

BITUMINOUS COAL MINE SAFETY ACT - EMERGENCY MEDICAL PERSONNEL,
REGULATIONS, CONTINUING TRAINING, CERTIFICATION AND LIABILITY
Act of Apr. 23, 2018, P.L. 93, No. 16 Cl. 52
Session of 2018
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HB 1341

AN ACT

Amending the act of July 7, 2008 (P.L.654, No.55), entitled "An act providing for bituminous coal mines; and making a repeal," in emergency medical personnel, further providing for definitions, for emergency medical personnel, for regulations, for continuing training, for certification and for liability.

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

Section 1. Sections 601, 602, 603, 605, 607 and 608 of the act of July 7, 2008 (P.L.654, No.55), known as the Bituminous Coal Mine Safety Act, are amended to read:

Section 601. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Advanced emergency medical technician." A coal mine employee who is certified by the Department of Health as an advanced emergency medical technician.

"Emergency medical responder." A coal mine employee who complies with all of the following:

(1) **Has been certified by the Department of Health as an emergency medical responder.**

(2) **Has successfully completed all of the following courses of additional training of the type approved by the Department of Health for emergency medical technicians:**

(i) **Patient assessment in the areas of splinting, extremity manual, rigid and soft vacuum.**

(ii) **Spine care in the areas of:**

(A) **restricting spinal motion, helmet removal and stabilization; and**

(B) **devices to restrict spinal motion.**

(3) **Has successfully completed any additional courses required by regulation of the board.**

"Emergency medical technician." 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 an equivalent organization and] who has been certified by the Department of Health [to provide] as an emergency [care] medical technician.

"[Emergency medical technician paramedic] Paramedic." An individual who has been certified by the Department of Health [to provide emergency medical treatment] as a paramedic.

Section 602. Emergency medical personnel.

Emergency medical personnel shall be employed at every mine as follows:

(1) **At least one emergency medical responder , emergency medical technician or advanced emergency medical technician shall be on duty at any time when miners at that mine are engaged in the extraction, production or preparation of coal.**

Emergency **medical responders** , **emergency** medical technicians **or advanced emergency medical technicians** shall be on duty at a mine in sufficient numbers to assure that no miner shall work in a mine location which cannot be reached in 30 minutes by an **emergency medical responder** , **an** emergency medical technician **or an advanced emergency medical technician**.

Emergency **medical responders** , **emergency** medical technicians **or advanced emergency medical technicians** shall be employed at their regular duties at locations convenient for quick response to emergencies and shall have available to them at all times necessary equipment in compliance with Federal regulations.

(2) Telephone services or the equivalent facilities shall be installed which shall provide two-way voice communications between the **emergency medical responder** , **the** emergency medical technician **or the advanced emergency medical technician** at the mine and medical personnel outside or away from the mine who provide emergency medical services on a regular basis.

(3) Operators shall make adequate provisions so that at least one [emergency medical technician] paramedic, registered nurse, physician or physician assistant is available to provide care at a mine at any time that individuals are engaged in extraction, production or preparation of coal. Emergency medical personnel under this paragraph shall be on call to reach the entrance of the mine within 30 minutes.

[Section 603. Regulations for training and certification.

The Department of Health shall promulgate regulations to train and certify emergency medical technicians and emergency medical technician paramedics.

Section 605. Continuing training.

The department, 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 chapter.]

Section 607. Certification.

The Department of Health shall promulgate regulations to prescribe procedures necessary to certify **emergency medical responders**, emergency medical technicians, **advanced emergency medical technicians** and [emergency medical technician] paramedics and consult with the department as may be required under this chapter.

Section 608. Liability.

(a) Physicians.--

(1) Except as set forth in paragraph (2), a physician who in good faith gives instructions to [a certified] **an emergency medical responder**, **an** emergency medical technician [or emergency medical technician], **an advanced emergency medical technician** , a paramedic, a registered nurse or a physician assistant shall not be liable for civil damages as a result of issuing the instructions.

(2) Paragraph (1) does not apply where the actions constitute gross negligence, reckless misconduct or intentional misconduct.

(b) Other medical personnel.--

(1) Except as set forth in paragraph (2), [a certified] **an emergency medical responder**, **an** emergency medical technician, [emergency medical technician] **an advanced**

emergency medical technician, a paramedic, a registered nurse or a physician assistant who in good faith attempts to render emergency care to a sick or injured individual in or about a mine shall not be liable for civil damages as a result of any acts or omissions.

(2) Paragraph (1) does not apply where the actions constitute gross negligence, reckless misconduct or intentional misconduct.

Section 2. This act shall take effect in 60 days.

APPROVED--The 23rd day of April, A.D. 2018.

TOM WOLF