

No. 178

## AN ACT

HB 1643

Providing for emergency medical personnel; employment of emergency medical personnel and emergency communications in coal mines.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Definitions.—As used in this act:

“Emergency medical technician” means a coal mine employee who has successfully completed the course on emergency first-aid care and transportation of the sick and injured recommended by the American Academy of Orthopedic Surgeons or the equivalent thereof, and has been certified by the Department of Health to provide emergency care.

“Emergency medical technician paramedic” means a person who has been certified by the Department of Health to provide emergency medical treatment.

“Mine” means any surface or underground coal mine as defined in the Federal Coal Mine Health and Safety Act of 1969, Public Law 91-173, § 3(h), 30 U.S.C. § 802(h).

Section 2. Emergency Medical Personnel in Coal Mines.—(a) Emergency medical personnel shall be employed in every mine as follows:

(1) Within two years from the effective date of this act, all mines shall be equipped by the operator thereof as follows:

(i) At least one emergency medical technician shall be on duty at a mine at any time when miners at that mine are engaged in the extraction, production, or preparation of coal. Emergency medical technicians shall be on duty at a mine in sufficient numbers to assure that no miner shall work in a mine location that cannot be reached within a reasonable time by an emergency medical technician. Emergency medical technicians shall be employed on their regular mining duties at locations convenient for quick response to emergencies, and further shall have available to them at all times necessary equipment in compliance with Federal regulations.

(ii) Telephone service or equivalent facilities shall be installed which will provide two-way voice communication between the emergency medical technician in the mine and medical personnel outside the mine who provide emergency medical services on a regular basis.

(iii) On or before July 1, 1978, operators of coal mines shall make adequate provisions so that at least one emergency medical technician paramedic, registered nurse, physician, or physician’s assistant shall be available to provide care at a mine at any time that miners at the mine are engaged in the extraction, production or preparation of coal, and such

emergency medical technician paramedic, registered nurse, physician or physician's assistant shall be on call to reach the entrance of the mine within 30 minutes.

(b) Notwithstanding any other provision of this act, emergency medical personnel shall be employed in surface coal mines as follows:

(i) If 20 or more persons are employed on a shift, all of the provisions of this act shall apply. A shift shall include all persons working at the different locations of a mine.

(ii) If a mine has employees working at different locations within a radius of not more than ten miles or a lesser number of miles as may be determined by the Department of Environmental Resources and said locations are connected by telephone service or equivalent facilities, an emergency medical technician or the equivalent at any location on the shift shall be deemed to be compliance with the provisions of this act.

(iii) If less than 20 persons are employed on a shift, an ambulance service with three members certified as emergency medical technicians, not necessarily coal employees, located within a radius of ten miles, or such other distance as may be approved by the Department of Environmental Resources upon request for and approval of a variance thereto, shall be deemed to be in compliance with the provisions of this act.

(iv) If an area ambulance service is not available, three persons, not necessarily coal employees, possessing certification as an emergency medical technician, or the equivalent thereof, residing within a radius of ten miles, or such other distance as may be approved by the Department of Environmental Resources, upon request for and approval of a variance thereto, for which on-call service has been arranged, shall be compliance with the provisions of this act.

Section 3. Regulations for Training and Certification.—The Department of Health shall make rules and regulations as may be necessary to train and certify emergency medical technicians and emergency medical technician paramedics.

Section 4. First-aid Training of Coal Mine Employees.—Each coal mine operator shall provide every new employee who shall not have received the initial training hereunder within six months of the date of his employment with the opportunity for such first-aid training as shall be prescribed by the Department of Environmental Resources after consultation with the Department of Health, the Mining Enforcement and Safety Administration of the United States Department of the Interior, representatives of the miners and of the coal mine operators. Each coal mine employee shall be provided with opportunity for refresher first-aid training of not less than five hours within each 24 months of employment. The employee shall be paid regular wages, or overtime pay if applicable, for all periods of first-aid training.

Section 5. Continuing Training.—The Department of Environmental Resources, after consultation with the Department of Health regarding the content of instruction courses, shall provide for necessary training on a

continuing basis of emergency medical technicians and emergency medical technician paramedics in sufficient numbers to satisfy the requirements of this act and shall propose rules and regulations to implement the operational provisions of this act to the Environmental Quality Board.

Section 6. Certification.—The Department of Health shall prescribe such procedures as may be necessary to certify emergency medical technicians and emergency medical technician paramedics and consult with the Department of Environmental Resources as may be required hereunder.

Section 7. Liabilities.—(a) No physician, who in good faith gives instructions to a certified emergency medical technician or emergency medical technician paramedic, a registered nurse, or physician's assistant shall be liable for any civil damages as a result of issuing the instructions, unless guilty of gross or willful negligence.

(b) No certified emergency medical technician or emergency medical technician paramedic, registered nurse, or physician's assistant who in good faith attempts to render emergency care to any sick or injured person in or about a coal mine, shall be liable for civil damages as a result of any acts or omissions, unless guilty of gross or willful negligence.

Section 8. Equivalent Training.—The Department of Environmental Resources may determine that a coal mine operator is presently providing emergency medical care for its employees which is equivalent to or superior to the emergency medical care provided for hereunder; and, in that event, it shall make a finding that such operator is in compliance with this act.

Section 9. Regulations for Operational Provisions.—The Environmental Quality Board shall make rules and regulations to implement the operational provisions of this act.

Section 10. Effective Date.—This act shall take effect in 60 days.

APPROVED—The 9th day of July, A. D. 1976.

MILTON J. SHAPP