

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1341 Session of 2017

INTRODUCED BY PYLE, MILLARD, PICKETT, CAUSER, NEILSON, IRVIN, HEFFLEY, BOBACK, ZIMMERMAN, DeLUCA, WHEELAND, FARRY, GABLER AND MARSHALL, MAY 5, 2017

AS REPORTED FROM COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 19, 2017

AN ACT

1 Amending the act of July 7, 2008 (P.L.654, No.55), entitled "An
2 act providing for bituminous coal mines; and making a
3 repeal," in emergency medical personnel, further providing
4 for definitions, for emergency medical personnel, for
5 regulations, for continuing training, for certification and
6 for liability.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Sections 601, 602, 603, 605, 607 and 608 of the
10 act of July 7, 2008 (P.L.654, No.55), known as the Bituminous
11 Coal Mine Safety Act, are amended to read:

12 Section 601. Definitions.

13 The following words and phrases when used in this chapter
14 shall have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 "ADVANCED EMERGENCY MEDICAL TECHNICIAN." A COAL MINE <--
17 EMPLOYEE WHO IS CERTIFIED BY THE DEPARTMENT OF HEALTH AS AN
18 ADVANCED EMERGENCY MEDICAL TECHNICIAN.

19 "Emergency medical responder." A coal mine employee who

1 complies with all of the following:

2 (1) Has been certified by the Department of Health as an
3 emergency medical responder.

4 (2) Has successfully completed all of the following
5 courses of additional training of the type approved by the
6 Department of Health for emergency medical technicians:

7 (i) Patient assessment in the areas of splinting,
8 extremity manual, rigid and soft vacuum.

9 (ii) Spine care in the areas of:

10 (A) restricting spinal motion, helmet removal
11 and stabilization; and

12 (B) devices to restrict spinal motion.

13 (3) Has successfully completed any additional courses
14 required by regulation of the board.

15 "Emergency medical technician." A coal mine employee [who
16 has successfully completed the course on emergency first aid
17 care and transportation of the sick and injured recommended by
18 the American Academy of Orthopedic Surgeons or an equivalent
19 organization and] who has been certified by the Department of
20 Health [to provide] as an emergency [care] medical technician.

21 "[Emergency medical technician paramedic] Paramedic." An
22 individual who has been certified by the Department of Health
23 [to provide emergency medical treatment] as a paramedic.

24 Section 602. Emergency medical personnel.

25 Emergency medical personnel shall be employed at every mine
26 as follows:

27 (1) At least one emergency medical responder ~~or,~~ <--
28 emergency medical technician OR ADVANCED EMERGENCY MEDICAL <--
29 TECHNICIAN shall be on duty at any time when miners at that
30 mine are engaged in the extraction, production or preparation

1 of coal. Emergency medical responders ~~or~~, emergency medical <--
2 technicians OR ADVANCED EMERGENCY MEDICAL TECHNICIANS shall <--
3 be on duty at a mine in sufficient numbers to assure that no
4 miner shall work in a mine location which cannot be reached
5 in 30 minutes by an emergency medical responder ~~or~~, an <--
6 emergency medical technician OR AN ADVANCED EMERGENCY MEDICAL <--
7 TECHNICIAN. Emergency medical responders ~~or~~, emergency <--
8 medical technicians OR ADVANCED EMERGENCY MEDICAL TECHNICIANS <--
9 shall be employed at their regular duties at locations
10 convenient for quick response to emergencies and shall have
11 available to them at all times necessary equipment in
12 compliance with Federal regulations.

13 (2) Telephone services or the equivalent facilities
14 shall be installed which shall provide two-way voice
15 communications between the emergency medical responder ~~or~~, <--
16 the emergency medical technician OR THE ADVANCED EMERGENCY <--
17 MEDICAL TECHNICIAN at the mine and medical personnel outside
18 or away from the mine who provide emergency medical services
19 on a regular basis.

20 (3) Operators shall make adequate provisions so that at
21 least one [emergency medical technician] paramedic,
22 registered nurse, physician or physician assistant is
23 available to provide care at a mine at any time that
24 individuals are engaged in extraction, production or
25 preparation of coal. Emergency medical personnel under this
26 paragraph shall be on call to reach the entrance of the mine
27 within 30 minutes.

28 [Section 603. Regulations for training and certification.

29 The Department of Health shall promulgate regulations to
30 train and certify emergency medical technicians and emergency

1 medical technician paramedics.

2 Section 605. Continuing training.

3 The department, after consultation with the Department of
4 Health regarding the content of instruction courses, shall
5 provide for necessary training on a continuing basis of
6 emergency medical technicians and emergency medical technician
7 paramedics in sufficient numbers to satisfy the requirements of
8 this chapter.]

9 Section 607. Certification.

10 The Department of Health shall promulgate regulations to
11 prescribe procedures necessary to certify emergency medical
12 responders, emergency medical technicians, ADVANCED EMERGENCY <--
13 MEDICAL TECHNICIANS and [emergency medical technician]
14 paramedics and consult with the department as may be required
15 under this chapter.

16 Section 608. Liability.

17 (a) Physicians.--

18 (1) Except as set forth in paragraph (2), a physician
19 who in good faith gives instructions to [a certified] an
20 emergency medical responder, an emergency medical technician
21 [or emergency medical technician], AN ADVANCED EMERGENCY <--
22 MEDICAL TECHNICIAN, a paramedic, a registered nurse or a
23 physician assistant shall not be liable for civil damages as
24 a result of issuing the instructions.

25 (2) Paragraph (1) does not apply where the actions
26 constitute gross negligence, reckless misconduct or
27 intentional misconduct.

28 (b) Other medical personnel.--

29 (1) Except as set forth in paragraph (2), [a certified]
30 an emergency medical responder, an emergency medical

1 technician, [emergency medical technician] AN ADVANCED <--
2 EMERGENCY MEDICAL TECHNICIAN, a paramedic, a registered nurse
3 or a physician assistant who in good faith attempts to render
4 emergency care to a sick or injured individual in or about a
5 mine shall not be liable for civil damages as a result of any
6 acts or omissions.

7 (2) Paragraph (1) does not apply where the actions
8 constitute gross negligence, reckless misconduct or
9 intentional misconduct.

10 Section 2. This act shall take effect in 60 days.