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INDEPENDENT REGULATORY REVIEW COMMISSION

June 20, 2000

Mr. Robert E. Nyce
Executive Director
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

Dear Mr. Nyce:

On behalf of the Ambulance Association of PA (AAP), we have two concerns regarding the revised final-form "911" regulations.

Specifically, as presented in our previous comments, our first concern is related to the applicability of these regulations to the private "dispatch" centers managed by ambulance services throughout the Commonwealth. For example, an ambulance service may operate an "internal" dispatch center, which does not take 911 calls from the public but does dispatch their own ambulances. These centers may also be linked to a 911 center. However, this linkage is neither as a public 911 call-taking source nor to dispatch 911 calls. It serves as an internal resource manager for unit availability and response.

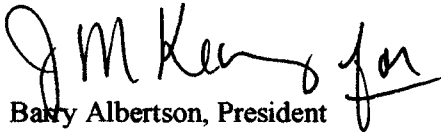
Our interpretation of the regulations is that these ambulance service dispatch centers are exempt from the content of the law and therefore from the regulations. If we are correct, an ambulance service whom operate an internal dispatch center and does not handle phone calls from the public seeking 9-1-1 service will be exempt from these final rules and any further interpretations by policy or enforcement. Our assumption is based on the definition of a 911 communications center or remote dispatch point. If our interpretation is incorrect and the language of these regulations includes these ambulance service dispatch centers, it will create a significant financial hardship to organizations already struggling with reductions in reimbursements from health care insurers.

Be assured that the Ambulance Association of PA agrees with the need for trained personnel in the 911 centers, but does not view the dispatch centers, as we have described above, as meeting the purpose of Chapter 120b, 120c and 120d.

Our second comment focuses on the training requirements of the EMS dispatch personnel. This training includes a 16-hour provision that may duplicate some pre-existing training of the individual, especially if they are currently certified by the Department of Health as a first responder, EMT or ALS provider (paramedic/PHRN). Perhaps, an exception should be made to recognize these individuals and reduce some time requirements in order to encourage certified personnel into these positions. We are certain the benefit to the public if the dispatcher is already certified as an EMT or Paramedic would be invaluable.

Thank you for the opportunity to comment on these regulations. We look forward to the enhancement these regulations will make to the delivery of emergency services in Pennsylvania. Should you have any specific questions or concerns regarding this correspondence, please contact our office at 717-691-8995.

Sincerely,

A handwritten signature in black ink, appearing to read "Barry Albertson for". The signature is written in a cursive style with a long horizontal stroke at the end.

Barry Albertson, President
Ambulance Association of PA
P.O. Box 927
Mechanicsburg, PA 17055

BA/jmk

Gelnett, Wanda B.

From: Ron Kozma [rkozma@columbiapa.org]
Sent: Tuesday, June 13, 2000 4:14 PM
To: irrc@irrc.state.pa.us
Cc: Bernice Jarbeck (E-mail); Brad Magill (E-mail); Brenton T Wiggins (E-mail); Brian Willam Hall (E-mail); Charles P Catanzarito (E-mail); Christopher Campbell (E-mail); Clyde H Miller (E-mail); Dan Datesman (E-mail); Dan Tancibok (E-mail); David Nichols (E-mail); David R Cohick (E-mail); Dawn Watson (E-mail); Dee Navarra (E-mail); Dennis Caprio (E-mail); Dick McGettigan (E-mail); Douglas W Glass (E-mail); E. Alan Baumgardner (E-mail); Edward J Atkins (E-mail); Frank Jannetti (E-mail); Frank P Matis (E-mail); Fred Naylor (E-mail); Gary S Hutchinson (E-mail); Gerald A Flasher (E-mail); Gerard Gaughan (E-mail); Harry C Robidoux (E-mail); Ida Madison V. (E-mail); J. Bernard Swartwood (E-mail); James J Knapp (E-mail); James R Thompson (E-mail); Jeff Overdorff (E-mail); Jeffrey J Fornwalt (E-mail); Jeffrey Yates (E-mail); Jim Lewis (E-mail); John Mercuri (E-mail); John P Hetrick (E-mail); John S Rowntree (E-mail); Joseph D'Annibale (E-mail); Joseph McEwen (E-mail); Joseph Niedzalkoski (E-mail); Judy Tyler (E-mail); Kenneth Shuler (E-mail); L. Guy Napolillo (E-mail); Larry Smeigh (E-mail); Laurie R Bailey (E-mail); Lee Kozich (E-mail); Lynn Joyce (E-mail); Merri A Montgomery (E-mail); Michael W Weaver (E-mail); Nicholas Wuckovich Jr. (E-mail); Norbert R O'Donnell (E-mail); Paul R Beatty (E-mail); Philip C Lucus Jr. (E-mail); Randall J Brozenick (E-mail); Richard J Graff (E-mail); Roger Leonard (E-mail); Roy Hyatt (E-mail); Russell T Chiodo (E-mail); Sharon B Porter (E-mail); Sharon Eberhart (E-mail); Stephen M Watt (E-mail); Thomas D Rowe (E-mail); Thomas W Hess (E-mail); Vince Costello (E-mail); Walter H Peters III (E-mail); William H Rehr III (E-mail); William J Hetherman (E-mail); jjewett@irrc.state.pa.us; Shirley; Robert Foor
Original: 2019
2020
2021
Subject: Re: 9-1-1 Update

Robert E. Nyce, Executive Director
Independent Regulatory Review Commission
333 Market St. 14th Floor
Harrisburg, PA 17101

Dear Mr. Nyce:

I am writing this email to confirm that my previous letter, dated May 9, 2000, is still valid. I realize that since that time PEMA has resubmitted the "proposed 911" regulations, but my comments were not addressed in their re-submittal.

Regarding a telephone conversation that I had on June 1st with Mr. John Jewett (IRRC Staff), he asked the following questions:

1. Were my comments of May 9, 2000 still valid - yes they are.
2. Have I heard anything from PEMA regarding those comments - no (didn't expect to).
3. Why, if I felt so strong about these comments didn't I make them last year (April 1999), when the IRRC was in its initial stages of review and not now when the IRRC is in the final stages? I never knew until it was too late to comment, that PEMA had forwarded the proposed regs to the IRRC. In fact I would suspect that 90% of the 911 Directors did not know what had happened last year until it was too late. This may explain an apparent complacency on our part - we flat didn't know! It's a long story, just let it suffice to say that we were all waiting to hear something from PEMA as it was promised as far back as Sep 98. To be a little facetious, most of us do not read the PA register with our morning Wheaties - we were depending

on

word from PEMA that they had submitted "the regs" to you, AND THAT WORD NEVER CAME!

To summarize my concerns identified in my May 9th letter:

1. Submitting a county plan every 3 years is unnecessary, why not every 5.
2. MSAG/LEC database accuracy validation every 6 months is virtually impossible and we only have a little over 40000 telephone subscribers in Columbia County. I can't imagine a large city trying to do it with hundreds of thousands. This is an ongoing project, not something that we would just do every 6 months.
3. Training is a nightmare looking for a place to happen - PEMA will not be able to administer the program, because they don't have enough staff and it is way too comprehensive. Give us some BASIC guidelines and let us handle it.
4. Instructor qualifications are redundant to qualifications already in being with existing programs. If you are already a certified instructor why does PEMA have to revalidate?
5. Certification - a 100 question test? See above paragraphs 3 and 4.
6. Remote dispatch points - ludicrous without the PSP included!
7. QA - as proposed too costly and time consuming to administer for the smaller 911 Centers. Most of us already do a QA that best fits our own situations.
8. Technical standards are already established in Act 78 - why be redundant?
In addition this is the major part of all county 911 plans that receive PEMA/PUC approval.
9. Right to enter - this is a "hot button" issue that does not need to be addressed by the IRRC!

I am not trying to be a rabblouser. I'm just trying to bring to your attention that most of us in the 911 community support the ORIGINAL legislation, we are just having a hard time dealing with PEMA's approach - especially when we have had so little formal chance to formally respond. I might add that it almost happened again this year, but we got a heads up from a colleague in late April telling us that we only had a few days to respond. Thus my letter of May 9th.

Bottomline, It is a program that will be extremely difficult to administer/enforce due to a severe lack of personnel resources, both at PEMA and at the 911 Centers.

Although we have until June 20th to make comments I realize that realistically it may be too late, but thank you anyway for your time, effort and consideration.

Ronald F. Kozma
Columbia County
Director of Public Safety/911
570-784-6300

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CITY OF PHILADELPHIA

POLICE DEPARTMENT
HEADQUARTERS,
FRANKLIN SQUARE
PHILADELPHIA, PA 19106

JOHN TIMONEY
Commissioner

Insp. Scott Small
Commanding Officer
Communications Division
Room 213, Police Headquarters
(215) 686-3215

By: Federal Express delivery service

June 9, 2000

Robert E. Nyce
Executive Director
Independent Regulatory Review Commission
383 Market Street, 14th Floor
Harrisburg, PA 17101

Re: Comments to Revised* PEMA Proposed Rulemaking, 4 Pa. Code Chapters 120b, c, d
*(version posted on PEMA web site 6/9/00)

Dear Mr. Nyce,

The following comments are provided in response to PEMA's Proposed Rulemaking revising certain sections of 4 Pa. Code Chapters 120b, 120c and 120d. Under cover letter dated May 3, 1999 the City of Philadelphia supplied its first set of comments to PEMA's first set of proposed revisions to the stated Code sections. Those original comments were reviewed and noted by IRRC in its first comments to PEMA regulations 30-51, 30-52 and 30-53. To the extent that PEMA has again failed to address some of the concerns set forth by the City in its May 3, 1999 comments, the City here adopts and incorporates by reference its original comments. The comments here seek to set forth the continued concerns of the City of Philadelphia Public Safety Answering Point (PSAP) managers to PEMA's most recent revisions to the regulations in question as posted on PEMA's web site June 9, 2000.

The City's greatest concerns with PEMA's Revised Proposed Rulemaking involve the proposed imposition of certification and other related requirements for PSAP employees who are members of collective bargaining units. This is the majority of the City's PSAP staff. PEMA's proposals under sections 120c.103 through 120c.109 are in direct conflict with City collective bargaining agreements involving job titles, job descriptions, job testing requirements, job performance requirements, seniority and promotional provisions, and other job related issues which are the result of years of collective bargaining agreements and negotiations. To impose the requirements that PEMA seeks to impose in its latest revisions would create a very serious conflict with the City's existing collective bargaining agreements, and would also create issues related to the City's ability to negotiate new and different terms in renewal of its collective bargaining agreements. While it may not readily appear to be so, this

can also result in financial impact on the City. The City suggests that some revision be made to PEMA's proposal to provide for a separate approval process specific to PSAPs subject to collective bargaining agreements. Such an approval process should not be subject to unilateral PEMA decision as is presently proposed in section 120c.102(D)

The City has additional concerns regarding PEMA's proposed revision of its regulations concerning Quality Assurance Reviews. In addition to many of the same collective bargaining-related issues stated above, the City notes that PEMA has failed to make any modification to the Quality Assurance Review Standards (section 120d.105). The City previously noted that in the environment of its PSAP, the proposed requirements and standards for call taking and dispatching are entirely too subjective ignore the conditions that often exist in a PSAP the size of Philadelphia's. The call volume and the availability of resources frequently dictates the speed with which calls are handled and dispatched in the City. To impose such a standard on our PSAP ignores the reality of the day to day operations and creates a conflict with the preexisting standards for call takers under existing collective bargaining agreements.

The City appreciates IRRC's consideration of our concerns. If you need additional information or have any questions on these matters, please feel free to contact me at 215-686-3138.

Sincerely,



Charles Brennan
Deputy Commissioner
Scientific and Technological Services

CB/mcl

w/encls: May 3, 1999 letter and attachment to PEMA Counsel Mark Goodwin

cc:

The Honorable Charles D. Lemmond, Jr., Chairman, State Government Committee
The Honorable Allen G. Kukovich, Minority Chairman, State Government Committee
The Honorable Paul W. Semmel, Chairman, Veteran's Affairs and Emergency Preparedness Committee
The Honorable Thomas A. Michlovic, Democratic Chairman,
Veteran's Affairs and Emergency Preparedness Committee
Joseph James, Deputy Commissioner, City of Philadelphia Department of Public Property
Vincent Costello, Director of Communications, City of Philadelphia Department of Public Property
Edwin Scholl, Assistant Director of Communications, City of Philadelphia Department of Public Property
Sergeant Greg Masi, City of Philadelphia Police Department
Michael Moore, Fire Communications Chief Dispatcher, City of Philadelphia Fire Department

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Kimball

L. Robert Kimball & Associates

Washington Square, Suite F, 21 W. Washington Street, West Chester, PA 19380
Tel: 610-692-2232 Fax: 610-692-6511 E-Mail: wchstrgn@lrkimball.com

May 3, 1999

By: facsimile transmission and regular mail

Mark Goodwin, Esq.
Chief Counsel
Pennsylvania Emergency Management Agency
P.O. Box 3321
Harrisburg, PA 17105

Re: Comments to Proposed Rulemaking 4 Pa. Code, Chapters 120b, c,d,

Dear Mr. Goodwin,

On behalf of the City of Philadelphia, kindly accepted this letter along with the attached City of Philadelphia April 29, 1999 inter-Departmental Memorandum as the Comments of the City in response to PEMA's April 3, 1999 Proposed Rulemaking, published in the Pennsylvania Bulletin Vol. 29 No. 14. L. Robert Kimball & Associates is retained by the City to provide it with 911 consulting services, and thus the use of my letterhead here. In an effort to expeditiously provide the information prepared by the City to PEMA, the City has agreed to the format used here, although not as formal as may have been preferred. We ask that PEMA excuse any oversight as to the formalities of procedure in responding to this proposed rulemaking.

The City of Philadelphia has several main areas of concern regarding the Proposed Rulemaking. Specifically:

(1) Call Taker and Emergency Dispatch Certification (Sections 120c.102, 103)-- The attached April 29, 1999 inter-Departmental Memorandum sets forth a description of the manner in which the City presently handles training and deployment of new call takers/dispatchers. Under the City's pre-existing labor agreements and civil services rules and regulations, implementation of the PEMA proposed rules would create a direct conflict with the City's existing rules and regulations. Absent re-opening of the City's labor agreements, which is not scheduled for the immediate future, the City would not be able to comply with the PEMA proposed rules. The City suggests that the PEMA proposed rulemaking contain a modification permitting a PSAP such as theirs, bound by the terms of the existing labor agreements, to prepare a certification plan specific to their situation to be individually approved by PEMA.

(2) Certification Curriculum and Instructors; Refresher Training (Sections 120c.105, 106)-- The attached April 29, 1999 inter-Departmental Memorandum discusses the City's existing Curriculum and Instructor format. The City's present format is based on the specific needs of the City's PSAP and Police Department, and is also based on the specific technical design of the City's PSAP (i.e. vendor involvement). A requirement that the City accept PEMA's curriculum, materials, schedules, exams, fees and other related matters for Certification would interfere with the pre-existing labor agreements, as discussed above, and would create a serious financial burden on the City. The City suggests that a separate approval process, specific to its PSAP be permitted, given the size of the PSAP (based on call volume, employee number, employee turnover rate, and County population.)

(3) Retention of Records for Audit (Section 120c.107)-- The City has set forth in the attached April 29, 1999 inter-Departmental Memorandum its concern that the existing proposed rule would make information not generally available as a public record subject to the provisions of Pennsylvania's Right to Know Law. The City suggests that a specific exception related to 911 tapes be inserted in the proposed rules.

page 2

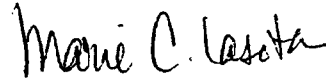
Mark Goodwin, Chief Counsel PEMA

May 3, 1999

(4) Quality Assurance Reviews (Section 120d.105)-- The attached April 29, 1999 inter-Departmental memorandum sets forth the City's concern regarding this section: specifically, the sheer volume of calls into the City of Philadelphia PSAP makes the quality assurance standards set forth in the proposed rule untenable. While the City can easily meet the call answering standards, the dispatch of calls in handled in a manner specific to the resources of the City of Philadelphia Police Department--calls are dispatched based on the priority of the incident and the availability of resources (approximately 2.8 million calls a year; average 8000 calls a day, 11,000-12,000 per day in July and August). The City suggests that the proposed Quality Assurance Review standards be more specific, and permit for adjustment of response time in relationship to call volume.

Thank you for your attention to this matter. If you have any questions or need additional information, I will be happy to discuss the City's comments and concerns with you. I can be reached at the above number.

Sincerely,



Marie C. Lasota
Telecommunications Analyst

mcl/ns

w/encls. : April 29, 1999 City of Philadelphia inter-Departmental Memorandum

c: Joseph James, Deputy Commissioner, City of Philadelphia Department of Public Property
Deputy Commissioner Charles Brennan, Philadelphia Police Department
Vincent Costello, Director of Communications, City of Philadelphia Department of Public Property
Inspector Scott Small, Philadelphia Police Department, Communications Division
✓ Sergeant Greg Masi, Philadelphia Police Department
LRK pf: 98- 1750-0514

MEMORANDUM

POLICE
CITY OF PHILADELPHIA
Date: 4-29-99

TO: Deputy Commissioner Joseph James, Public Property

FROM: Commanding Officer, Communications Division

SUBJECT: PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY

1. **Call Taker / Emergency Dispatch Certification (Section 1206.102)**
 - A. All civilian personnel assigned to the Radio Room in Philadelphia have the civil service title "Police Communications Dispatcher". Police Communications Dispatchers are assigned to do both, dispatch and answer 9-1-1 calls. There is no civil service title "Call Taker".
 - B. The term "certification" is a vague and general term with no clear cut specific definition relative to the current position of Police Communications Dispatcher in the City of Philadelphia. The term "certification" should be clearly defined, relative to call taker and dispatcher. If an individual is a certified dispatcher, does this mean they are automatically certified as a call taker?

Having separate certifications for call takers and call dispatchers creates a problem for Philadelphia, because if a person does not satisfy proposed PEMA certification for one part, the City would be unable to utilize that employee, but would still have to keep the employee on the payroll under the City's collective bargaining agreements. This would create an unfair drain on already scarce monetary resources.

All civilian, non-supervisory personnel assigned to Police Radio in the PPD have the title, Police Communications Dispatcher. There is no separate title or rank for Call Taker. Police Communications Dispatchers are assigned to answer 9-1-1 calls and dispatch assignments to police personnel. Police Communications Dispatchers assigned to dispatch, or answer 9-1-1 calls receive the same pay and benefits.

All applicants must successfully complete a civil service examination, and they are then hired from an eligibility list. Once hired, each Police Communications Dispatcher "Trainee" must complete an eight week training program. Included in the training is extensive class room study, hand-on application using actual radio room equipment and field training. There are written tests during all aspects of training and each trainee must maintain a passing average in order to graduate.

PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY

2

After completion of the eight week training, each trainee is assigned to the radio room to work with an experienced Police Communications Dispatcher (PCD). After successfully completing one year as a PCD Trainee, personnel are promoted to PCD. In order to be promoted, a trainee must be able to both handle 9-1-1 calls and dispatch.

Performance evaluations are prepared for PCD Trainees on the 2nd and 5th month, and all PCDs receive a performance evaluation annually.

In addition to the above, PCDs are monitored regularly by their supervisors, wherein supervisors listen to the PCD's interactions with the police and the public. All such monitoring sessions are documented and any deficiencies are noted with the corrective action taken.

The City's/ Philadelphia Police Department's current training program is based on the specific needs and the specific allocation of resources established for optimal operation of the City's PSAP. The PPD's current training program is also based on the past experience of our Philadelphia Police Department with a focus on improving delivery of emergency services.

The City suggests that the proposed rule making sections concerning certification be modified and, that for PSAPs of a large size or serving a large population such as Philadelphia, a certification plan specific to the PSAP be submitted for PEMA approval.

2. Center Supervisor Certification (Section 120C.104)

- A. All supervisors assigned to the Radio Room are sworn personnel holding the rank of Corporal and above. All supervisors assigned had to pass a civil service promotional examination, and all received general supervisor training tailored to their specific rank. There is no initial "police radio" training for supervisors once they are assigned to the unit. Supervisors with the rank of Corporal and Sergeant do attend annual police radio "in-service" training. (Police Radio in-service training will be addressed in detail under the heading "Refresher Training").

Again, the term "certification" must be explained in more detail, and standards must be defined. Additionally, existing collective bargaining agreement terms would conflict with PEMA's proposed regulations. The City would suggest provision for an exemption from the center supervisor certification for PSAPs employing unionized employees/individuals.

PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY

3

3. **Certification Curriculum and Instructors**

Presently, all dispatchers receive an eight week (320 hours) training course taught by a sergeant and four veteran dispatchers. The sergeant has been certified by the State under the Municipal Police Officers' Training Act. This certification is conducted and approved by the Pennsylvania State Police. Presently there is no certification for civilian dispatchers who are assigned as instructors.

The present training curriculum was designed by the Philadelphia Police Department and was approved by the Police Commissioner.

If the City PSAP were required to provide the PEMA proposed training curriculum and instructors, the City could not bear the financial burden resulting. The City has a training program specially designed to buy the vendors of the equipment used, the amount of turnover due to civil service structure, and would also create an unfair burden on the City. The Philadelphia Police Department requests that a modification be made to the proposed section allowing for separate written approval of the curriculum and instructors used in a PSAP like Philadelphia's.

4. **Refresher Training**

Every PCD presently receives sixteen hours of in-service training plus an eight hour ride-along in the field. Sergeants and corporals also attend this training. This training is annual. This training is not certified.

5. **Retention Of Records For Audit**

The specific type of information to be maintained should be made clear. General Comment to Proposed Section 120D as a Whole: The proposed scheme for quality assurance reviews, including the requirement of call-taking audits, makes recorded call public records within the meaning of Pennsylvania's Right to Know Act. This is contrary to currently proposed legislation which would make the call recordings not available for public inspection and potentially exposes PSAPs and municipalities to liability in so far as the recordings may contain private, statutorily protected information about an individual's health (e.g. person is HIV positive), or may contain information regarded under telephone or compromise an individual's safety if made public, or may contain information regarded under telephone service provider tariffs as proprietary and by statute (Act 78) not to be used for purposes other than 911.

Suggestion: Include language that specifically exempts the reviews from the Right to Know Act.

PHILADELPHIA EMERGENCY MANAGEMENT AGENCY

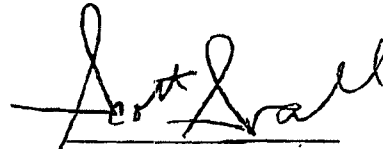
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6. Right To Enter And Inspect

There is no disputing this recommendation.

7. Types of Quality Assurance Reviews (Section 120D.105a, Dispatching)

Dispatching to the Police within 90 second, 90% of the time, would not be feasible in a city of the first class due to the high volume of calls received during peak times. While 98% of all 9-1-1 calls are answered within 2 seconds, they are dispatched according to priority of incident and availability of emergency resources. It is not possible, given the population and enormous volume of calls coming into the Philadelphia PSAP, to always dispatch within the proposed parameters. Additionally, our PSAP does not dispatch Fire or EMS, so such a requirement would not apply to this PSAP. More specific information, such as nature and type of call should be specified in order to accurately measure response, (example: measure priority assignment responses such as violent crimes in progress) and the response time requirement should be adjusted according to PSAP call volume and county population.



SCOTT SMALL
Inspector
Communications Division

SS:sjh

Original: 2019
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911 Communications
(570) 784-6300

COLUMBIA COUNTY
Department of Public Safety

P O Box 380
Bloomsburg, PA 17815

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Emergency Management
(570) 389-5720

REVIEW COMMISSION

May 9, 2000

Mr. Robert E. Nyce
Executive Director of IRRC
333 Market St., 14th Floor
Harrisburg, PA 17101

Dear Mr. Nyce:

Enclosed please find a copy of my comments regarding Proposed regulation 4 Pa., Code chapter 120b, 120c and 120d.

Thank you for this opportunity.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ronald F. Kozma', is written over the typed name.
Ronald F. Kozma
Director



911 Communications
(570) 784-6300

COLUMBIA COUNTY
Department of Public Safety
P O Box 380
Bloomsburg, PA 17815



Emergency Management
(570) 389-5720

May 9, 2000

Mr. Mark Goodwin
Chief Counsel of PEMA
2605 Interstate Drive
Harrisburg, PA 17110-9364

Dear Mr. Goodwin:

Re: Regulations 4 Pa., Code Chapter 120b, 120c and 120d

The following are my comments/suggestions concerning PEMA'S proposed regulations referenced above:

1. County plan definition includes "on a triennial basis" - this is unnecessary unless there have been major changes to a county system. It tends to be a make work effort for the counties, the PUC, PEMA and consultants. It would be more appropriate to follow the original guidance in Act 78 which directed a full plan only if requesting a change in contribution rate or requesting major modifications. Possibly changing the requirement to every 5 years would be an acceptable compromise, with PEMA validating the in-between years via audit/on site visits.
2. MSAG accuracy standards - First off this guidance does not take into account a county that may be maintaining a "private ALI" database. Secondly, requiring an accuracy check every 6 months is unreasonable. In fact, past experience with our telephone companies has indicated that this check should be a more continuous effort. Recommend that this guidance be more general in nature leaving the specifics to the individual counties. I can just imagine a city the size of Pittsburgh trying to validate every 6 months - they would never get finished!
3. Training - As I have suggested in the past, rather than a statewide curriculum why not an approved course(s) of study that as a minimum may be used. Leave the rest up to the individual 911 Centers to tailor as their specific needs/operation may require. The proposed standards are too specific, too much geared towards PEMA and definitely not geared towards small rural communication centers. We cannot afford to establish, man up and maintain a training division, as would be needed in order to abide by these proposed standards. To have PEMA responsible for an annual review of a county's training program, via audit/site visits would be more than adequate. There are existing commercial training

programs that will fulfill all major areas of concern and still allow the county the prerogative to tailor as necessary. Training is the most important part of any job, but it should also be the most flexible in its application. The proposed regulations are too constraining and virtually impossible to administer. Columbia County far exceeds the requirements of these proposed regulations. Total Quality Management techniques suggest delegation to the lowest possible authority and then audit the results - why not apply this philosophy?

4. Instructor Qualifications - If the proposed regulations were to designate any established training program as a basic requirement, those programs already require minimum standards to maintain qualifications. Why create another monster for PEMA to administer? Again another item to be audited.

5. Certification - Act 78 as amended directs that dispatchers be certified. It doesn't say that there needs to be an elaborate program with nauseating specifics and a test at the end that might cost an otherwise excellent dispatcher a job if he/she fails. Why not establish some general mandatory guidelines, do away with the proposed test and then audit them to insure compliance? Again this puts the responsibility down to the lowest authority, right where it needs to be, at the County Commissioners level!

6. Re-certification - Every three years is again too often. Every 5 would be more manageable and still fulfill the basic requirement. If there are good continuation training and quality assurance programs, qualifications will not suffer.

7. Testing - rather than having PEMA write and administer all certification tests, why not delegate this to the counties and then review/approve those?

8. Right to enter - delete "or at other times when the Agency deems necessary". This is unnecessary and an infringement upon the County's prerogative to restrict entry to its buildings. PEMA is not, nor should it be, in the "no-notice" inspection business. A scheduled audit is more than appropriate.

8. Technical standards - To put it in a nutshell, what more do we need than Act 78 as amended? It tells us exactly what we must do technically in order to be an approved 911 Center. In addition, the county plan serves as an approved document which establishes the framework of the county system.

9. Remote Dispatch Points - The most visible RDPs in the state are the Pennsylvania State Police and yet they are not required to abide by these proposed regulations. I find this to be ludicrous! It is just as likely that a PSP public communication officer(PCO) will receive an emergency call, as it is that a local police department records clerk may get one, on a 7 digit telephone line. Why is it then that a police records clerk is required to fulfill all these training/certification requirements, but a PCO isn't? I suggest again that these regulations should not be required by RDP personnel, unless they are specifically receiving actual 911 calls direct, without prior intervention by a

certified 911 telecommunicator. This prior intervention would fulfill the basic premise of PEMA, "where a dispatcher determines the appropriate response", when that 911 telecommunicator makes the decision to forward/dispatch the call to the required emergency service at the RDP.

10. Quality Assurance - provide us the general guidance that a QA program should exist and then audit it. Besides reviewing 911 tapes, QA should also include performance reviews, and observation by management. Establishing minimum numbers tends to lead to doing it just to fill squares, and may also lead to the necessity of creating "another office" just for QA purposes. Smaller 911 centers will not be able to absorb these costs. The program must be manageable within a county's current infrastructure.

I thank you for the chance to comment on these proposed regulations. I have personally been waiting for this opportunity for over 3 years(as it was promised at that time). In fact, I wrote to Mr. Carl Kuehn expressing my concerns over a year ago. I am including a letter, dated October 4, 1999, from Mr. Kuehn in which he assured me that those concerns were addressed(see starred paragraphs). The latest copies of the proposed regulations do not indicate that the commitment he made in his final paragraph was carried out.

Finally, I want to emphasize that I personally support the original legislation, but feel in the true spirit of Total Quality Management, the specifics of how we do our business should be left to us. Let PEMA audit us for compliance!

Sincerely,


Ronald F. Kozma
Director

Copy To: Mr. Robert E. Nyce
Executive Director of IRRRC
333 Market St., 14th Floor
Harrisburg, PA 17101



PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY
BOX 3321
HARRISBURG, PENNSYLVANIA 17105-3321



October 4, 1999

Ron Kozma
Columbia County Department of
Public Safety
P.O. box 380
Bloomsburg, PA 17815

Dear Mr. Kozma:

★ This letter is in response to your August 19, 1999, correspondence regarding the proposed 911 regulations. I apologize for the delay in responding to your correspondence, but a recent unexpected hospital stay and a longer than normal recovery period, coupled with the recent weeks of bad storms have delayed my response. I will try to answer your concerns in the order in which they were given. Additionally, I would like to assure you that your letter of August 19th has been forwarded to the Independent Regulatory Review Commission for insertion into their review process.

★ Your concerns regarding training are well taken and, in this regard, we are amending our training program to include your recommendations. The Commonwealth will put forth a training program for those counties who wish to take advantage of free training. For those counties who wish to do their own training, it will be necessary for them to teach the required number of curriculum hours on specific subjects. However, they may amend their training modules to be more definitive in areas they feel are necessary and may conduct longer course training than has been suggested by the Commonwealth. We would see the process as operating in the same manner as it does today. The county would accept our training module or, if they wish to teach their own training module, would forward it to us for our approval and concurrence.

★ We agree with your comments on instructor qualifications and, in fact, it is not our desire to create a monster or even try to administer one. As such, we are in the process of trying to designate, through our train-the-trainer program, which we anticipate would only be one half day or a day at most, the vehicle in which we could accomplish this task.

★ In the area of quality assurance, it is not our intent to force upon the counties the standards in which the quality assurance will be conducted. We see quality assurance and have argued with the Independent Regulatory Review Commission that quality assurance is an individual matter that needs to be addressed by the county. The county



★ should be the one to set the standards for quality assurance. I am hoping that this is the way that the Independent Regulatory Review Commission will go. I think we all agree that quality assurance is important but, more importantly, it is your program, your operation and your liability. You are the employer and, as such, you should set the standards for quality assurance.

★ Your comments on certification are well founded and we, in no way, want to see a good employee terminated because of their inability to take a test. It is our thinking, as I write this correspondence to you, that certification testing should be done at the county level by the county trainer with input from the county and should be an effort between the county and the Commonwealth and that the county should be the one to administer the test if they wish to. It should be a county test with some state input as far as general questions to be asked. The county will have the right to review those questions and, if they feel they are not specific enough or need to be re-worded, we will be in a position to make that change and work with the county. However, let me stress that it should be the county that administers the test and we will be more than happy to work with Columbia County on that.

★ The "right to enter" position of Columbia County is correct. PEMA does not have a problem with that. The reason that was inserted into the current proposed regulations stems from the inability of the Commonwealth as well as the County of Northampton to enter into the county 911 center because of contract differences between the county and the 911 provider. We most likely will be taking that "right to enter" clause out of the proposed regulations and remind you that if they stay in, we will have to have our employees cleared by the Pennsylvania State Police to do so.

★ We have no intention of making any additional mandates on the technical standards at this time. We feel, as you do, that they are in fairly good order at this time.

In conclusion, I think you will find we are in concurrence with most of your comments and share some of the same concerns with the exception of the need for the planned renewal. I am afraid this is one that we will probably continue to be at odds on, but it is the agency's position that the law was specific that the plan needs to be updated every three years. It is, in fact, a triple check: (1) to ensure the system is in compliance technically and is in order with the law; (2) that the rate base is justified both on the overall cost of the operation, and (3) that there is a check on the system to ensure that the carrier is charging the surcharge.

I would offer to you any assistance, free of charge, that we might be able to offer in putting the revised plan together working with you or your staff to ensure that the plan meets your needs and cuts your overall costs. I would offer that to you with the best intentions. If we can be of service to you, please feel free to call Bob Foor at 717-651-

Mr. Ron Kozma
Page 3 of 3

2036 your request for an extension if, of course, granted. Your new date for submission is April 3, 2000.

★
Once again, I thank you for your support in the legislation. Your comments were of great help to us and, as you can see from the comments above, we have made changes to the upcoming rules and regulations to help and support you.

Best regards,


Carl C. Kuehn, II
Deputy Director

Original: 2019
2020
2021



EMBARGOED MATERIAL

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2000 JUN 21 AM 9:04

PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP SUPERVISORS

INDEPENDENT REGULATORY REVIEW COMMISSION



June 19, 2000

Mr. Robert E. Nyce, Executive Director
Independent Regulatory Review Commission
14th Floor, Harristown 2
333 Market Street
Harrisburg, PA 17101

Dear Mr. Nyce:

The Pennsylvania Emergency Management Agency (PEMA) has resubmitted to the Independent Regulatory Review Commission (IRRC) the final form regulations on Training and Certification Standards for 911 Emergency Communications Personnel. This submittal is due to PEMA withdrawing an earlier version to address several issues raised by IRRC, the standing committees, and various groups.

You will recall that this association raised objections over the language of the original submission. Since bringing our issues to your staff, we have met with PEMA to address those concerns. It is our opinion that issues have been addressed with the documents filed with IRRC on May 24th and we, therefore, support the proposed changes.

We appreciate the time and effort your staff has given us on this issue and we look forward to working with you in the future.

Sincerely,

A handwritten signature in cursive script, appearing to read "Elam M. Herr".

Elam M. Herr
Director of Legislation

EMH:ls

cc: Senator Lemmond
Senator Kukovich
Representative Semmel
Representative Michlovic
John Comey

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Internet: www.psats.org

Original: 2020
2021

Rec'd
6/20/00
10:00 a.m.

June 20, 2000

Mr. Robert E. Nyce
Executive Director
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

Dear Mr. Nyce:

On behalf of the Ambulance Association of PA (AAP), we have two concerns regarding the revised final-form "911" regulations.

Specifically, as presented in our previous comments, our first concern is related to the applicability of these regulations to the private "dispatch" centers managed by ambulance services throughout the Commonwealth. For example, an ambulance service may operate an "internal" dispatch center, which does not take 911 calls from the public but does dispatch their own ambulances. These centers may also be linked to a 911 center. However, this linkage is neither as a public 911 call-taking source nor to dispatch 911 calls. It serves as an internal resource manager for unit availability and response.

Our interpretation of the regulations is that these ambulance service dispatch centers are exempt from the content of the law and therefore from the regulations. If we are correct, an ambulance service whom operate an internal dispatch center and does not handle phone calls from the public seeking 9-1-1 service will be exempt from these final rules and any further interpretations by policy or enforcement. Our assumption is based on the definition of a 911 communications center or remote dispatch point. If our interpretation is incorrect and the language of these regulations includes these ambulance service dispatch centers, it will create a significant financial hardship to organizations already struggling with reductions in reimbursements from health care insurers.

Be assured that the Ambulance Association of PA agrees with the need for trained personnel in the 911 centers, but does not view the dispatch centers, as we have described above, as meeting the purpose of Chapter 120b, 120c and 120d.

Page 2 of 2

Our second comment focuses on the training requirements of the EMS dispatch personnel. This training includes a 16-hour provision that may duplicate some pre-existing training of the individual, especially if they are currently certified by the Department of Health as a first responder, EMT or ALS provider (paramedic/PHRN). Perhaps, an exception should be made to recognize these individuals and reduce some time requirements in order to encourage certified personnel into these positions. We are certain the benefit to the public if the dispatcher is already certified as an EMT or Paramedic would be invaluable.

Thank you for the opportunity to comment on these regulations. We look forward to the enhancement these regulations will make to the delivery of emergency services in Pennsylvania. Should you have any specific questions or concerns regarding this correspondence, please contact our office at 717-691-8995.

Sincerely,

Barry Albertson, President
Ambulance Association of PA
P.O. Box 927
Mechanicsburg, PA 17055

BA/jmk

*Rec'd
6/20/00
10:00 or*

AMBULANCE ASSOCIATION OF PA

Tel: 717-691-8995 or 888-262-9121
Fax: 717-691-8993
E-mail: jkearney@aa-pa.org

FACSIMILE COVER PAGE

To: Robert Nyce	From: Janette Kearney, AAP
Fax #: 783-2664	Fax #: 717-691-8993
Company: IRRIC	Tel #: 717-691-8995

Subject: 911 Regs	
Sent: 6/20/00 at 9:51:32 AM	Pages: 3 (including cover)

MESSAGE:

Please add these to the comments for the meeting on June 22.
Hard copy to follow in mail.