

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 997 Emergency Dispatchers

**SPONSOR(S):** Domino and others

**TIED BILLS:** **IDEN./SIM. BILLS:** SB 1694

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Committee on Health Quality</u>	<u>10 Y, 0 N</u>	<u>Owen</u>	<u>Lowell</u>
2) <u>Healthcare Council</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
3) <u>Policy &amp; Budget Council</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
4) <u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
5) <u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>

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### SUMMARY ANALYSIS

House Bill 997 creates a voluntary certification of 911 emergency dispatchers. The bill requires the Department of Health (department) to establish, by rule, educational and training criteria for certification and requirements for certificate renewal. The department is authorized to suspend or revoke a certificate at any time if it is determined that the certificate holder does not meet the qualifications. A certificate holder is allowed to request inactivation of his or her certification and may renew the inactive certification for a fee.

The bill requires an application fee of \$75 for an original 911 emergency dispatcher certificate, an application fee of \$100 for the biennial renewal certificate, a duplicate certificate fee of up to \$25 for a lost or destroyed certificate, and a replacement certificate fee of up to \$25 for a change in name. The fees collected are to be deposited in the Emergency Medical Services Trust Fund and used solely for salaries and expenses the department incurs administering the act.

The bill appears to have a positive fiscal impact to the Medical Quality Assurance Trust Fund if sufficient numbers of individuals seek certification (See fiscal analysis).

The bill is effective October 1, 2008.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

Provide Limited Government - The bill provides for voluntary certification of 911 emergency dispatchers by the Department of Health.

#### B. EFFECT OF PROPOSED CHANGES:

##### **Present Situation**

##### Florida's Public Policy on 911 Services

Section 365.171, F.S., sets forth the provisions which govern Florida's public policy on the emergency telephone number "911." The provision specifies that it is the intent of the Legislature to:

"establish and implement a cohesive statewide emergency telephone number "911" plan which will provide citizens with rapid direct access to public safety agencies by dialing the telephone number '911' with the objective of reducing response time to situations requiring law enforcement, fire, medical, rescue, and other emergency services."

##### 911 Emergency Dispatchers

According to the United States Department of Labor, emergency dispatchers monitor the location of emergency services personnel from one or all of the jurisdiction's emergency services departments. These workers dispatch the appropriate type and number of units in response to calls for assistance. Dispatchers are often the first point of contact for the public when emergency assistance is required. If trained for emergency medical services, the dispatcher may provide medical instruction to those on the scene of the emergency until the medical staff arrives.

When handling calls, dispatchers question each caller carefully to determine the type, seriousness, and location of the emergency. The information obtained is generally posted electronically by computer. The dispatcher then quickly decides the priority of the incident, the kind and number of units needed, and the location of the closest and most suitable units available. When appropriate, dispatchers stay in close contact with other service providers. In a medical emergency, dispatchers keep in close touch not only with the dispatched units, but also with the caller. They may give extensive first-aid instructions before the emergency personnel arrive. Dispatchers continuously give updates on the patient's condition to the ambulance personnel and often serve as a link between the medical staff in a hospital and the emergency medical technicians in the ambulance.<sup>1</sup>

##### Training and Education

Although not currently required by law, certification courses are readily available to emergency dispatchers who choose to improve their professional skills. For example, the National Academies of Emergency Dispatch offers certification for emergency medical dispatchers, emergency fire dispatchers, emergency police dispatchers, and emergency telecommunicators. They also offer a certification for medical, fire, and police functions in one comprehensive training program. The registration fee for these particular certification courses is between \$295 and \$500.<sup>2</sup>

Also, many local, county and state agencies offer in-house training programs to their employees. The curriculum content and length of these training programs varies by agency. It has been argued that the

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<sup>1</sup> United States Department of Labor, Bureau of Labor Statistics, "Occupational Outlook Handbook- Dispatchers," <http://www.bls.gov/oco/ocos138.htm> (last visited March 13, 2008).

<sup>2</sup> National Academies of Emergency Dispatch, "Certification Course Overview," [http://www.emergencydispatch.org/cert\\_home.php?a=certHome&b=certOverview](http://www.emergencydispatch.org/cert_home.php?a=certHome&b=certOverview) (last visited March 13, 2008).

lack of consistency in the level of training received by 911 emergency dispatchers creates an unfair disparity for the citizens across the state.

A study conducted by the Florida Chapter of the Association of Public-Safety Communications Officials (APCO) Standards and Certification Task Force in 2007 found that 28 states have mandatory training standards for emergency dispatchers, three states have voluntary training standards, and 20 states have no training standards. The task force also found that training programs across the country range from 40 hours to 640 hours.

### Department of Education Curriculum Framework and Standards

The Division of Workforce Education at the Department of Education (DOE) publishes curriculum frameworks and standards aligned to the 16 Career Clusters delineated by the United States Department of Education. Each program's course standards are composed of two parts: a curriculum framework and the student performance standards. The curriculum framework includes four major sections: major concepts/content, laboratory activities, special notes, and intended outcomes. Student performance standards are listed for each intended outcome.

The Public Safety Telecommunication program is designed to prepare students for employment as a police, fire, ambulance, or emergency medical dispatcher. The program is divided into two levels. The first level, "Occupational Completion Point A", is a 208 hour curriculum designed for police, fire, and ambulance dispatchers. The second level, "Occupational Completion Point B", is to be completed after the first level through an additional 24 hour curriculum designed for emergency medical dispatchers.

The intended outcomes for the police, fire, and ambulance dispatcher curriculum include:<sup>3</sup>

- Describe and demonstrate professional ethics and the role of telecommunicator
- Describe Florida law and its application to telecommunication operation
- Identify and define terminology pertinent to public safety telecommunication
- Identify and explain communication equipment and resources
- Demonstrate communication and interpersonal skills
- Perform operational skills
- Demonstrate understanding of hazardous materials awareness
- Demonstrate proficiency in first responder to medical emergencies techniques and provide emergency medical care
- Demonstrate knowledge of sexually transmitted diseases, including AIDS
- Comprehend stress management techniques
- Demonstrate employability skills

The Public Safety Telecommunication program curriculum is currently taught at various community colleges and vocational/technical centers across the state.

### **Effect of Proposed Changes**

The bill defines a "911 emergency dispatcher" as a person employed by a state agency or local government as a public safety dispatcher or 911 operator whose duties and responsibilities include:

- Answering 911 calls;
- Dispatching law enforcement officers, fire rescue services, emergency medical services, and other public safety services to the scene of an emergency;
- Providing real-time information from federal, state, and local crime databases;
- Supervising or serving as the command officer to a person or persons having such duties and responsibilities.

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<sup>3</sup> Florida Department of Education, "Curriculum Framework, Public Safety Telecommunication," July 2008, [http://www.fldoe.org/workforce/dwdframe/ps\\_cluster\\_frame08.asp](http://www.fldoe.org/workforce/dwdframe/ps_cluster_frame08.asp) (last visited March 13, 2008).

The term does not include administrative support personnel, including those whose responsibilities are in accounting, purchasing, legal, and personnel.

The bill directs any person who desires to be certified or recertified as a 911 emergency dispatcher to apply to the Department of Health (department). The certification is voluntary, not mandatory.

The department is required to establish, by rule, educational and training criteria for the certification and recertification of 911 emergency dispatchers and is authorized to determine whether the applicant meets the requirements. The department must issue a certificate to any person who meets the requirements.

An applicant for certification or recertification as a 911 emergency dispatcher must:

- Complete an appropriate 911 emergency dispatcher training program that is equivalent to the most recently approved Department of Education emergency dispatcher course and consists of not less than 208 hours;
- Certify under oath that he or she is not addicted to alcohol or any controlled substance;
- Certify under oath that he or she is free from any physical or mental defects or disease that might impair the applicant's ability to perform his or her duties;
- Submit the application fee; and
- Submit a completed application to the department which indicates compliance with the first three items of this list.

The department is granted the rulemaking authority to establish a procedure for the biennial renewal certification of 911 emergency dispatchers.

Each certificate expires automatically at the end of the two-year period, if not renewed, and reverts to an inactive status for a period that may not exceed 180 days. The inactive certificate may be reactivated and renewed within the 180-day period if the certificate holder meets all other qualifications for renewal and pays a \$50 late fee. The department is granted rulemaking authority to establish the reactivation requirements and forms.

The certificate holder may request that his or her certificate be placed on inactive status by applying to the department before the certificate expires and paying a fee set by the department, not to exceed \$100.

- To renew a certificate that has been voluntarily inactive for one year or less, a person must meet the requirements established by the department and pay a renewal fee set by the department, which may not exceed \$100.
- To renew a certificate that has been voluntarily inactive for more than one year, a person must meet the requirements established by the department.
- A certificate that has been voluntarily inactive for more than six years expires and may not be renewed.

The department may suspend or revoke a certificate at any time if it determines the certificate holder does not meet the applicable qualifications.

The application fee for an original certificate is \$75. The application fee for a biennial renewal certificate is \$100. If a certificate is lost or destroyed, a duplicate or substitute certificate may be obtained for a fee set by the department, not to exceed \$25. If a certificate holder's name changes, a replacement certificate may be obtained if he or she surrenders the original certificate and pays a fee set by the department, not to exceed \$25.

All fees collected under this act must be deposited into the Emergency Medical Services Trust Fund and used solely for salaries and expenses the department incurs in administering the act.

### C. SECTION DIRECTORY:

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Section 1: Creates s. 401.465, F.S., requiring the Department of Health to establish criteria for voluntary certification of 911 emergency dispatchers.

Section 2: Provides an effective date of October 1, 2008.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

The bill allows for the assessment of a \$75 fee for initial certification and \$100 for certification renewal. The department projects 2,402 individuals will seek dispatcher certification in the first year and approximately 56 individuals will seek certification annually thereafter.

<b>Estimated Revenue</b>	<b>1st Year</b>	<b>2nd Year</b>	<b>3rd Year</b>	<b>4th Year</b>
Initial Registration Fee	\$ 182,475	\$ 4,200	\$ 4,275	\$ 4,425
Registration Renewal Fee	\$ -	\$ -	\$ 236,200	\$ 5,600
<b>Total Estimated Revenues</b>	<b>\$ 182,475</b>	<b>\$ 4,200</b>	<b>\$ 247,575</b>	<b>\$ 10,025</b>

#### 2. Expenditures:

The fiscal impact of this bill depends on the number of dispatchers currently working in the state. Although the number of dispatchers is unknown, estimates are based on information gathered from the Miami-Dade county Fire & Rescue and Police Departments and data from the 2005 U.S. Census. Miami-Dade reported a total of 310 dispatchers (237 Police Department and 73 Fire & Rescue) currently working in the county. Miami-Dade county reported, that there is approximately 1 dispatcher per every 7,829 residents of Miami Dade county (2,426,975/310). Applying this rate to the entire state, it is estimated that the number of dispatchers in the state in 2008 is 2,433(19,045,814/7,928). For the purposes of this analysis, it is assumed that 2,433 dispatchers will apply for certification in 2008 and approximately 56 annually thereafter.

Currently, the department has an outside vendor who processes initial and renewal applications and related fees. The contract is based on a \$7.89 per application rate. However, the contract will most likely increase with the additional number of applications processed under the contract.

The department has projected that the increase in workload to issue and process certification applications for 911 dispatchers requires a 0.5 half-time equivalent position. In addition, the department believes they can handle the additional enforcement workload required in the bill within existing resources.

<b>Estimated Expenditures</b>	<b>1st Year</b>	<b>2nd Year</b>	<b>3rd Year</b>	<b>4th Year</b>
<b>Salaries</b>				
0.5 - Reg Spec II, PG 17	\$ 19,814	\$ 19,814	\$ 19,814	\$ 19,814
<b>Expense</b>				
Non-Recurring Exp Pkg 0.5 prof. staff	\$ 3,388			
Rec exp, Lmt Travel - 0.5 FTE	\$ 12,268	\$ 12,268	\$ 12,268	\$ 12,268
<b>Operating Capital Outlay</b>				
0.5 FTE OCO Pkg	\$ 1,000			

**Contracted Services**

Initial & Renewal processing	\$	19,196	\$	442	\$	19,646	\$	907
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**Human Resources Services**

0.5 FTE HR	\$	398	\$	398	\$	398	\$	398
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<b>Total Estimated Expenditures</b>	\$	56,064	\$	32,922	\$	52,126	\$	33,387
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**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

There will be a cost incurred by private sector EMS providers that decide to pay for the 911 dispatcher training. There may be an increase in enrollment at facilities such as community colleges that offer the 911 emergency dispatcher training program.

**D. FISCAL COMMENTS:**

Consistent with adding any new profession, the department would be required to update the COMPAS licensure system to accommodate an additional category known as the 911 Emergency Dispatcher Certification. Modifications to the COMPAS system usually has a fiscal impact to the department, but is most likely insignificant, but indeterminate at this time.

The bill requires the assessed fees to be deposited into the Emergency Medical Services Trust Fund. However, the regulatory duties of processing, monitoring, and enforcement are handled by the Division of Medical Quality Assurance (MQA). In order for MQA to be reimbursed for the expenses associated with these regulatory duties an interagency agreement and non-operating transfer of monies is required.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

This bill does not require counties or municipalities to spend funds or take action requiring the expenditure of funds. This bill does not reduce the percentage of a state tax shared with counties or municipalities. This bill does not reduce the authority that municipalities have to raise revenues.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

The bill appears to provide sufficient rulemaking authority to the Department of Health.

C. DRAFTING ISSUES OR OTHER COMMENTS:

- Lines 43 - 46 reference the educational and training criteria the department is authorized to establish by rule. However, the information found in lines 47 - 56 does not provide those requirements. The information found in lines 59 - 72 more accurately describes the educational and training criteria.
- Lines 74 - 77 reference automatic expiration of an emergency dispatcher certificate. However, there is no time period listed for the expiration.

D. STATEMENT OF THE SPONSOR

The reason for HB 997 is that unlike the majority of states, Florida has no minimal occupational standards for 911 Emergency Dispatchers. As a consequence, there is no assurance that all dispatchers have been trained with a statewide standard-procedures and communications protocols.

Passage of HB 997 will improve quality and efficiency, thereby saving precious seconds which often means the difference between life and death or loss of property.

**IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES**

On March 18, 2008, the Health Quality Committee adopted one amendment to the bill. The amendment restructured the requirements in the bill and required an applicant for certification to have two years of supervised full-time employment since January 1, 2002.

The bill was reported favorably with one amendment.