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SENATE BILL NO. 720

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Commerce and Labor
on February 9, 2020)

(Patron Prior to Substitute—Senator McClellan)

A *BILL to amend the Code of Virginia by adding a section numbered 56-484.16:1, relating to E-911 dispatchers; training in telecommunicator cardiopulmonary resuscitation and emergency medical dispatch.*

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 56-484.16:1 as follows:

§ 56-484.16:1. PSAP dispatchers; training requirements.

A. As used in this section:

"Department" means the Department of Criminal Justice Services.

"Dispatcher" means an individual employed by a public safety answering point, an emergency medical dispatch service provider, or both, who is qualified to answer incoming emergency telephone calls or provide for the appropriate emergency response either directly or through communication with the appropriate PSAP.

"Emergency Medical Dispatch" means a systematic program of handling medical calls pursuant to which trained dispatchers determine the nature and priority of the call, dispatch the appropriate response, and give the caller instructions to help treat the caller until the arrival of the appropriate responder.

"Emergency Medical Dispatch certification" means certification by an Office of Emergency Medical Services recognized emergency dispatch training organization meeting or exceeding standards by the National Highway Traffic Safety Administration and accepted and recognized by the American Society for Testing Materials (ASTM).

"Emergency Medical Dispatch education program" means an Emergency Medical Dispatch certification education program that meets national criteria set forth by the National Highway Traffic Safety Administration.

"High-quality telecommunicator cardiopulmonary resuscitation instruction" or "TCPR" means the delivery by trained 911 telecommunicators of high-quality cardiopulmonary resuscitation instruction for acute events requiring cardiopulmonary resuscitation, including out-of-hospital cardiac arrests.

B. By December 1, 2020, the Department shall adopt standards for training and equipment required for the provision of TCPR by dispatchers. The standards shall meet or exceed nationally recognized emergency cardiovascular care guidelines. At a minimum, training standards shall require dispatchers to obtain certification in cardiopulmonary resuscitation and shall incorporate recognition protocols for out-of-hospital cardiac arrest, compression-only cardiopulmonary resuscitation instructions for callers, and continuing education as appropriate. The Department shall update such standards as frequently as necessary, but not more frequently than biennially, in order to keep the standards current with nationally recognized emergency cardiovascular care guidelines.

C. On or before January 1, 2022, each PSAP shall provide training in TCPR to each dispatcher in its employ and shall provide its dispatchers with equipment necessary for the provision of TCPR. The training and equipment shall comply with the standards adopted by the Department pursuant to subsection B. Following completion of the initial training, each dispatcher's training shall be updated or supplemented in order to reflect updates to the training standards.

D. An operator of a PSAP may enter into a reciprocal agreement with the operator of another PSAP authorizing the initial PSAP to transfer callers to the other PSAP at times that the PSAP does not have a trained dispatcher on duty who is able to provide TCPR to a caller. If a PSAP transfers a caller under the provisions of this subsection, the transferring PSAP shall use an evidence-based protocol for the identification of a person in need of cardiopulmonary resuscitation and ensure that the PSAP to which calls are transferred uses dispatchers that meet the training requirements under subsection B to provide assistance on administering TCPR.

E. The Department shall identify all public agencies and other persons that provide TCPR training that satisfies the requirements adopted under subsection B and set minimum standards for course approval, instruction, and examination, including online training modules based on nationally recognized guidelines. The Department shall implement a means to ensure that every dispatcher that has satisfactorily completed a training program and his employing PSAP receive a certificate of completion of the required TCPR training.

F. No dispatcher who instructs a caller on TCPR shall be liable for any civil damages arising out of the instruction provided to the caller, except for acts or omissions intentionally designed to harm or for

grossly negligent acts or omissions that result in harm to an individual. A caller may decline to receive TCPR. When a caller declines TCPR, the dispatcher has no obligation to provide such instruction.

G. By January 1, 2024, each operator of a PSAP shall implement a requirement that each of its dispatchers shall by July 1, 2024, have completed an Emergency Medical Dispatch education program that complies with minimum standards established by the Department. The Department shall ensure that every dispatcher that has satisfactorily completed an Emergency Medical Dispatch education program and his employing PSAP receive a certificate of completion of the required education program. Following completion of the initial Emergency Medical Dispatch education program, each dispatcher's training shall be updated or supplemented in order to reflect updates to the education program.

H. Each PSAP shall conduct ongoing quality assurance of its TCPR program.

I. The Department shall adopt regulations in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.) as are necessary to implement the provisions of this section.