



## PERMANENT ADMINISTRATIVE ORDER

### DPSST 10-2021

CHAPTER 259  
DEPARTMENT OF PUBLIC SAFETY STANDARDS AND TRAINING

**FILED**

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FILING CAPTION: Adds First Aid and CPR certifications to maintenance requirements and cleans up outdated timeline language.

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AMEND: 259-008-0064

NOTICE FILED DATES: 02/19/2020, 11/20/2019

RULE SUMMARY: This permanent rule change combines two proposed rule changes.

- Adding First Aid and CPR certifications to the Telecommunicator and Emergency Medical Dispatcher Maintenance Requirements. Proposed on November 20, 2019.
- Housekeeping amendments for telecommunicator and emergency medical dispatcher certification maintenance requirements. Proposed on February 19, 2020.

The Board on Public Standards and Training approved both of the proposed rule changes on April 23, 2020. DPSST postponed implementation of the permanent rule changes and the new requirements due to the ongoing impacts of COVID-19 and a temporary rule that was in effect during 2020.

OAR 259-008-0064 defines the requirements for maintaining DPSST-issued telecommunicator and emergency medical dispatcher certifications.

These rule changes add a requirement for certified telecommunicators and emergency medical dispatchers to have current First Aid and CPR certifications to maintain DPSST basic certification.

Having current First Aid and CPR certification means having the certifications at all times. The employing agency will maintain the discretion to determine what training is used to obtain the First Aid and CPR certifications. Training hours used to obtain First Aid and CPR certifications may be reported and applied to the annual training hour requirements.

Failure to maintain current First Aid and CPR certifications will result in the suspension of the telecommunicator's or EMD's DPSST certification and the person will be prohibited from performing the duties of their certifiable position until the maintenance requirement has been satisfied.

These rule changes also provide housekeeping. The primary intent of the housekeeping addresses the removal of timelines that were used to phase in previously adopted maintenance training requirements for annual ethics training, supervision training, and the calendar year date shift for the maintenance cycle.

CHANGES TO RULE:

259-008-0064

Maintenance of Certification for Telecommunicators and Emergency Medical Dispatchers ¶¶

- (1) It is the responsibility of the Board to set the minimum standards for the maintenance of certification for currently employed and certified telecommunicators and emergency medical dispatchers (EMD).¶¶
  - (a) While it is the responsibility of the Department to uphold those standards, each agency may determine what training will be provided to meet the standards.¶¶
  - (b) The Board recommends that agencies provide training time and training opportunities to enable telecommunicators and EMD to meet the required maintenance training hour standards.¶¶
- (2) The requirements established by the Board ~~for the completion of training~~ to maintain certification apply to telecommunicators and EMD who are currently employed and ~~are currently certified~~.¶¶
- (3) The Department will establish a maintenance ~~training~~ cycle for each telecommunicator and EMD upon issuance of a basic certification.¶¶
  - (a) The maintenance cycle will begin on January 1st and end on December 31st of the calendar year, ~~except the Department will extend the maintenance cycle for the 2018 calendar year to include the period of July 1, 2017 through December 31, 2017.~~¶¶
  - (b) Basic certifications granted between January 1st and June 30th of the current year will have maintenance cycles that are effective January 1st of the current year.¶¶
  - (c) Basic certifications granted between July 1st and December 31st of the current year will have maintenance cycles that are effective January 1st of the following year.¶¶
  - (d) If a telecommunicator's or an EMD's certifications lapse ~~pursuant to OAR 259-008-0067~~, a new maintenance ~~training~~ cycle will be established upon reissuance of a basic certification.¶¶
- (4) In order to maintain basic certification:¶¶
  - (a) A telecommunicator must complete a minimum of 12 hours of maintenance training specific to the telecommunicator discipline.¶¶
  - (b) ~~Notwithstanding (4)(c), a~~ An EMD must complete a minimum of eight hours of maintenance training specific to the EMD discipline.¶¶
  - (c) A telecommunicator who is ~~also~~ multi-discipline certified as ~~both~~ a telecommunicator and an EMD must complete a minimum of 12 hours of maintenance training specific to the telecommunicator discipline and a minimum of four hours of maintenance training specific to the EMD discipline.¶¶
  - (d) ~~The Board recommends that telecommunicators and EMD~~ must complete a minimum of one hour of Ethics training annually. Effective January 1, 2020, a minimum of one hour of Ethics training will be an annual ethics training hours will be applied toward the minimum maintenance training requirement to maintas. Multi-discipline certification. Ethics training hours will be applied toward the minimum maintenance training requirement telecommunicators and EMD only need to satisfy the ethics training requirement once each maintenance cycle.¶¶
  - (e) Telecommunicators and EMD must maintain current First Aid and CPR certifications.¶¶
- (5) Telecommunicators and emergency medical dispatchers who are multi-discipline certified in a law

enforcement officer discipline must complete the telecommunicator and emergency medical dispatcher maintenance requirements as defined in this rule and are also required to complete the requirements to maintain a law enforcement officer discipline as defined in OAR 259-008-0065. The same training may be used for more than one discipline if the content is applicable to each discipline. It is the responsibility of the department head to determine if the training is appropriate for more than one discipline.¶

~~(6) Recommended Leadership Training for Telecommunicators with Supervisory, Management or Executive Certifications.¶~~

~~(a) The Board recommends that telecommunicators who hold supervisory, management or executive certifications must complete two hours of Leadership training annually.¶~~

~~(b) The two hours of annual Leadership training requirement is in addition to the annual training requirements to maintain basic telecommunications certification.¶~~

~~(c) Effective January 1, 2020, two hours of annual Leadership training will be required to maintain supervisory, management or executive maintenance training requirements for basic certification.¶~~

(7) Instructors may apply hours spent instructing a class one time annually toward maintenance training.¶

(a) Instructed hours reported for a class may not exceed the lesser of:¶

(A) The actual class hours; or¶

(B) The actual number of hours the instructor spent instructing the class.¶

(b) The total number of instructed hours applied towards the annual maintenance training requirement may not exceed:¶

(A) Six hours for the telecommunications discipline;¶

(B) Notwithstanding (7)(b)(C), four hours for the EMD discipline; or¶

(C) When multi-discipline certified as a telecommunicator and an EMD, a combination of six hours for the telecommunications discipline and two hours for the EMD discipline.¶

(8) Documentation of Completed Maintenance Training Requirements.¶

(a) The employing agency must maintain documentation of all required maintenance training for each telecommunicator and EMD.¶

~~(b) Training hours used to complete the requirements for maintenance of certification must be reported to the Department by December 31st of each calendar year and current First Aid and CPR certifications for each telecommunicator and EMD.¶~~

~~(b) First Aid and CPR certification expiration dates must be reported to the Department through a Department approved submission process using either of the following:¶~~

~~(A) A Course Attendance Roster. When an agency submits a course attendance roster to the Department pursuant to OAR 259-008-0090, the training will be entered into each telecommunicator's or EMD's DPSST training record and the training hours will be credited to the maintenance training category identified on the course attendance roster; or¶~~

~~(B) A Maintenance Training Log. When an agency submits a maintenance training log to document the completion of maintenance training hours, the maintenance training log will be used solely to verify completion of maintenance training required of current First Aid and CPR certifications for each telecommunicator and EMD.¶~~

~~(c) Training hours used to complete the requirements for maintenance of certification must be reported to the Department by December 31st of each calendar year through a Department approved submission process.¶~~

~~(ed) The Department will update the telecommunicator's or EMD's DPSST training record to reflect the telecommunicator's or EMD's completion of the maintenance training requirements for certification.¶~~

~~(9) Training hours will be credited to the maintenance training category identified on the course attendance roster.¶~~

(9) Maintenance Requirements for Telecommunicators and Emergency Medical Dispatchers on Leave.¶

(a) The employing agency must notify the Department whenever a telecommunicator or EMD is on leave for 91 days or more pursuant to OAR 259-008-0020.¶

(b) When a telecommunicator or EMD is on leave, their certifications will not lapse pursuant to 259-008-0067.¶

- (c) A telecommunicator or EMD who is on leave for any period up to 180 days will have the same maintenance ~~training cycle.~~¶
- (d) A telecommunicator or EMD who is on leave for more than 180 days will receive a one year extension of the maintenance ~~training cycle.~~¶
- (e) If First Aid or CPR certifications have expired while on leave, the telecommunicator or EMD will have 30 days after returning from leave to obtain current First Aid and CPR certifications.¶
- (10) Suspension for ~~f~~Failure to ~~m~~Meet ~~m~~Maintenance ~~t~~training ~~r~~Requirements for ~~e~~Certification.¶
- (a) When a telecommunicator or EMD is identified as deficient for maintenance training hour requirements or failure to maintain First Aid and CPR certifications, a deficiency notice will be sent to the telecommunicator or EMD and a copy of the deficiency notice will be sent to the telecommunicator's or EMD's employing agency.¶
- (b) A telecommunicator or EMD has 30 days from the date of the deficiency notice to complete the maintenance requirements identified as deficient or to request a time extension.¶
- (c) When a telecommunicator or EMD fails to complete the deficient maintenance requirements or fails to request a time extension within 30 days of the date of the deficiency notice, a Contested Case Notice of Intent to Suspend will be prepared by the Department and served on the telecommunicator or EMD pursuant to ORS 181A.640(c) and these rules. A copy of the Notice of Intent will be sent to the telecommunicator's or EMD's employing agency.¶
- (d) All contested case notices will be prepared in accordance with the applicable provisions of the Attorney General's Model Rules of Procedure adopted under OAR 259-005-0015.¶
- (e) A telecommunicator or EMD who has been served with a Contested Case Notice of Intent to Suspend has 30 days from the date of mailing or personal service of the notice to provide documentation to the Department showing the completion of the maintenance requirements identified as deficient during the reporting period or to file a written request for hearing with the Department.¶
- (f) Default Order. If the required training is not reported to the Department or a request for hearing received by the Department within 30 days from the date of the mailing or personal service of the Notice, the Contested Case Notice will become a final order suspending certification pursuant to OAR 137-003-0672.¶
- (11) Time Extensions.¶
- (a) The Department may grant a time extension for a telecommunicator or EMD to complete the deficient maintenance training requirements upon receipt of a written request from the telecommunicator or EMD or their employing agency's department head. The written request must include an action plan for completing the training requirements that were identified as deficient.¶
- (b) No time extension will be granted beyond December 31st of the year following the expiration date of the required maintenance training.¶
- (c) Training used to complete the deficiencies for a maintenance cycle that has been granted a time extension cannot be applied toward the next maintenance ~~training cycle.~~¶
- (d) A time extension for deficient maintenance training does not change the period for the following maintenance ~~training cycle.~~¶
- (e) If a telecommunicator or EMD fails to complete the deficient maintenance training requirements before the expiration of the time extension, a Notice of Intent to Suspend will be served on the telecommunicator or EMD by the Department.¶
- (12) A telecommunicator or EMD whose basic certification has been suspended is prohibited from performing the duties of a telecommunicator or EMD.¶
- (13) Recertification ~~f~~Following a ~~s~~Suspension:¶
- (a) Recertification following a suspension may be obtained by submitting documentation to the Department showing completion of the maintenance ~~training~~ requirements.¶
- (b) Prior to reinstatement of certifications from a suspension for failure to meet certification maintenance ~~training~~ requirements, a telecommunicator or EMD must meet the minimum employment, training and certification requirements outlined in OAR chapter 259 division 008.
- Statutory/Other Authority: ORS 181A.410

Statutes/Other Implemented: ORS 181A.410