

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Health Regulation Committee

BILL: CS/SB 2040

INTRODUCER: Health Regulation Committee and Senator Detert

SUBJECT: 911 Emergency Dispatcher Certification

DATE: April 1, 2009 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hankins/Munroe	Wilson	HR	Fav/CS
2.	_____	_____	CA	_____
3.	_____	_____	HA	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

Please see Section VIII. for Additional Information:

A. COMMITTEE SUBSTITUTE..... Statement of Substantial Changes

B. AMENDMENTS..... Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

I. Summary:

Effective October 1, 2012, any person serving as a 911 emergency dispatcher must be certified by the Department of Health (DOH). Certification is currently voluntary.

The bill defines “certified dispatch training center” to mean any public safety agency that employs 911 emergency dispatchers whose training program is equivalent to the most recently approved emergency dispatch course in public safety telecommunications of the Department of Education (DOE) and consists of not less than 208 hours. “Certified dispatch training program” is defined to mean a 911 emergency dispatch training program that is equivalent to the most recently approved emergency dispatch course in public safety telecommunications of the DOE and consists of no less than 208 hours that is offered by an educational institution approved by the DOE to offer such program.

Each certified dispatch training center and certified dispatch training program must apply to the DOH on forms provided by the DOH, to receive approval before being used by an applicant seeking certification as a 911 emergency dispatcher. Each certified dispatch training center and certified dispatch training program must report all individuals that have successfully completed a 911 emergency dispatch course in public safety telecommunication to the DOH within 2 weeks

of completion date and must certify to the DOH compliance for certification as specified in the bill. The DOH must establish by rule a procedure for the quadrennial review and approval of certified dispatch training centers and certified dispatch training programs to verify compliance with training standards required by the bill.

The requirements are also revised so that the certification applicant is no longer required to document the completion of a minimum of 2 years of prior supervised full-time employment as a 911 emergency dispatcher.

Any person who does not hold certification as a 911 emergency dispatcher is authorized to be employed by a public safety agency as a 911 emergency dispatcher trainee for a period no longer than 6 months as determined by the DOH rule. While employed as a 911 emergency dispatcher trainee, the trainee must work in that capacity under the direct supervision of a certified 911 emergency dispatcher with a minimum of 2 years' experience. The DOH must establish by rule a procedure for the *quadrennial* rather than *biennial* renewal certification of 911 emergency dispatchers.

The grounds for which persons may be disciplined under provisions applicable to emergency medical services personnel is expanded to include 911 emergency dispatchers, certified dispatch training centers, and certified dispatch training programs.

This bill amends sections 401.465 and 401.411, Florida Statutes.

II. Present Situation:

Emergency dispatchers are often the initial point of contact for the public when emergency assistance is required. Emergency dispatchers receive emergency calls from the public requesting police, fire, medical or other emergency services. These personnel determine the nature and location of the emergency, determine the priority of the emergency, and communicate the nature of the call to police, fire, ambulance, or other emergency units as necessary and in accordance with established procedures. Emergency dispatchers receive and process 911 emergency calls, maintain contact with all units on assignment, and maintain status and location of police, fire, and other emergency units, as necessary. Emergency dispatchers may be trained to enter, update, and retrieve information from a variety of computer systems to assist callers.

Many local agencies offer in-house training programs to their employees. Certification courses from private vendors are available to emergency dispatchers who may wish to show their proficiency in specified skills needed for emergency dispatch. The National Academies of Emergency Dispatch offers certification for emergency medical dispatchers, emergency fire dispatchers, emergency police dispatchers, and emergency telecommunicators. They provide a certification credential for medical, fire, and police functions in one comprehensive training program. The registration fees for these certification courses range from \$295 to \$500.¹

¹ National Academies of Emergency Dispatch, "Certification Course Overview," <http://www.emergencydispatch.org/cert_home.php?a=certHome&b=certOverview> (Last visited March 28, 2009).

Emergency Dispatch In Florida

Section 365.171, F.S., governs Florida's public policy on the emergency telephone number "911." This statute 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."

In Florida, local governments handle emergency dispatching in a variety of ways to accommodate local needs and budgeting priorities. The curriculum content and length of training programs varies by agency. According to the DOH, all 67 Florida counties have enhanced 911 dispatch, which allows an emergency dispatch center's computers to automatically provide the caller's name, address and mapped location. The map also identifies the closest police, fire, and emergency medical services agencies. Emergency dispatch may be handled through one or more of the agencies that handle police, fire, and emergency medical services.

With some variation, emergency calls in some counties go to a central dispatch-the dispatcher verifies the caller's location and the nature of the call, the call is then transferred to the appropriate dispatcher who dispatches the appropriate agency (law enforcement, emergency medical services, fire) and Emergency Medical Dispatch (EMD) is utilized to provide the caller with instructions to treat the emergency while EMS is enroute.²

In some counties, when a caller dials 911, the call is directed to the Sheriff's Office. The dispatcher will determine the nature of the call and location and then decide if the call is for emergency medical services or fire. At this point, the call may be transferred to the appropriate agency to handle the emergency or the call may be forwarded to a public safety dispatch center. If equipped, the public safety dispatch center will then provide EMD and send the appropriate emergency medical service or fire units to the scene or the appropriate fire units to a fire emergency.³

Department of Education Curriculum Framework and Standards

The Division of Workforce Education at the 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

² Source: Florida Department of Health (Leon, Pinellas, and Okaloosa Counties).

³ Source: Florida Department of Health. (Seminole and Miami-Dade Counties).

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 Public Safety Telecommunication course for police, fire, and ambulance dispatchers include the ability of the dispatcher to:⁴

- 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; and
- Demonstrate employability skills.

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

Voluntary State Certification of Emergency Dispatchers

In 2008, the Florida Legislature enacted legislation establishing a voluntary certification program for 911 emergency dispatchers.⁵ A person who desires to be certified or recertified as a 911 emergency dispatcher can apply to the DOH under oath on forms provided by the DOH.⁶ The DOH is required to establish by rule the education and training criteria for certification and recertification. The law specifies requirements for a certification applicant to become certified, including completion of an appropriate 911 emergency dispatcher training program that is equivalent to the most recently approved emergency dispatcher course of the Department of Education and that consists of not less than 208 hours. An applicant must also complete and document at least 2 years of supervised full-time employment as a 911 emergency dispatcher since January 1, 2002.

The fee for application for the 911 emergency dispatcher original certificate is \$75. Each 911 emergency dispatcher certificate is valid for 2 years, unless revoked or suspended by the DOH. The application fee for the 911 emergency dispatcher biennial renewal certificate is \$100.

Sunrise Act

The Sunrise Act, codified in s. 11.62, F.S., requires the Legislature to consider specific factors in determining whether to regulate a new profession or occupation. The act requires that all

⁴ See Florida Department of Education, “Curriculum Framework, Public Safety Telecommunication,” July 2009, <http://www.fldoe.org/workforce/dwdframe/ps_cluster_frame08.asp> (Last visited March 28, 2009).

⁵ See s. 2, ch. 2008-51, Laws of Florida, codified at s. 401.465, F.S.

⁶ See rule 64J-3, Florida Administrative Code, which took effect March 17, 2009.

legislation proposing regulation of a previously unregulated profession or occupation be reviewed by the Legislature based on a showing of the following: that substantial risk of harm to the public is a risk of no regulation which is recognizable and not remote; that the skills the profession requires are specialized and readily measurable; that other forms of regulation do not or cannot adequately protect the public; and that the overall cost-effectiveness and economic impact of the proposed regulation is favorable.

The act requires proponents of regulation of a previously unregulated profession to provide the agency that is proposed to have jurisdiction over the regulation and the legislative committees of reference information concerning the effect of proposed legislation to initially regulate a previously unregulated profession on the agency's resources to implement and enforce the regulation. Proponents of the mandatory certification of 911 emergency dispatchers did not provide any documentation of the nature and extent of harm to the public caused by the unregulated practice of the occupation.

A study conducted by the Florida Chapter of the Association of Public-Safety Communications Officials 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.

III. Effect of Proposed Changes:

Effective October 1, 2012, any person who is serving as a 911 emergency dispatcher must be certified by the DOH.

Any person who does not hold certification as a 911 emergency dispatcher is authorized to be employed by a public safety agency as a 911 emergency dispatcher trainee for a period no longer than 6 months, as determined by the DOH rule. While employed as a 911 emergency dispatcher trainee, the trainee must work in that capacity under the direct supervision of a certified 911 emergency dispatcher with a minimum of 2 years' experience. Trainees may only work in public safety agencies as defined in s. 365.171(3)(d), F.S., which means a functional division of a public agency which provides firefighting, law enforcement, medical, or other emergency services.

The bill provides definitions. "Certified dispatch training center" means any public safety agency, as defined in s. 365.171(3)(d), F.S., that employs 911 emergency dispatchers whose training program is equivalent to the most recently approved emergency dispatch course in public safety telecommunications of the DOE and consists of not less than 208 hours. "Certified dispatch training program" means a 911 emergency dispatch training program that is equivalent to the most recently approved emergency dispatch course in public safety telecommunications of the DOE and consists of no less than 208 hours that is offered by an educational institution approved by the DOE to offer such program.

Each certified dispatch training center and certified dispatch training program must apply to the DOH on forms provided by the DOH, to receive approval before being used by an applicant seeking certification as a 911 emergency dispatcher. Each certified dispatch training center and

certified dispatch training program must report all individuals that have successfully completed a 911 emergency dispatch course in public safety telecommunication to the DOH within 2 weeks of completion date and must certify to the DOH compliance for certification as specified in the bill. The DOH must establish by rule a procedure for the quadrennial review and approval of certified dispatch training centers and certified dispatch training programs to verify compliance with training standards required by the bill.

The requirements are revised so that a certification applicant is no longer required to document the completion of a minimum of 2 years of prior supervised full-time employment as a 911 emergency dispatcher. The bill repeals on October 1, 2012, a provision that requires the DOH to establish by rule a procedure for the initial certification of 911 emergency dispatchers who have documentation of at least 5 years of supervised full-time employment as a 911 emergency dispatcher since January 1, 2002.

The DOH must establish by rule a procedure for the *quadrennial* rather than *biennial* renewal certification of 911 emergency dispatchers. The DOH must charge a fee no greater than \$100 for the initial review and approval of 911 emergency dispatch training programs offered by certified dispatch training centers and certified dispatch training programs to determine their compliance with the bill. The DOH may charge a fee no greater than \$75 for quadrennial review and approval of training programs. Employees of certified dispatch training centers are exempt from all fees.

The DOH may by rule require any category of application or certification to be applied for or renewed online using an online application. When the online application or renewal system is in operation, the DOH may require payment of an additional fee, no to exceed \$25, to be paid by any applicant who elects to use paper applications or renewal forms instead of the online system. Certified dispatch training centers may electronically certify to the department employees who have completed training in compliance with the bill.

The grounds for which persons may be disciplined under provisions applicable to emergency medical services personnel is expanded to include 911 emergency dispatchers, certified dispatch training centers, and certified dispatch training programs.

The effective date of the bill is October 1, 2009.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The provisions of this bill have no impact on municipalities and the counties under the requirements of Article VII, Section 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

The provisions of this bill have no impact on public records or open meetings issues under the requirements of Article I, Section 24(a) and (b) of the Florida Constitution.

C. Trust Funds Restrictions:

The provisions of this bill have no impact on the trust fund restrictions under the requirements of Article III, Subsection 19(f) of the Florida Constitution.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

This bill would require, effective October 1, 2012, 911 emergency dispatchers to pay an initial and renewal licensure fee in the amount of \$75 and \$100, respectively.

The DOH must charge a fee no greater than \$100 for the initial review and approval of 911 emergency dispatch training programs offered by certified dispatch training centers and certified dispatch training programs to determine their compliance with the bill.

The DOH may charge a fee no greater than \$75 for quadrennial review and approval of training programs. Employees of certified dispatch training centers are exempt from all fees.

B. Private Sector Impact:

There would also be an impact on private sector emergency medical services providers for the cost of 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.

C. Government Sector Impact:

The DOH will require staff and operating budget in the Emergency Medical Services Trust Fund to implement the changes to s. 401.465, F.S., due to the current lack of resources to process initial certifications, renewals, and to impose disciplinary action for 911 emergency dispatchers.

Finally, 29 mostly rural, fiscally-constrained counties in Florida, as defined by s. 218.67(1), F.S., receive state aid for the provision of 911 services. Thus, a portion of the costs of mandated training and certification would be borne by the state.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Health Regulation on April 1, 2009:

The committee substitute amends provisions relating to emergency dispatcher certification to:

- Provide definitions,
- Mandate certification of dispatchers effective October 1, 2012,
- Define public safety agency for purposes of the employment of trainee dispatchers,
- Require the DOH to approve, in addition to the Department of Education, 911 emergency dispatcher training programs and centers,
- Revise renewal procedures for 911 emergency dispatchers from a biennial to a quadrennial certification,
- Repeal a grandfather clause for 911 emergency dispatchers who have at least 5 years of supervised experience on October 1, 2012,
- Authorize DOH to use online certification and renewal applications,
- Provide grounds to discipline 911 emergency dispatchers, and certified dispatch training program and centers.

The effective date of the committee substitute is changed from July 1, 2009 to October 1, 2009.

- B. **Amendments:**

None.