
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1643

Session of
1975

INTRODUCED BY MESSRS. TAYLOR, PETRARCA, DOMBROWSKI, ENGLEHART,
BRUNNER, STOUT, DeMEDIO, DAVIS, LINCOLN, SHUMAN, GLEASON,
LAUGHLIN, O'CONNELL, O'BRIEN, WANSACZ, BONETTO, NOVAK, McCUE,
CUMBERLAND, GOODMAN, McCALL, ABRAHAM, MISCEVICH, MUSTO,
GILLESPIE, STAPLETON, MORRIS, GEISLER, GREEN, PRATT, FISCHER
AND O'DONNELL, JULY 17, 1975

AS AMENDED ON SECOND CONSIDERATION, IN SENATE, JUNE 15, 1976

AN ACT

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

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

6 Section 1. Definitions.--As used in this act:

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

13 "Emergency medical technician paramedic" means a person who
14 has been certified by the Department of Health to provide
15 emergency medical treatment.

1 "Mine" means any surface or underground coal mine as defined
2 in the Federal Coal Mine Health and Safety Act of 1969,
3 Pub.L.91-173, § 3(h), 30 U.S.C. § 802(h).

4 Section 2. Emergency Medical Personnel in Coal Mines.-- <—

5 (A)Emergency medical personnel shall be employed in every mine <—
6 as follows:

7 (1) Within ~~one year~~ TWO YEARS from the effective date of <—
8 this act, all mines shall be equipped by the operator thereof as
9 follows:

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

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

26 (iii) On or before July 1, 1978, operators of coal mines
27 shall make adequate provisions so that at least one emergency
28 medical technician paramedic, registered nurse, physician, or
29 physician's assistant shall be available to provide care at a
30 mine at any time that miners at the mine are engaged in the

1 extraction, production or preparation of coal, and such
2 emergency medical technician paramedic, registered nurse,
3 physician or physician's assistant shall be on call to reach the
4 entrance of the mine within 30 minutes.

5 (B) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT, <—
6 EMERGENCY MEDICAL PERSONNEL SHALL BE EMPLOYED IN SURFACE COAL
7 MINES AS FOLLOWS:

8 (I) IF 20 OR MORE PERSONS ARE EMPLOYED ON A SHIFT, ALL OF
9 THE PROVISIONS OF THIS ACT SHALL APPLY. A SHIFT SHALL INCLUDE
10 ALL PERSONS WORKING AT THE DIFFERENT LOCATIONS OF A MINE.

11 (II) IF A MINE HAS EMPLOYEES WORKING AT DIFFERENT LOCATIONS
12 WITHIN A RADIUS OF NOT MORE THAN TEN MILES OR A LESSER NUMBER OF
13 MILES AS MAY BE DETERMINED BY THE DEPARTMENT OF ENVIRONMENTAL
14 RESOURCES AND SAID LOCATIONS ARE CONNECTED BY TELEPHONE SERVICE
15 OR EQUIVALENT FACILITIES, AN EMERGENCY MEDICAL TECHNICIAN OR THE
16 EQUIVALENT AT ANY LOCATION ON THE SHIFT SHALL BE DEEMED TO BE
17 COMPLIANCE WITH THE PROVISIONS OF THIS ACT.

18 (III) IF LESS THAN 20 PERSONS ARE EMPLOYED ON A SHIFT, AN
19 AMBULANCE SERVICE WITH THREE MEMBERS CERTIFIED AS EMERGENCY
20 MEDICAL TECHNICIANS, NOT NECESSARILY COAL EMPLOYEES, LOCATED
21 WITHIN A RADIUS OF TEN MILES, OR SUCH OTHER DISTANCE AS MAY BE
22 APPROVED BY THE DEPARTMENT OF ENVIRONMENTAL RESOURCES UPON
23 REQUEST FOR AND APPROVAL OF A VARIANCE THERETO, SHALL BE DEEMED
24 TO BE IN COMPLIANCE WITH THE PROVISIONS OF THIS ACT.

25 (IV) IF AN AREA AMBULANCE SERVICE IS NOT AVAILABLE, THREE
26 PERSONS, NOT NECESSARILY COAL EMPLOYEES, POSSESSING
27 CERTIFICATION AS AN EMERGENCY MEDICAL TECHNICIAN, OR THE
28 EQUIVALENT THEREOF, RESIDING WITHIN A RADIUS OF TEN MILES, OR
29 SUCH OTHER DISTANCE AS MAY BE APPROVED BY THE DEPARTMENT OF
30 ENVIRONMENTAL RESOURCES, UPON REQUEST FOR AND APPROVAL OF A

1 VARIANCE THERETO, FOR WHICH ON-CALL SERVICE HAS BEEN ARRANGED,
2 SHALL BE COMPLIANCE WITH THE PROVISIONS OF THIS ACT.

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

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

21 Section 5. Continuing Training.--The Department of
22 Environmental Resources, after consultation with the Department
23 of Health regarding the content of instruction courses, shall
24 provide for necessary training on a continuing basis of
25 emergency medical technicians and emergency medical technician
26 ~~paramedic~~ PARAMEDICS in sufficient numbers to satisfy the <—
27 requirements of this act and shall propose rules and regulations
28 to implement the operational provisions of this act to the
29 Environmental Quality Board.

30 Section 6. Certification.--The Department of Health shall

1 prescribe such procedures as may be necessary to certify
2 emergency medical technicians and emergency medical technician
3 paramedics and consult with the Department of Environmental
4 Resources as may be required hereunder.

5 ~~Section 7. Liability of Physicians and Surgeons. No~~ <—
6 ~~physician or surgeon who gives emergency instructions to a~~
7 ~~certified emergency medical technician or emergency medical~~
8 ~~technician paramedic, nor any emergency medical service~~
9 ~~attendant, emergency medical technician paramedic, registered~~
10 ~~nurse, physician, or physician's assistant who cares for or~~
11 ~~gives life saving or life preserving treatment to any sick or~~
12 ~~injured person in or about a coal mine, or sick or injured~~
13 ~~person being transported from a coal mine, shall be liable for~~
14 ~~any damage or injury resulting from such treatment.~~

15 SECTION 7. LIABILITIES.--(A) NO PHYSICIAN, WHO IN GOOD FAITH <—
16 GIVES INSTRUCTIONS TO A CERTIFIED EMERGENCY MEDICAL TECHNICIAN
17 OR EMERGENCY MEDICAL TECHNICIAN PARAMEDIC, A REGISTERED NURSE,
18 OR PHYSICIAN'S ASSISTANT SHALL BE LIABLE FOR ANY CIVIL DAMAGES
19 AS A RESULT OF ISSUING THE INSTRUCTIONS, UNLESS GUILTY OF GROSS
20 OR WILLFUL NEGLIGENCE.

21 (B) NO CERTIFIED EMERGENCY MEDICAL TECHNICIAN OR EMERGENCY
22 MEDICAL TECHNICIAN PARAMEDIC, REGISTERED NURSE, OR PHYSICIAN'S
23 ASSISTANT WHO IN GOOD FAITH ATTEMPTS TO RENDER EMERGENCY CARE TO
24 ANY SICK OR INJURED PERSON IN OR ABOUT A COAL MINE, SHALL BE
25 LIABLE FOR CIVIL DAMAGES AS A RESULT OF ANY ACTS OR OMISSIONS,
26 UNLESS GUILTY OF GROSS OR WILLFUL NEGLIGENCE.

27 Section 8. Equivalent Training.--The Department of
28 Environmental Resources may determine that a coal mine operator
29 is presently providing emergency medical care for its employees
30 which is equivalent to or superior to the emergency medical care

1 provided for hereunder; and, in that event, it shall make a
2 finding that such operator is in compliance with this act.

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

6 Section 10. Effective Date.--This act shall take effect in
7 60 days.