

## **NOTICE OF PROPOSED RULEMAKING**

### **CHAPTER 104**

### **OREGON MILITARY DEPARTMENT, OFFICE OF EMERGENCY MANAGEMENT**

**FILING CAPTION:** Rules maintenance/repeal: Statutory authority tied to Chapter 104 Division 60 rules repealed in 2009.

**LAST DAY AND TIME TO OFFER COMMENT TO AGENCY:** 06/24/2019 5:00 PM

#### **HEARING(S):**

**DATE:** 06/24/2019

**TIME:** 1:00 PM - 2:00 PM

**OFFICER:** Genevieve Ziebell

**ADDRESS:** Oregon Office of  
Emergency Management (OEM)

3225 State St, Rm 115

Salem, OR 97301

#### **SPECIAL INSTRUCTIONS:**

OEM is located in the Anderson Readiness Center (ARC). The ARC is a secure facility and you will be required to show government-issued identification to the guard at the front gate in order to gain entry. Once you have entered the parking area, please feel free to park in any unreserved space. The main entrance is located behind the flagpole at the center of the building. Once you've entered, you will take a right into the main hallway and OEM, Room 115, will be on the right.

#### **NEED FOR THE RULE(S):**

Seeking repeal of rules that were adopted by the Office of Emergency Management (OEM) prior to the transition of Oregon telecommunicator training and certification to the Board on Public Safety Standards and Training and the Department of Public Safety Standards and Training (DPSST). ORS 401.735, the statutory authority that prompted OEM's adoption of the rules, was repealed in 2009, resulting in this maintenance of the rules.

#### **DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:**

Oregon Revised Statutes 2017, Chapter 401

[https://www.oregonlegislature.gov/bills\\_laws/ors/ors401.html](https://www.oregonlegislature.gov/bills_laws/ors/ors401.html)

HB 2168 - 2009 Regular Session

<https://olis.leg.state.or.us/liz/2009R1/Downloads/MeasureDocument/HB2168/Enrolled>

**FISCAL AND ECONOMIC IMPACT:**

There is no fiscal or economic impact anticipated as the result of this rule repeal.

**COST OF COMPLIANCE:**

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

There is no anticipated fiscal impact on state agencies, units of local government, or members of the public. There is no anticipated impact to small businesses as a result of this rule repeal.

**DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):**

Small businesses will not be impacted by this rule repeal, therefore, were not involved in this process.

**WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?**A Rule Advisory Committee is not applicable to this repeal process. The Office of Emergency Management is repealing rules based on a statutory authority that no longer exists.

**CONTACT:**

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**RULES PROPOSED:**

104-060-0000, 104-060-0010, 104-060-0020, 104-060-0030, 104-060-0040, 104-060-0050

**REPEAL:** 104-060-0000

**RULE TITLE:** Purpose

**RULE SUMMARY:** Seeking repeal of rules that were adopted by the Office of Emergency Management (OEM) prior to the transition of Oregon telecommunicator training and certification to the Board on Public Safety Standards and Training and the Department of Public Safety Standards and Training (DPSST). ORS 401.735, the statutory authority that prompted OEM's adoption of the rules, was repealed in 2009, resulting in this maintenance of the rules.

**RULE TEXT:**

The purpose of the 9-1-1 Standards and Training program is:

(1) To identify the basic and minimum standards needed for public safety telecommunicators.

- (2) To identify the basic and minimum standards for telecommunicators that have a responsibility to dispatch emergency medical care providers.
  
- (3) To recognize the basic training for telecommunicators that operate a terminal to access the LEDS network.

STATUTORY/OTHER AUTHORITY: ORS 401.735(1)

STATUTES/OTHER IMPLEMENTED: ORS 401.735

REPEAL: 104-060-0010

RULE TITLE: Definitions

RULE SUMMARY: Seeking repeal of rules that were adopted by the Office of Emergency Management (OEM) prior to the transition of Oregon telecommunicator training and certification to the Board on Public Safety Standards and Training and the Department of Public Safety Standards and Training (DPSST). ORS 401.735, the statutory authority that prompted OEM's adoption of the rules, was repealed in 2009, resulting in this maintenance of the rules.

RULE TEXT:

(1) "Telecommunicator" is any person employed as an emergency telephone worker as defined in ORS 243.736, or public safety dispatcher whose primary focal duties are receiving, processing, and transmitting public safety information received through a 9-1-1 emergency reporting system as defined in ORS 401.720.

(2) "Public or Private Safety Agency" means any unit of state or local government, a special purpose district or a private firm which provides or has authority to provide fire-fighting, police, ambulance or emergency medical services.

(3) "Coordinator" is the 9-1-1 Standards and Training Coordinator as designated by Oregon Emergency Management.

(4) "Employed" shall mean any person paid or unpaid by a public safety agency as a telecommunicator.

(5) "Course" shall mean any grouping of classes or series of lectures or lessons combined to attain a mandated training program.

(6) "Committee" shall mean the 9-1-1 Standards and Training Advisory Committee.

(7) "Medical Care Provider" shall mean any agency dispatched to provide pre-hospital care to any ill, injured or disabled person.

(8) "LEDS" shall mean the Executive Department, Criminal Justice Services Division, Law Enforcement Data System.

(9) "Certified" shall mean meeting the training standards established by statute and/or rule as determined by the Coordinator.

(10) "EMD" shall mean emergency medical dispatch.

STATUTORY/OTHER AUTHORITY: ORS 401.735(1)

STATUTES/OTHER IMPLEMENTED: ORS 401.735

REPEAL: 104-060-0020

RULE TITLE: Training Program Descriptions

RULE SUMMARY: Seeking repeal of rules that were adopted by the Office of Emergency Management (OEM) prior to the transition of Oregon telecommunicator training and certification to the Board on Public Safety Standards and Training and the Department of Public Safety Standards and Training (DPSST). ORS 401.735, the statutory authority that prompted OEM's adoption of the rules, was repealed in 2009, resulting in this maintenance of the rules.

RULE TEXT:

(1) Basic Program. This program provides basic skills and knowledge for the person entering the field of public safety communications. The training shall consist of several courses that cover basic competencies. This training program shall be established by the Committee.

(2) Basic Refresher Program. This program is designed for: Telecommunicators employed in Oregon for more than two years; certified telecommunicators from another state; or those who have been not working in the field less than two years. This program is an abbreviated version of the basic program resulting in certification as a Basic Telecommunicator. This program shall be established by the Committee.

(3) Emergency Medical Dispatch Program. This program is required for all telecommunicators that process telephone request for, and/or dispatch emergency medical care providers. This program will give the telecommunicator the background, basic skills and medical principles needed to give a caller pre-arrival instructions. This program is mandated by administrative rules of the Oregon State Health Division (OAR 333-028-0063, 333-028-0125, 333-200-0080). The Committee working with the State Health Division and Oregon Emergency Management will establish this program.

(4) LEDS. This program is required for all telecommunicators that operate a terminal to access the LEDS network. This program gives the telecommunicator the working knowledge of how to operate the system. This program is mandated by administrative rules of LEDS.

STATUTORY/OTHER AUTHORITY: ORS 401.735(1)

STATUTES/OTHER IMPLEMENTED: ORS 401.735

REPEAL: 104-060-0030

RULE TITLE: Minimum Training Standards for Certification

RULE SUMMARY: Seeking repeal of rules that were adopted by the Office of Emergency Management (OEM) prior to the transition of Oregon telecommunicator training and certification to the Board on Public Safety Standards and Training and the Department of Public Safety Standards and Training (DPSST). ORS 401.735, the statutory authority that prompted OEM's adoption of the rules, was repealed in 2009, resulting in this maintenance of the rules.

RULE TEXT:

(1) Basic Program:

(a) All telecommunicators must satisfactorily complete the basic program within the first 12 months of appointment, except as provided in subsections (e) and (f) of this section;

(b) The basic program shall be conducted under the supervision of the 9-1-1 Standards and Training Coordinator;

(c) Upon satisfactory completion of the basic program the telecommunicator will become certified as a Basic Telecommunicator;

(d) Telecommunicators who have previously completed the Basic Program, but have not been employed as a telecommunicator during the last two years, must again satisfactorily complete the Basic Program to qualify for certification. This requirement shall be waived by the Coordinator if the applicant successfully completes a written test;

(e) Telecommunicators who have previously completed basic telecommunicator training out of state, or who have been employed for more than two years in a public safety communications center prior to the adoption of this standard, may become certified as a Basic Telecommunicator by:

(A) Successfully completing a written test;

(B) Attending and successfully completing the Basic Refresher Program;

(C) Attending and successfully completing the Basic Program; or

(D) Submitting documentation of successful completion of equivalent training as determined by the Coordinator.

(f) The Coordinator may grant an extension of the time limit for the completion of the minimum training standards required upon presentation of evidence by the employing public safety agency administrator that such telecommunicator was unable to complete the required training due to illness, injury, military service, special duty assignment required or performed in the public interest, or other prudent reason(s). The public safety agency administrator must request such extension prior to expiration of any time limit;

(g) All applicants must obtain a minimum passing score on the competency test as provided by the

Coordinator;

(h) The Coordinator or his/her designee shall administer and proctor the examination;

(i) All telecommunicators have until July 1, 1993 to comply with these standards.

(2) Emergency Medical Dispatch:

(a) All telecommunicators who have a responsibility to process requests for medical assistance from the public, and/or dispatch medical care providers must have satisfactorily completed a state certified EMD training program;

(b) Participants must maintain current certification in:

(A) Cardio-Pulmonary Resuscitation (CPR) at or above the equivalent of the American Heart Association (AHA) "B" level; and

(B) Basic first aid (minimum).

(c) Upon satisfactory completion of a state approved program, and achieving a passing score on a state approved examination, the participant will be certified as an Emergency Medical Dispatcher (EMD);

(d) Telecommunicators who have previously completed Emergency Medical Dispatch training may submit proper documentation and request certification from the Coordinator. Certification may be granted if the training meets state standards, and the applicant achieves a passing score on a state approved EMD examination;

(e) Telecommunicators who only dispatch medical care providers shall be exempt from the Basic Program requirement and need only EMD Certification;

(f) Combined faculty for EMD courses must include instructors that have documented knowledge and/or experience in: telecommunications skills, medical care commensurate with the level of materials presented, local EMS operations, and the curriculum of the course that is being presented;

(g) All applicants must obtain a minimum passing score on the competency test as provided by the Coordinator;

(h) The Coordinator or his/her designee shall administer and proctor the examination;

(i) All telecommunicators have until July 1, 1993 to comply with these standards.

STATUTORY/OTHER AUTHORITY: ORS 401.735(1)

STATUTES/OTHER IMPLEMENTED: ORS 401.735

REPEAL: 104-060-0040

RULE TITLE: Maintenance of Certification

RULE SUMMARY: Seeking repeal of rules that were adopted by the Office of Emergency Management (OEM) prior to the transition of Oregon telecommunicator training and certification to the Board on Public Safety Standards and Training and the Department of Public Safety Standards and Training (DPSST). ORS 401.735, the statutory authority that prompted OEM's adoption of the rules, was repealed in 2009, resulting in this maintenance of the rules.

RULE TEXT:

(1) Basic Certification:

(a) All certified telecommunicators shall annually participate in 12 hours of training. The contents of the training is determined by the public or private safety agency administrator;

(b) The employing agency shall maintain documentation of required telecommunicator training on each telecommunicator;

(c) The employing agency shall notify the Coordinator of all telecommunicators employed annually, and provide documentation as to the training status of all employed telecommunicators.

(2) Emergency Medical Dispatch Certification:

(a) All certified Emergency Medical Dispatchers must:

(A) Maintain CPR and minimum basic first aid certifications; and

(B) Complete four hours of approved in-service training in EMD annually.

(b) The employing agency shall submit recertification forms to the Coordinator annually.

STATUTORY/OTHER AUTHORITY: ORS 401.735(1)

STATUTES/OTHER IMPLEMENTED: ORS 401.735



REPEAL: 104-060-0050

RULE TITLE: Certification of Schools or Courses

RULE SUMMARY: Seeking repeal of rules that were adopted by the Office of Emergency Management (OEM) prior to the transition of Oregon telecommunicator training and certification to the Board on Public Safety Standards and Training and the Department of Public Safety Standards and Training (DPSST). ORS 401.735, the statutory authority that prompted OEM's adoption of the rules, was repealed in 2009, resulting in this maintenance of the rules.

RULE TEXT:

- (1) The Coordinator may certify schools or courses as adequate to effectively provide one or more approved subjects based on an examination and evaluation of course curriculum and instructors.
- (2) On-site evaluations may be conducted by the Coordinator.
- (3) Agencies, organizations, community colleges, or individuals requesting course certification shall submit an application at least 30 day prior to the start of the course. The Coordinator may waive the time requirement at his/her discretion.
- (4) Course certification shall remain in force for two years unless significant changes occur as a result of review or legislative mandate.
- (5) After certification, any changes in the course or instructors must be approved by the Coordinator.
- (6) The requesting agency has the responsibility for administering the course and overseeing the preparation of curriculum to insure its compliance with the requirements.
- (7) The Coordinator shall not certify courses after they have been completed. Records of attendance for courses or training not certified in advance may be maintained by individual agencies as in-service training.

STATUTORY/OTHER AUTHORITY: ORS 401.735(1)

STATUTES/OTHER IMPLEMENTED: ORS 401.735

