shall be required to complete ongoing training so long as such person engages in the occupation as a telecommunicator **first responder**. Such persons shall complete at least twenty-four hours of ongoing training every three years by such persons or organizations as provided in subsection 6 of this section.

4. Any person employed as a telecommunicator on August 28, 1999, shall not be required to complete the training requirement as provided in subsection 2 of this section. Any person hired as a telecommunicator **or a telecommunicator first responder** after August 28, 1999, shall complete the training requirements as provided in subsection 2 of this section within twelve months of the date such person is employed as a telecommunicator **or telecommunicator first responder**.

5. The training requirements as provided in subsection 2 of this section shall be waived for any person who furnishes proof to the committee that such person has completed training in another state which is at least as stringent as the training requirements of subsection 2 of this section.

6. The board shall determine by administrative rule the persons or organizations authorized to conduct the training as required by subsection 2 of this section.

7. This section shall not apply to an emergency medical dispatcher or **dispatch** agency as defined in section 190.100, or a person trained by an entity accredited or certified under section 190.131, or a person who provides prearrival medical instructions who works for an agency which meets the requirements set forth in section 190.134.

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