

PENNSYLVANIA CHAPTER,  
AMERICAN COLLEGE OF  
EMERGENCY PHYSICIANS

777 East Park Drive  
P.O. Box 8820  
Harrisburg, PA 17105-8820  
<http://www.paacep.org>

May 3, 1999

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(717) 558-7750  
888-633-5784  
FAX (717) 558-7841  
dblunk@paacep.org

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*Executive Director*

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

Ref.: Proposed regulations to implement section 3(a)(8) of the act of  
February 12, 1998, (P.L. 64, No. 17) (Act 17). 9-1-1 Performance Review and  
Quality Assurance Standards.

Dear Mr. Goodwin:

On behalf of the EMS Committee and the Board of Directors of the Pennsylvania Chapter, American College of Emergency Physicians (PaACEP), I would like to comment on the proposed regulations to establish standards for performance review and quality assurance programs for the operation of county 9-1-1 emergency communications systems. The proposed regulations were published in the April 3, 1998, edition of the *Pennsylvania Bulletin (Vol. 29, No. 14)*.

Pennsylvania's emergency physicians are continuously interested in improving every aspect of the Emergency Medical Services (EMS) system. The call-takers and dispatchers in our telecommunications centers are the public's first contact to the EMS system when they experience a medical emergency. These call-takers and dispatchers are integral to providing optimal pre-hospital medical care, and their actions can directly impact a patient's chance of survival.

I would like to relay the following general comments from Pennsylvania's emergency physicians:

1. Every telecommunications center should provide medical call-taking, triage and dispatch of resources, and pre-arrival patient care instructions in a manner consistent with emergency medical dispatch (EMD) standards.
2. Every call related to a medical problem should be handled by call-takers and dispatchers who are trained and certified in EMD. Standards for these EMD courses must be established (e.g. ASTM, APCO EMD or equivalent, etc...) These training courses must be consistent with the type of EMD protocols used by the particular telecommunications center.

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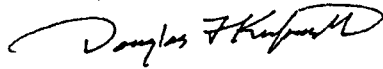
3. All EMD protocols should be approved by the Medical Advisory Committee of the corresponding Regional EMS Council.

4. All telecommunications centers should have a quality assurance program that includes a medical director who is a qualified ALS service medical director or medical command physician per Department of Health regulations.

Pennsylvania's EMS system must continue to move forward to provide the highest quality emergency medical care possible to residents and visitors of the state. Qualified, well-trained emergency medical dispatchers who provide timely and appropriate pre-arrival instructions based upon medically appropriate protocols will improve patient outcome.

Thank you for your consideration of PaACEP's comments. If you have any questions, please don't hesitate to contact me.

Sincerely,



Douglas F. Kupas, MD, FACEP  
Chairman, EMS Committee

cc: Charles Wynne  
Director, Pennsylvania Emergency Management Agency

Margaret Trimble  
Director, Office of Emergency Medical Services  
Department of Health



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



Original: 2019, 2020, 2021  
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June 3, 1999

Honorable Paul W. Semmel  
House of Representatives  
Room 47, East Wing  
House Post Office Box 202020  
Harrisburg, PA 17120-2020

and

Honorable Thomas A. Michlovic  
House of Representatives  
Room 121, South Office Building  
House Post Office Box 202020  
Harrisburg, PA 17120-2020

Dear Representatives Semmel and Michlovic:

This letter responds to your May 20, 1999 letter which asked some questions about PEMA's proposed 911 regulations #30-51, 30-52 and 30-53. Please see the enclosed memo from Carl C. Kuehn, II, PEMA's Deputy Director, which addresses those questions. Also enclosed is the Pennsylvania Supreme Court's January 22, 1999 decision in the case of North Hills News Record and Robyn Tomlin v. Town of McCandless and Allegheny County which declared that 911 audio tapes are not public records under the provisions of the Pennsylvania Right to Know Act.

Thank you for expressing your interest in these proposed regulations. Should you have any additional questions, please let me know.

Sincerely,

Mark L. Goodwin  
Chief Counsel

MLG:rls

CC: Carl C. Kuehn, II


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PENNSYLVANIA  
EMERGENCY MANAGEMENT AGENCY

**COMMONWEALTH OF PENNSYLVANIA**  
**Pennsylvania Emergency Management Agency**

**DATE:** June 2, 1999

**SUBJECT:** Response to House Veterans Affairs and Emergency Preparedness Committee's Questions Regarding Proposed Regulations #30-51, 30-52 and 30-53

**TO:** Mark L. Goodwin  
Chief Counsel

**FROM:** Carl C. Kuehn, II   
Deputy Director

Per your request, I am responding to the Committee's May 20 correspondence to this agency. I will answer the questions in the order in which they were posed.

1. The minimum hourly training requirement for dispatchers has been raised from 40 hours to 106 hours. The current requirement of 40 hours classroom and hands-on instruction is intended to be deleted.
2. If it is the Committee's desire to raise the acceptable passing grade to 90%, this agency will proceed accordingly.
3. We do not anticipate a conflict between union contracts and the newly proposed regulations. We intend to work with every PSAP according to their organizational makeup and contract requirements and do not feel that this poses any threat to existing contracts.
4. Phone tape recordings are not considered public information under the Right-To-Know law. In this regard, please find attached a recent letter citing regulation review concerning this matter.
5. At present, there are 13 PSAPs operating in a true E-911 (enhanced) mode. They are maintaining a 95% accuracy on the database. This figure is attainable and necessary. It is an issue that the wire industry feels strongly about. This agency and the industry both feel that anything less than 95% would degrade the system's integrity and increase the liability to the PSAP. Downloading of the LEC customer database into the county on the PSAP MSAG database is plausible and is working on a daily basis.

I hope the above will address the Committee's concerns. However, should you deem it necessary, I will be more than happy to provide additional information or documentation.

CCK:djz  
Attachment

[J-168-1998]  
IN THE SUPREME COURT OF PENNSYLVANIA  
WESTERN DISTRICT

NORTH HILLS NEWS RECORD AND  
ROBYN TOMLIN,

Appellees

v.

TOWN OF McCANDLESS AND  
ALLEGHENY COUNTY,

Appellants

: No. 25 W.D. Miscellaneous Docket 1998

: Application for Extraordinary Jurisdiction  
: pursuant to 42 Pa.C.S. §726 from the Order  
: of the Court of Common Pleas of Allegheny  
: County Civil - SA26 - 98 dated February 6,  
: 1998 (Pauer, P.J.)

ARGUED: September 16, 1998

OPINION

MR. JUSTICE SAYLOR

DECIDED: JANUARY 22, 1999

This Court invoked its extraordinary jurisdiction to determine whether an audio tape recording of a telephone call made to an emergency response center must be made available to citizens asserting a right to disclosure pursuant to the Pennsylvania Right to Know Act.

On January 1, 1998, Michele Walker Keitel and Charles Dunkle were shot and killed in Ohio Township, Allegheny County. A caller reported the shooting by telephone to the Town of McCandless Central Emergency Telephone Center (the "Center"). The Center was operated by the Town of McCandless ("McCandless") through its police department and provided twenty-four-hour emergency telephone response services to residents of

McCandless, Ohio Township and another neighboring municipality. All calls to the Center's emergency number were recorded on a magnetic audio tape.

Upon receipt of this telephone call, the Center notified Ohio Township's police department, which, in turn, dispatched a patrol car, followed by emergency personnel and equipment. Ultimately, Michele Walker Keitel's estranged husband, William Keitel, was arrested in connection with the killings.

Appellees Robyn Tomlin and North Hills News Record submitted requests to McCandless Township's police chief and solicitor, and later to the Allegheny County District Attorney, seeking access to the audio tape recordings of all calls made to the Center on January 1, 1998, relating to the killings. All such requests were denied.

Appellees then filed a statutory appeal in the Court of Common Pleas of Allegheny County pursuant to Section 4 of the Right to Know Act,<sup>1</sup> 65 P.S. §66.4, in which the Commonwealth sought and was granted leave to intervene. After argument, the trial court determined that the tapes were public records pursuant to the Act and should thus be made available to Appellees. In its opinion, the trial court initially acknowledged that the plain language of the Act would not appear to require disclosure of the tapes. Nevertheless, based upon a line of decisions from the Commonwealth Court, it found that the tapes did indeed qualify as public records. The trial court reasoned that:

[the coverage of the Act] is construed so broadly that it requires only that a record reflect some form of action by an agency that has an effect on someone. Here, the [audio tapes] formed the basis for the municipality's decision to investigate the conduct of certain individuals with regard to their personal rights, privileges, duties and obligations.

(citations omitted). Both the Commonwealth and McCandless lodged notices of appeal in the Commonwealth Court, and the Commonwealth filed an emergency petition in this Court

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<sup>1</sup> Act of June 21, 1957, P.L. 390, as amended, 65 P.S. §§66.1-66.4 (the "Act").

seeking the exercise of extraordinary jurisdiction pursuant to Section 726 of the Judicial Code, 42 Pa.C.S. §726, and Pennsylvania Rule of Appellate Procedure 3309.

In the Act, the General Assembly codified and clarified the common law right of public access to public records. See Community College of Philadelphia v. Brown, 544 Pa. 31, 33, 674 A.2d 670, 671 (1996)(citing Wiley v. Woods, 393 Pa. 341, 350, 141 A.2d 844, 849 (1958)). Section 2 of the Act provides generally that "[e]very public record of an agency shall, at reasonable times, be open for examination and inspection by any citizen of the Commonwealth of Pennsylvania." 65 P.S. §66.2. Subject to enumerated exceptions, Section 1(2) of the Act provides that "public records" consist of the following two categories: 1) "[a]ny account, voucher or contract dealing with the receipt or disbursement of funds by an agency or its acquisition, use or disposal of services or of supplies, materials, equipment or other property." 65 P.S. §66.1(2); and 2) "any minute, order or decision by an agency fixing the personal or property rights, privileges, immunities, duties or obligations of any person or group of persons." Id.

The first of these categories deals generally with fiscal aspects of governance, providing for public review of accounts, vouchers or contracts "dealing with" receipts of and disbursements by an agency. This Court's recent decision in Sapp Roofing Co. v. Sheet Metal Workers' Int'l Ass'n, Local Union 12, \_\_\_ Pa. \_\_\_, 713 A.2d 627 (1998), concerned this accounts/vouchers/contracts category of public records. In Sapp Roofing, a plurality of the Court held that a private roofing contractor's payroll records, which had been submitted to the government in connection with the performance of a public project, were public records under the Act. Id. at \_\_\_, 713 A.2d at 629.<sup>2</sup> The Court reasoned that these

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<sup>2</sup> Although Sapp Roofing was a plurality decision, three of the five Justices participating in the decision agreed that the payroll records were public records for purposes of the Act. See id. at \_\_\_, 713 A.2d at 630. Justice Nigro concurred in the result, and Justice Cappy, in dissent, expressed his view that the materials should not be deemed public records. Id. at \_\_\_, 713 A.2d at 631.

documents qualified as public records "because they are records evidencing a disbursement by the school district." Id.

Implicit in the Court's decision in Sapp Roofing is the conclusion that the accounts/vouchers/contracts category of public records reaches some range of records beyond those which on their face constitute actual accounts, vouchers or contracts. Nevertheless, it is clear from Sapp Roofing that, to constitute a public record, the material at issue must bear a sufficient connection to fiscally related accounts, vouchers or contracts.

The second category of public records, the minutes/orders/decisions category, touches upon the decisional aspects of agency actions. In formulating such category, the legislature selected a somewhat narrower construct than was employed to define the accounts/vouchers/contracts category – the account/voucher/contract category includes qualified records "dealing with" government receipts and expenditures; whereas, the minutes/orders/decisions category addresses qualified records "fixing" rights and duties.

The parties agree that only the minute/order/decision category of public records is implicated in this appeal. It is the burden of a party asserting a right of disclosure of materials pursuant to this category to establish that the requested material: 1) was generated by an agency as defined in the Act; 2) constitutes a minute, order or decision; 3) fixes the personal or property rights of some person or persons; and 4) is not protected by statute, order or decree of court. See generally Tapco, Inc. v. Township of Neville, 695 A.2d 480, 483 (Pa. Cmwlth. 1997)(citing Nittany Printing v. Centre County, 156 Pa. Cmwlth. 404, 409, 627 A.2d 301, 303 (1992)); Frommer v. Commonwealth, Dep't of Labor and Industry, 667 A.2d 35, 36 (Pa. Cmwlth. 1995), appeal denied, 544 Pa. 677, 678 A.2d 367 (1996). There is no dispute that Appellees' request meets the first of these requirements, as the audio tapes at issue were generated by the Center, an instrumentality of local



government and thus an agency within the meaning of the Act. See 65 P.S. §86.1(1) (setting forth the statutory definition of "agency").

The Commonwealth Court has interpreted the second and third requirements to include not only records that contain some actual agency determination fixing rights or duties, but also those materials that form the basis for such a determination, are essential decisional components or otherwise derive from the decision. See, e.g., Arduino v. Borough of Dunmore, \_\_\_ A.2d \_\_\_, \_\_\_, 1998 WL 799137 (Pa. Cmwlth. Nov. 19, 1998); Cypress Media, Inc. v. Hazelton Area School Dist., 708 A.2d 866, 868-869 & n.2 (Pa. Cmwlth. 1998) (stating that "[t]he document must be either the basis for or a condition precedent of the decision"). Moreover, the Commonwealth Court has also construed the term "fixing" to mean, more generally, "affecting." Hunt v. Pennsylvania Dep't of Corrections, 698 A.2d 147, 150 (Pa. Cmwlth. 1997). The Commonwealth Court has also stated generally, and in our view, overbroadly, that, to constitute a public record for purposes of the Act, a record need only reflect some form of action by an agency that has an effect upon someone. See, e.g., Vargo v. Department of Corrections, 715 A.2d 1233, 1236 (Pa. Cmwlth. 1998); Philadelphia Newspapers, Inc. v. Haverford Township, 686 A.2d 58 (Pa. Cmwlth. 1996), appeal dismissed, 550 Pa. 343, 705 A.2d 1301 (1998); Travaglia v. Department of Corrections, 899 A.2d 1317, 1320 (Pa. Cmwlth.), appeal denied, 550 Pa. 713, 705 A.2d 1313 (1997).

These expansive statements notwithstanding, the Commonwealth Court's decisions have recognized the definitional limits of the Act.<sup>3</sup> Thus, the Commonwealth Court has

<sup>3</sup> See, e.g., Arduino, \_\_\_ A.2d at \_\_\_ (stating that "the mere allegation that the information may possibly have some impact on the agency's decision is not sufficient to establish that the information is an essential component of the agency's decision"); Barger v. Dep't of Labor and Industry, Unemployment Compensation Bd. of Review, \_\_\_ A.2d \_\_\_, \_\_\_, 1998 WL 784178 (Pa. Cmwlth. Nov. 12, 1998) ("[j]ust because a document may have an effect on an agency decision does not make it an 'essential component'"); Sierra Club v.

(continued...)

acknowledged a range of documents that bear some connection to an agency determination, but nevertheless lack a sufficient nexus to meet the statutory criteria. See, e.g., Aronson, 693 A.2d 265 (holding that copies of responses to a government-sponsored prevailing wage survey were not public records under the Act); Tapco, 695 A.2d at 464-65 (contract proposals and source audiotapes of public meetings); Aamodi, 602 A.2d at 776 (raw data obtained in connection with a government survey pertaining to the health effects of the 1979 nuclear accident at Three Mile Island). Indeed, the Commonwealth Court has appropriately observed that "[a] decision fixing the rights or duties of a person is just not the same as gathering information, notations and evaluations that may or may not be utilized at some future time to fix rights and duties." Aronson, 693 A.2d at 265. See generally Wiley, 393 Pa. at 347-48, 141 A.2d at 848 (finding that field investigation notes prepared by a staff member of a city planning department for purposes of report to city council members did not fall within the definition of "public records" both on the face of the definition, and because of the express exclusion for reports of investigations).

As this line of decisions makes plain, in order to establish a right of access under the minutes/orders/decisions category of public records under the Act, a citizen must demonstrate a close relationship between requested material and an actual agency minute, order or decision fixing some right or duty. This is a correct interpretation, appropriately confined by the words of Pennsylvania's statute.<sup>4</sup>

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(...continued)

Pennsylvania Pub. Util. Comm'n, 702 A.2d 1131, 1135 (Pa. Cmwlth. 1997), appeal granted, \_\_\_ Pa. \_\_\_, 719 A.2d 748 (May 29, 1998) ("the decision must have been contingent upon the information contained in the document and could not have been made without it").

<sup>4</sup> The provisions of the Pennsylvania Right to Know Act establish a narrower framework for public disclosure of materials underlying agency decisions than has been established by a number of other state legislatures, see, e.g., Cincinnati Enquirer v. Hamilton County, 662 N.E.2d 334 (Ohio 1996) (finding, under an Ohio public disclosure statute defining public records as "any record that is kept by any public office," that an audio tape recording of a (continued. .)

In the present case, Appellees assert that the telephonic report to the Center formed the basis for the decision of the municipality to dispatch police and emergency personnel and equipment to the scene of the killings. Further, Appellees argue, records related to emergency operations affect emergency response policies and procedures and, therefore, the public as a whole. Appellees also contend that the information on the audio tapes supported the decision by the police to investigate and arrest William Keitel and the district attorney's decision to prosecute. For all these reasons, Appellees argue that the tapes meet the Commonwealth Court's broad construction of public records in that they reflect some form of action by an agency that has an effect on someone.

Contrary to Appellees' arguments, it is clear that the information captured on the audio tapes at issue is not necessary to a complete understanding of the government's decision to dispatch emergency crews on January 1, 1998. Two people were killed -- nothing could be plainer than that the immediate governmental response was justified. Rather, the relationship between specific details from the reporting conversation and agency decisionmaking is speculative and attenuated. Similarly, Appellees failed to establish that the decision to investigate, arrest or prosecute William Keitel was contingent upon the information contained in the audio tapes, or that the information was an essential component of such decisions. More fundamentally, the tapes are not closely related to the

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(...continued)

911 call was a public record), as well as by Congress under the federal Freedom of Information Act, 5 U.S.C. §552 ("FOIA"). See generally Foreham v. Harris, 445 U.S. 169, 183, 100 S. Ct. 977, 979 (1980) (considering the definition of "agency records" under FOIA by reference to the definition provided under the Records Disposal Act, 44 U.S.C. §3301, to include documentary materials "made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business"). While we acknowledge the policy of broad disclosure under the Act, we are guided, in the first instance, by the words chosen by the General Assembly. Where such words are clear, we are forbidden from diverging from the plain meaning under the mere pretext of pursuing the spirit of the enactment. See 1 Pa.C.S. §1921(b).

[J -168- 98] - 7

fixing of some personal or property right and thus simply are not the type of material contemplated by the General Assembly as constituting a public record pursuant to the Act.

In sum, we hold that the audio tape recordings of the telephone call to the emergency response center are neither minutes, orders or decisions fixing rights or duties, nor bear a sufficient association with such forms of agency determinations to require their disclosure under the provisions of the Act. Accordingly, the decision of the trial court is reversed, and the matter is remanded for entry of judgment in favor of Appellants.

[J-168-98] - 8

PAUL W. SEMMEL, MEMBER  
ROOM 47, EAST WING  
HOUSE POST OFFICE BOX 202020  
HARRISBURG, PA 17120-2020  
PHONE (717) 787-3017

DISTRICT OFFICES:  
4525 SPRING HILL DRIVE  
P. O. BOX 235  
SCHNECKSVILLE, PA 18078  
PHONE: (610) 799-0187

MACUNGIE BOROUGH HALL  
PHONE: (610) 966-0187

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*House of Representatives*  
COMMONWEALTH OF PENNSYLVANIA  
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DESIGNATIONS

DEPARTMENT OF MILITARY AND  
VETERANS AFFAIRS  
STATE ARMORY BOARD  
PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY

May 20, 1999

Mark Goodwin, Chief Counsel  
Pennsylvania Emergency Management Agency  
PO Box 3321  
Harrisburg, Pa 17105

Dear Mr. Goodwin:

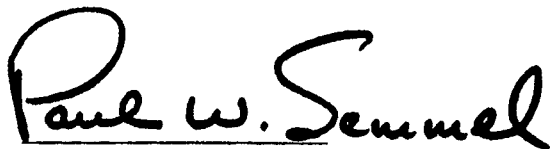
In accordance with the Independent Regulatory Review Commission process, the House Veterans Affairs and Emergency Preparedness Committee has formally reviewed Proposed Regulations #30-51, 30-52 and 30-53. The following points of interest were raised at our committee meeting, and were requested to be forwarded to your office by several committee members.

- 1) Under current Regulation 120b.104(XXVIII), dispatchers are required to have a minimum of 40 hours classroom and hands-on instruction. Will this minimum requirement be raised under this section, or will this section be deleted in view of the fact that Section 120c(proposed) will establish increased training standards? As well, what will this minimum hourly training requirement be?
- 2) In terms of written exams for 911 center personnel (120c), the committee was informed that a 75% correct score would be an acceptable passing grade. Minority Chairman Tom Michlovic, and others, suggested that this minimum passing grade percentage may be too low.
- 3) In terms of the perceived conflict between union contracts and these proposed regulations, as was suggested by the City of Philadelphia, is there any merit to this accusation? How does your agency plan to address this issue?
- 4) In terms of the Right-to-Know Law as applied to 911 center data/information, will the phone tape records of individual dispatchers (section 120c.107) be considered public information under the Right-to-Know law?
- 5) In terms of the accuracy standards for 911 database systems (120b.112), there was some discussion on the ability of county 911 centers to maintain a 95% accuracy rate. Is this 95% accuracy rate attainable? As well, there was some questioning on whether or not the downloading of the LEC customer database

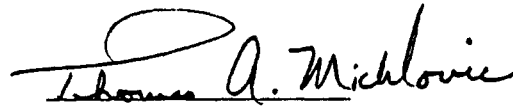
into the county MSAG database was a plausible practice which all county 911 centers could uniformly perform. Are the LECs better equipped to load this data?

The committee would also like to submit two (2) public comment documents which were sent to various legislators on this issue. We would appreciate your office reviewing the merits of these enclosed comments and suggestions.

Sincerely,



Paul W. Semmel  
Majority Chairman  
House Veterans Affairs and  
Emergency Preparedness Committee



Thomas A. Michlovic  
Minority Chairman  
House Veterans Affairs and  
Emergency Preparedness Committee

PWS/prh

Enclosure



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PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP SUPERVISORS

INDEPENDENT REGULATORY REVIEW COMMISSION

May 28, 1999

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

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Sandusky  
Legal

Dear Mr. Nyce:

It has been brought to our attention that the Pennsylvania Emergency Management Agency (PEMA) is proposing regulations pertaining to performance review and quality assurance standards. In respect that these regulations pertain to the 911 centers and their personnel, we offer no comments; but if the intent is to expand the regulations to include municipal personnel not directly part of the 911 centers, we have major concerns. It is our opinion that to include non-911 personnel in these regulations is to exceed the intent of the legislation.

The regulations are addressing the issue of call takers and dispatchers in the 911 center and not the individuals who relay the information to municipal employees. By the time the information is relayed to the municipal dispatcher the decision has been made on what emergency is in progress and what emergency personnel should be dispatched. The regulations [120 c. 103 (b)(1)] state that the dispatcher "has successfully completed an emergency dispatcher fire, police, ambulance training course...". The issue at this point is not who or what will be dispatched but that the information is disseminated to the emergency personnel under the municipal dispatcher's purview. The decision had already been made that certain emergency personnel were needed, and now the only thing for the municipal dispatcher to do was to relay the information to those individuals.

Also the issue has to be raised that this is, once again, another mandate from the state. Although the regulations allow for partial funding of local personnel it is not guaranteed. Only if the county would amend their plan to include local personnel would potential funding be available. And this could only happen if PEMA approved the plan.

The regulations also give PEMA the authority to enter a 911 center any time they deem necessary to ensure that compliance with the regulations is being met. Again the question has to be asked the rationale of granting PEMA jurisdictional oversight over non-911 dispatch centers any time that suits their whims. What is the justification for this requirement? What is the ramification if PEMA is denied access on the site whenever they chose?

3001 Gettysburg Road  
Camp Hill, PA 17011-7296  
Telephone: (717) 763-0930  
Fax: (717) 763-9732  
Internet: www.psats.org

PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP SUPERVISORS

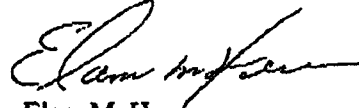
Robert E. Nyce  
May 28, 1999  
Page 2

Finally, we would like to bring to your attention that PEMA had not consulted our organization concerning the implementation of these regulations. From our understanding only emergency personnel related to 911 centers were consulted. Since we were not part of the discussions we were not aware of the proposal, nor were we aware of the potential ramifications in the proposal. For this reason we did not convey any of our concerns to PEMA prior to this time.

We oppose the potential effects these regulations would have on our membership and question the benefits they are attempting to accomplish. We would ask that you reject the regulations as written and recommend that they be rewritten to address the issue of the 911 centers and not local dispatchers.

If you have any questions, please contact us.

Sincerely,



Blam M. Herr  
Director of Legislation

LMH:ls

cc: Mark Goodwin, Esq.





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REVIEW COMMISSION

**Pennsylvania State Association of Township Supervisors**

3001 Gettysburg Road, Camp Hill, PA 17011-7296

Phone (717) 763-0930

Fax (717) 763-9732

**FAX COVER SHEET**

Date: 5-28-99

No. of Pages 2 & Cover

To: John Jewett

Organization/Company: IRRC

Fax No.: 783-2664

From: Elam Hear

Message: Hard copy will follow Tuesday!  
Thanks!

CHARLES D. LEMMOND, JR.  
SENATE POST OFFICE  
THE STATE CAPITOL  
HARRISBURG, PA 17120-3020  
717-787-7428  
1-800-722-2251

20TH SENATORIAL DISTRICT OFFICE  
22 DALLAS SHOPPING CENTER  
MEMORIAL HIGHWAY  
DALLAS, PA 18612-1231  
717-675-3931



Senate of Pennsylvania

May 24, 1999

Original: 2019, 2020, 2021  
Mizner  
cc:

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RULES AND EXECUTIVE NOMINATIONS

McGinley  
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Notebook

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


Re: Proposed Rulemaking  
Pennsylvania Emergency Management Agency  
Regulations #30-51, #30-52, and #30-53

Dear Mr. Nyce:

Members of the Senate State Government Committee have been afforded the opportunity to review and comment upon Proposed Regulations from the Pennsylvania Emergency Management Agency, Public Safety Emergency Telephone Program which would amend 4 Pa. Code, Chapters 120b, 120c, and 120d.

Please be advised that, as of this date, I have received one letter from Mr. L. Guy Napolillo, 9-1-1 Coordinator from Fayette County Emergency Management, in response to these proposed regulations. I enclose a copy of the letter submitted by Mr. Napolillo and would ask that his comments be given all due consideration.

If you have any questions regarding these proposed regulations and the Committee review, please do not hesitate to contact Cynthia Thurston of my staff at 787-7428.

Sincerely,  
  
CHARLES D. LEMMOND JR.  
SENATOR

CDL:cdt

cc: Attorney Mark L. Goodwin,  
Pennsylvania Emergency Management Agency



# FAYETTE COUNTY EMERGENCY MANAGEMENT

Fayette County Public Service Building  
24 East Main Street  
Uniontown, Pennsylvania 15401



(724) 430-1277

April 28, 1999

Sen. Charles D. Lemmond Jr.  
Chairman, State Government Committee  
Room 203020  
State Capitol  
Harrisburg PA 17120

Original: 2019, 2020, 2021  
Mizner  
cc:

Jewett  
Tyrrell  
Sandusky  
Legal  
MAY 9 1999  
COMMUNICATIONS

Sen. Lemmond:

After reviewing the proposed draft regulations pertaining to Training and Certification Standards for 9-1-1 Emergency Communications Personnel I feel that there may be a need for some minor changes in the language of the proposed regulations. Primarily the paragraphs in 120c.102 Call Taker Certification, 120c.103 Emergency Dispatcher Certification and 120c.104 9-1-1 Center Supervisor Certification. Under Certification in all sections noted, it states that the "Agency" (PEMA) will **prescribe** both the written examination as well as the practical test to be administered to the call-takers, dispatchers and supervisors.

After much consideration and discussion with PSAP managers in western Pennsylvania as well as PEMA representatives, I believe that the changing of the word **prescribe** to **approve** in the regulations would enable this legislation to be implemented in a more efficient manner. While some basic training issues remain consistent throughout all PSAPs in Pennsylvania, many PSAPs incorporate localized equipment, geographical, and procedural issues into their respective training programs. Simply put, PEMA could develop key elements for training and certification and review the PSAP training outlines and tests to assure these elements were covered.

I am also concerned about the certification process for the instructors discussed in the proposed legislation. Many PSAP instructors are already certified through a number of Federal, national and/or state recognized agencies and this component may be simply redundant. Proof of existing instructor certification could be provided to PEMA.

I would appreciate your consideration of these key issues to the proposed legislation and await your response.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Guy Napolillo".

L. Guy Napolillo  
9-1-1 Coordinator



# FAYETTE COUNTY EMERGENCY MANAGEMENT

Fayette County Public Service Building  
24 East Main Street  
Uniontown, Pennsylvania 15401



(724) 430-1277

April 28, 1999

Mr. Mark Goodwin, Chief Counsel  
Pennsylvania Emergency Management Agency  
PO Box 3321  
Harrisburg Pa. 17105

Mr. Goodwin:

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Sincerely,

L. Guy Napolillo  
9-1-1 Coordinator



Original: 2020

Mizner

cc:

Jewett  
Tyrrell  
Sandusky  
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*The Forum for America's Ideas*

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Denver, Colorado 80202

Phone: (303) 830-2200

Fax: (303) 863-8003

www.ncsl.org

To: John Jewett, PAIRC


From: Carolyn Mitchell

Message: I found this survey on NENA's webpage. I am sending the cite page and the home page so you can find it using the sites at the bottom of the page. Hope this is helpful. Please call if you have further questions.

Number of pages sent  
(including this cover sheet): 3

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- **NEW! FOR REVIEW AND COMMENT** - Please take a few minutes to review and return comments on NENA 04-002, Issue 2, December 9, 1999, NENA Recommended PSAP Master Clock Standard, Revised (DRAFT). The feedback period is 30 days, beginning April 9th, 1999 and continuing until May 10th, 1999.
- Burns Posts Draft E9-1-1 Legislation Click Here
- **UPDATED Legislative Updates. click here for the latest on 9-1-1 and Public Safety Legislation**
- **NEW! NENA 2000 - Positioning NENA for the Millennium by Leah Senitte, NENA President**
- **NEW! NENA's Data Technical Committee** now has its own place on the web. Keep the DTC's page in you bookmarks and keep checking back to it for updates. www.nena9-1-1.org/data or click here for a direct link.
- A must read - **THE 9-1-1 TUTORIAL** - NOTE: You must have PowerPoint 97 to view this document.
- For Review and Comment - "Letter sent to Indiana PUC regarding Local Number Portability and IVR access" - Word 97 Version or Adobe PDF Version



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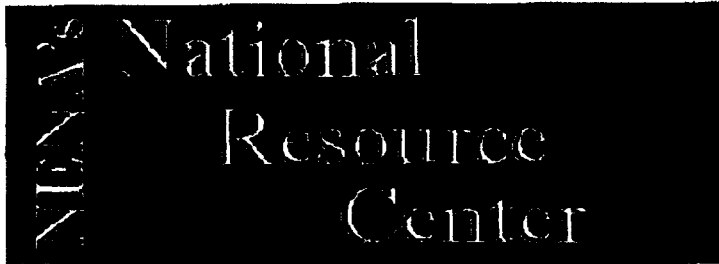
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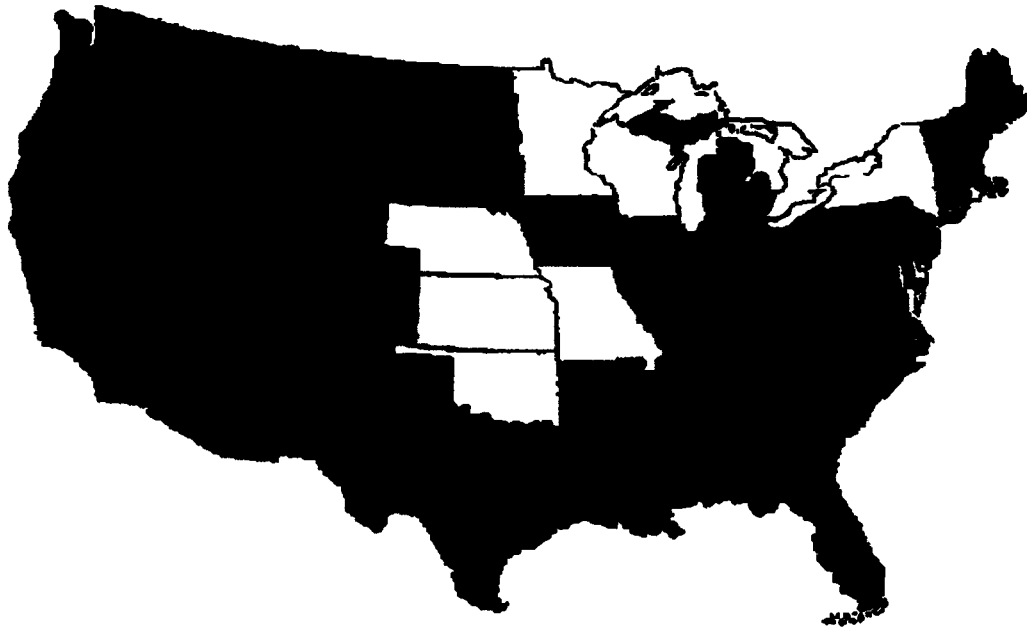
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<http://www.nena9-1-1.org/nrc/telecomstd/newnrc.htm>

5/18/99

Original: 2020

Mizner

cc:

Jewett

Tyrrell

May 12, 1999

Sandusky

Legal

Original Training Schedule in File

John,

As you could probably tell, I really enjoy talking about our training here at the Department of Criminal Justice Training. Of course that is especially true when I get to talk about telecommunications. We train over 3,000 telecommunicators every year. Our section is also responsible for training police officers who operate the LINK/NCIC terminal. In 1995 I transferred from supervising the radio room at the Richmond Kentucky State Police Post to this agency. At that time there were 5 different classes taught a year and now we are teaching 15 different classes to Kentucky telecommunicators. I am including a Training Schedule for the whole department and also an overview of the classes taught in our 4 week academy. Those classes are also taught as stand alone classes. If you have any questions or need additional information, just give me a call.

*Betty Godsey*

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MAY 17 1999

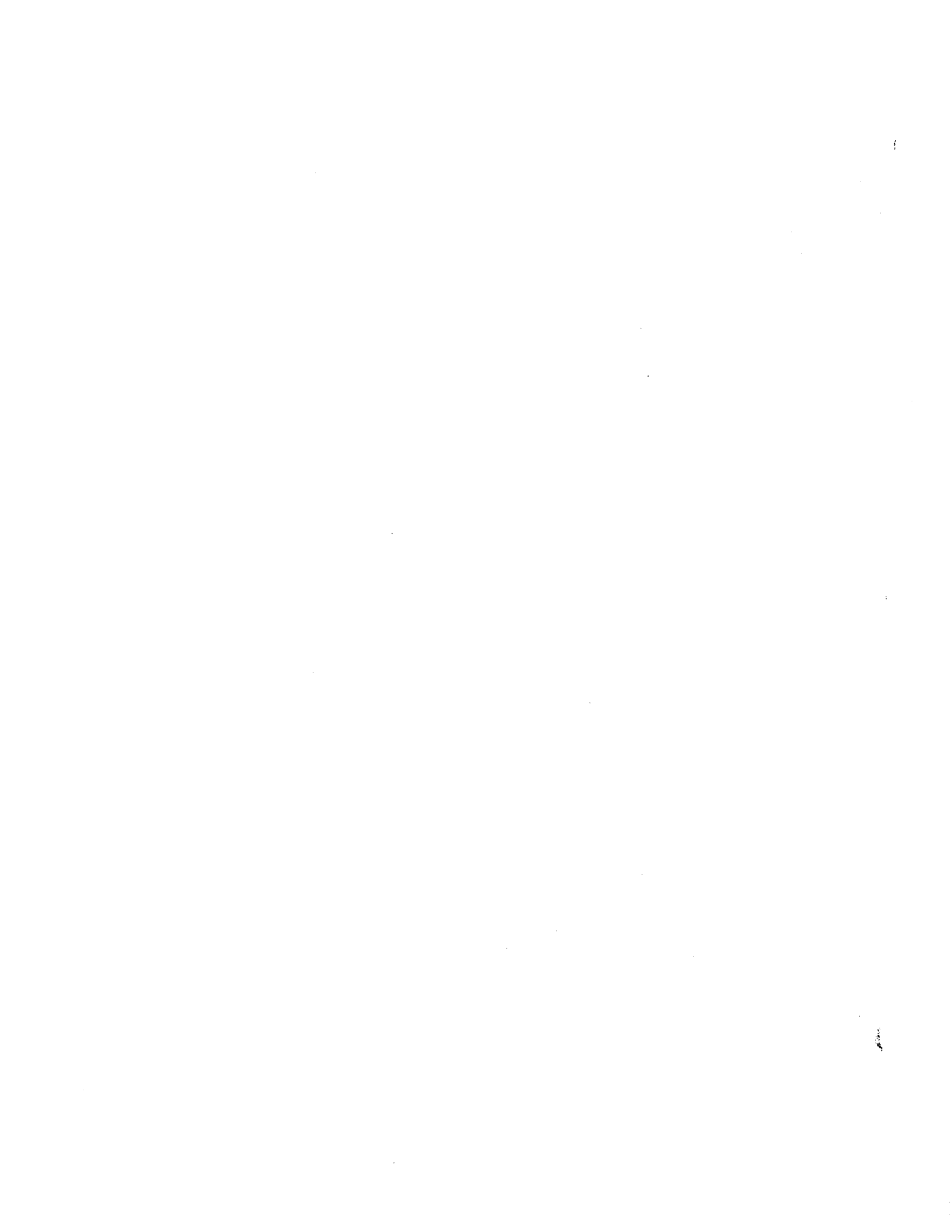
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# **SCHEDULE OF CLASSES**



**COMMUNICATIONS TRAINING SECTION  
TELECOMMUNICATIONS ACADEMY  
WEEK ONE (1) – BASIC TELECOMMUNICATIONS**

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
8:00	Orientation (1.0)	Interpersonal Communica- tion (1.5)	Handling Critical Incidents  (1.8)	Simulated Telephone/ Radio  Exercises Continued (1.10)	Simulated Telephone/ Radio Exercises Continued (1.10)
8:30					
9:00	Clients-Acquired/ Analyze-Partner- ships-Response Assessment (CAPRA) (1.1)	Basic Tele- phone and Radio Procedures (1.6)			
9:30	Ethics/Role of the Tele- communica- tor (1.2)				
10:00					
10:30					
11:00					Practical Evaluation (1.11)
1:30	<b>LUNCH HOUR</b>				
12:00	<b>LUNCH HOUR</b>				
1:00	Legal Concerns of the Telecom- municator (1.3)	Basic Tele- phone and Radio Procedures Continued (1.6)	Use of the Telephone Device for the Deaf (TDD) (1.9)	Simulated Telephone/ Radio Exercises Continued (1.10)	Practical Evaluation Continued (1.11)
1:30					
2:00	Stress Awareness (1.4)	The Basics of Fire Dispatching Including: Incident Command System (ICS) and HAZMAT Identification (1.7)	Simulated Telephone/ Radio Exercises (1.10)		
2:30					
3:00					
3:30					
4:00					Written
4:30					Examination (1.12)
5:00					

**COMMUNICATIONS TRAINING SECTION  
TELECOMMUNICATIONS ACADEMY  
WEEK TWO (2) – CRITICAL INCIDENTS/EMD**

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	
8:00	Introduction to Crisis Negotiation (2.0)	Introduction to Family Violence (2.5)	Critical Incidents Simulated Practical Exercises (2.10)	Orientation to Cardiopulmonary Resuscitation (3.0)	Emergency Medical Dispatching (E.M.D.)	
8:30	Methods of Communications (2.1)	Child Physical Abuse (2.6)		American Red Cross Cardiopulmonary Resuscitation (CPR) Lecture and Practical Skills (3.1)	Orientation to Emergency Medical Dispatching (E.M.D.) (3.5)	
9:00						
9:30						
10:00		Child Sexual Abuse (2.7)				
10:30	Intelligence Gathering 2.2			Medical-Legal Aspects of E.M.D. (3.6)		
11:00	Abuse of the Elderly (2.8)					
1:30						
12:00	<b>LUNCH</b>		<b>HOUR</b>			
1:00	Intelligence Gathering Continued (2.2)	Abuse of the Elderly Continued (2.8)	Critical Incident Practical Evaluation	American Red Cross CPR Lecture and Practical Skills Continued (3.1)	Overview of Roles And Responsibilities of E.M.D. (3.7)	
1:30	Typing the Crisis (2.3)					Spousal Abuse (2.9)
2:00						
2:30						
3:00						
3:30	Notification and Emergency Reserves (2.4)			Critical Incident Written Examination (2.12)	CPR Written Examination (3.3)	Quality Control (3.9)
4:00						
4:30						
5:00						

**COMMUNICATIONS TRAINING SECTION  
TELECOMMUNICATIONS ACADEMY  
WEEK THREE (3) – EMD/ CJIS**

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	
8:00	Methodologies for Delivering Pre-Arrival Instructions (3.10)	Emergency Medical Dispatching (E.M.D.) Practical Exercises Continued (3.11)	Criminal Justice Information Systems (CJIS) Orientation (4.0)  LINK/NCIC/ and NLETS (4.1)	File Query Continued (4.3)	Article File (4.7)	
8:30						
9:00						
9:30						
10:00	Emergency Medical Dispatching (E.M.D.) Practical Exercises 3.11		Use of the Terminal (4.2)	Special Considerations (4.4)		
10:30						
11:00						
11:30				Systems History (4.5)		
12:00	<b>LUNCH HOUR</b>					
1:00	Emergency Medical Dispatching (E.M.D.) Practical Exercises Continued (3.11)	Emergency Medical Dispatching (E.M.D.) Practical Evaluation (3.12)	Use of the Terminal Continued (4.2)	Systems History Continued (4.5)	Article File Continued (4.7)	
1:30				Domestic Violence File (4.6)	Securities File (4.8)	
2:00						
2:30						NCIC Shared Management (4.9)
3:00						
3:30			File Query (4.3)	Boat File (4.10)		
4:00			Emergency Medical Dispatching Written Examination (3.13)			
4:30						
5:00						

**COMMUNICATIONS TRAINING SECTION  
TELECOMMUNICATIONS ACADEMY  
WEEK FOUR (4) - CJIS**

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
8:00	Boat File Continued (4.10)	Gun File Continued (4.12)	Wanted Person File (4.15) Continued	Message Switching (4.19)	CJIS Examination (4.22)
8:30					
9:00					
9:30	Vehicle and License Plate File (4.11)	System Security (4.13)	Missing Person File (4.16)	Hit Confirmation (4.20)	
10:00					
10:30		Computerized Criminal History/ Interstate Identification Index (CCHIII) (4.14)			
11:00					
11:30					
12:00	<b>LUNCH HOUR</b>				
1:00	Vehicle and License Plate File Continued (4.11)	Computerized Criminal History/Interstate Identification Index (CCHIII) (4.14) Continued	Missing Person File Continued (4.16)	Hit Confirmation Continued (4.20)	Graduation
1:30					
2:00		Wanted Person File (4.15)	Unidentified Person File (4.17)		
2:30					
3:00	Gun File (4.12)		NCIC Standards and Sanctions (4.18)	Locate Transactions (4.21)	
3:30					
4:00					
4:30					
5:00					

**Telecommunications Academy  
Department of Criminal Justice Training**

**Basic Telecommunications**

**40 Hours**

**Orientation**

**1.5 hrs**

This unit of instruction is a general overview of course objectives, content, and administrative regulations. The student will be able to identify the course content, schedule of the units of instruction, the behavioral objectives of the course and regulations pertaining to personal behavior.

**CAPRA**

**1 hr**

This unit of instruction is a general overview of what CAPRA (Clients-Acquire/ Analyze-Partnerships-Response Assessment) is and how it will be used in the Basic Telecommunications Academy. The student will be able to identify the methods of problem solving used by CAPRA.

**Ethics/Role of the Telecommunicator**

**3 hrs**

This is an instructional unit devoted to explaining the responsibility, authority, and general liability of the telecommunication. The student will be able to define the ethical issues and job responsibilities involved in the role of the telecommunicator.

**Legal Concerns of the Telecommunicator**

**2.5 hrs**

This unit will provide selected definitions for better understanding of the Kentucky Penal Code. This unit will provide information concerning the responsibility, authority and general liability of the telecommunicator. The student will be able to interpret five types of complaints into proper penal code offense titles. The student will be able to define the level of responsibility, liability and accountability of the telecommunicator.

**Stress**

**2 hrs**

This unit of instruction is a brief presentation of stress, how it is generated, and how it affects the telecommunicator. The student will be able to define stress and list positive coping methods to deal with stress overload.

**Interpersonal Communications**

**2 hrs**

This instructional unit identifies personal skills and methods necessary to effectively communicate in their role as a telecommunicator. The student will be able to identify proper personal skills and methods necessary to have understanding in communication and will be able to recognize major strengths and weaknesses in gathering critical information.



### Radio and Telephone Procedures

2 hrs

This instructional unit provides the basic principles of proper telephone techniques and proper radio broadcasting procedures. The student will be able to identify:

- Basic techniques used when answering the public safety telephone
- Proper radio broadcasting procedures
- Radio procedures dealing with officer safety

### Basic of Fire Dispatching

3 hrs

This is an instructional unit providing basic information for handling calls for fire service.

The student will be able to identify:

- The basic techniques used when answering request for fire service
- Basic terminology and structure of ICS (Incident Command System)
- A hazardous material by name, United Nation Number (UNN), or colored placard, using the Emergency Response Guide (ERG)

### Handling Critical Incidents

3 hrs

This is an instructional unit concerning the recommended methods for handling critical incidents. The student will be able to identify calls for service and the necessary response to a public safety emergency.

### Use of the Telephone Device for the Deaf (TDD)

1 hr

This is an instructional unit providing the basic information necessary when handling TDD calls for service. The student will be able to properly identify important informational elements when handling telephone calls for service from the hearing impaired.

### Simulated Telephone and Radio Exercises

14 hrs

This block is an instructional unit, using the role playing method of learning. Police, fire and hazardous material simulated emergencies will be used to reinforce techniques learned for handling telephone and radio traffic. The student will be able to successfully handle multi-tasking when confronted with simulated emergency calls.

### Practical Evaluation

4 hrs

This block is the final testing in the skills area. The student will be able to satisfactorily demonstrate proficiency on the telephone and radio when confronted with simulated emergency calls. (To account for 50 percent of the final grade for this section)

### Written Examination

1 hr

This block is the final testing (for this section) in the knowledge area. The student will be able to answer questions on the knowledge level. (To account for 50 percent of the final grade) The student will be able to successfully attain a score of seventy percent (70%) on the final score.

## **Critical Incidents**

**24 Hours**

### Crisis Negotiation

8 hrs

This unit of instruction will provide knowledge about and proper methods for handling calls for service that require crisis negotiation. The student will be able identify types of calls for service that require negotiation and will learn techniques for working those calls that will allow for the best possible resolution.

### Family Violence Across the Life Span

8 hrs

This unit of instruction will provide knowledge about and proper methods for handling calls for service that deal with violence in today's families. The student will be able to identify dynamics of family violence and proper methods for handling these types of calls for service. Types of calls will include domestic violence, child abuse, child sexual abuse and abuse of the elderly.

### Simulated Telephone/Radio Exercises

4 hrs

Using the role playing method of learning, this unit will provide practical training in handling critical calls. The student will successfully handle the telephone and radio while dealing with calls for service that require hostage negotiation and also with calls concerning family violence.

### Practical Evaluation

4 hrs

This block is for testing in the skills area. The student will be able to satisfactorily demonstrate proficient on the telephone and radio when dealing with calls that require crisis negotiation and/or calls that concern family violence.

## **Emergency Medical Dispatch**

**32 Hours**

### Community Cardiopulmonary Resuscitation (CPR)

8 hrs

This unit of instruction is the American Red cross Community Cardiopulmonary Resuscitation (CPR) Course and practical exercises using American Red Cross Protocols. The student will be able to correctly perform in the correct sequence, the steps involved in assessing/applying/maintaining a CPR situation until relieved according to proper ARC protocols. This course will include orientation (.5 hrs); lecture and practical skills (5.5 hrs); a skills exam (1 hr) where the student will be able to successfully complete, in the correct sequence, a practical exam; and a written exam (1 hr).

### Orientation

1 hr

This instructional unit will provide an overview of course objectives, content, and administrative regulations. The student will be able to identify the course content, schedule of the units of instruction, the behavioral objectives of the course, and regulations pertaining to personal behavior.

**Introduction to Emergency Medical Dispatching**

1 hr

An instructional unit to develop a basic understanding of the rationale for E.M.D. The student will be able to explain the history, evolution and philosophy of Emergency Medical Dispatching.

**Overview of Roles and Responsibilities of EMD**

1 hr

An instructional unit to develop a basic understanding of the roles and responsibilities of E.M.D. The student will be able to explain the sub-roles, duties and sub-specialties in the public safety community.

**Medical-Legal Aspects of E.M.D.**

1 hr

A unit of instruction to provide an overview of medical and legal aspects of E.M.D. The student will be able to define the legal concepts of negligence, abandonment and foreseeability, and explain misconceptions and appropriate concerns.

**Caller Interrogation**

2 hrs

This unit of instruction will provide the student with knowledge to successfully interrogate the caller to obtain relevant information. The student will understand and explain the psychology of the caller and rationale for interrogation as it relates to chief complaint determination, the hysteria threshold, repetitive persistence, and types of callers.

**Quality Control**

1 hr

A unit of instruction to introduce the student to the basic principles and components of a quality assurance system/program. The student will be able to explain the importance of a quality assurance program.

**Methodologies for Delivering Pre-Arrivals**

3 hrs

An instructional unit on the practical use of pre-arrival instructions. The student will be able to explain the necessity, practical application, and verbatim delivery of formal treatment scripts.

**E.M.D. Practical Exercises**

12 hrs

A unit of instruction using both lecture and practical exercises to familiarize the student with the proper utilization of the protocol guidebook when handling pre-hospital emergencies and emergency medical complaints. The student will be able to demonstrate the proper use of the protocol guidebook in a hypothetical situation. The student will be able to explain the configuration, flow and interactions between protocol elements. In a given situation the student will be able to demonstrate proper interrogation, coding, response and pre-arrival instructions. Practical evaluation -graded as a pass/fail, required to pass for certification.

**Written Examination**

2 hrs

A final written examination designed to measure knowledge gained during the instructional units. The student will be able to attain an 80 percent or better final score on a written examination and successfully pass the practical evaluation in order to successfully complete the course.

**LINK/NCIC Basic Operator's Course (full access)**

60 Hours

**Orientation**

1 hr

General overview of course objectives, content, and administrative regulations. The student will be able to identify the course content, schedule of the units of instruction, the behavioral objectives of the course and regulations pertaining to personal behavior.

**LINK, NCIC, and NLETS**

2 hrs

An overview of the Law Information Network of Kentucky (LINK), the National Crime Information Center (NCIC) and the National Law Enforcement Telecommunications System (NLETS). The trainee will be able to define LINK, NCIC, and NLETS and be able to explain their primary functions.

**Use of the Terminal**

3.5 hrs

An overview of the LINK terminal, its important use and unique features, as it applies to the LINK/NCIC computer systems. The student will be able to explain and demonstrate the primary functions of the LINK terminal.

**File Query**

4 hrs

An instructional unit providing selected inquiry formats in LINK, NCIC, NLETS, and Drivers License File (DLIC). The trainee will be able to demonstrate successful query into selected LINK, NCIC and NLETS computer files.

**Special Considerations**

1 hr

An overview of special information necessary for the LINK terminal operator. The trainee will be able to explain the purposes of:

- serious error messages
- the validation process
- off-line search capabilities
- message log search recall procedures

### System History

1 hr

This unit will describe the development, current status and planned enhancements of the NCIC system. The student will be able to:

- Define NCIC and know when it became operational
- State the goal of the NCIC
- Identify the users who have access to NCIC
- List the 14 NCIC files
- Describe the major system enhancements under NCIC 2000

### Domestic Violence File

3.5 hrs

An instructional unit presenting information on the domestic violence process and on the domestic violence files in both LINK/NCIC. The student will be explain the domestic violence process and demonstrate successful query into the LINK/NCIC domestic violence files.

### Article File

4.5 hrs

A detailed instructional unit on the LINK/NCIC article file for the operator. The trainee will be able to demonstrate proficiency in performing all transactions associated with he article file.

### Securities File

1 hr

An instructional unit on the NCIC securities file for the operator. The student will be able to demonstrate proficiency in performing all transactions associated with the securities file.

### NCIC Shared Management

1 hr

A unit to provide the terminal operator critical information on the NCIC shared management concept as it relates to NCIC and the criminal justice community. The trainee will be able to define or explain the NCIC shared management concept and the responsibilities of the NCIC advisory policy board and the FBI under the shared management concept.

### Boat File

3 hrs

An instructional unit on the LINK/NCIC boat file. The trainee will be able to demonstrate proficiency in performing all transactions associated with the boat file.

### Vehicle and License Plate File

4.5 hrs

A detailed instructional unit on the LINK/NCIC vehicle file and license plate file. The trainee will be able to demonstrate proficiency in performing all transactions associated with the vehicle and license plate file.

### Gun File

3.5 hrs

A detailed instructional unit on the gun file. The trainee will be able to demonstrate proficiency in performing all transactions associated with the gun file.

System Security

1 hr

This unit will provide the terminal operator information on system security, policies for dissemination and penalties for misuse of NCIC. The trainee will be able to list or identify general security provisions in NCIC policies dealing with:

- User agreements
- Physical security
- Dial-up access
- Dissemination of information
- III storage and destruction

Criminal History- Interstate Identification Index (III)

3 hrs

An instructional unit on the computerized criminal history files of NCIC and NLETS. The trainee will be able to demonstrate proficiency in performing all transactions associated with the computerized criminal history file.

Wanted Person File

5 hrs

A detailed instructional unit on the LINK/NCIC wanted person file. The trainee will be able to demonstrate proficiency in performing all transactions associated with the wanted person file.

Missing Person File

2.5 hrs

A detailed instructional unit on the missing person file. The trainee will be able to demonstrate proficiency in performing all transactions associated with the missing person file.

Unidentified Person File

2 hrs

An instructional unit on the NCIC unidentified person file. The trainee will be able to demonstrate proficiency in performing all transactions associated with the unidentified person file.

NCIC Standards and Sanctions

1 hr

This unit will provide information on NCIC standards, policies and sanctions approved by the NCIC Advisory Policy Board. The student will be able to define for NCIC purposes the following:

- a policy
- a standard
- a sanction
- describe the audit mandate and sanctioning process

Message Switching

3 hrs

This unit will explain the proper message switching features and capabilities of the LINK and NLETS systems. The trainee will be able to demonstrate successful message switching.

**Hit Confirmation**

3 hrs

An instructional unit presenting information on proper and complete hit confirmation messages. The trainee will be able to demonstrate proper hit confirmation procedures.

**Locate Transactions**

2 hrs

A presentation on the use and formatting of locate messages. The trainee will be able to explain the use of a locate message and demonstrate proficiency in performing the locate transaction.

**Final Examination**

4 hrs

A final examination to measure learning attained. The trainee will be able to successfully attain a 70% or better final score on the examination



# CITY OF PHILADELPHIA

## FIRE DEPARTMENT

Fire Administration Building  
240 Spring Garden Street  
Philadelphia, PA 19123-2691

HAROLD E. HAIRSTON  
Commissioner

RALPH A. HALPER  
Regional Director  
Emergency Medical Services  
(215) 686-1313  
FAX: 686-1321



May 10, 1999

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

Tel: 717-651-2010  
Fax: 717-651-2040

ORIGINAL: 2019, 2020  
& 2021

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RECEIVED  
MAY 10 1999 10:37 AM  
FIRE DEPARTMENT

Dear Mr. Goodwin:

Following this cover please find Comments Regarding Proposed PEMA 911 Changes, as submitted by Michael Moore, Chief Dispatcher, Fire Communication Center, Philadelphia Fire Department. We are forwarding these comments to you from the Philadelphia Regional EMS Office for your consideration.

Thank you for this opportunity to review and comment on this important component of Emergency Medical Services in Pennsylvania.

Sincerely,

Ralph A. Halper  
Regional Director  
Emergency Medical Services

RAH/jrs

cc: John H. Jewett, Regulatory Analyst, Independent Regulatory Review Commission



## MEMORANDUM

CITY OF PHILADELPHIA  
FIRE DEPARTMENT

Date 05/06/99

TO : FPOC Ralph Halper, Regional EMS Director  
FROM : Michael Moore, Chief Dispatcher FCC. *MM*  
SUBJECT: Comments Regarding Proposed PEMA 911 Changes

Sir; I have reviewed the changes in the three chapters of 911 legislation which PEMA has proposed to implement Act 17 of 1998. Two of the chapters, regarding Training and Quality Assurance, will affect the Philadelphia Fire Department's Communications Center, and I would like to direct comment to these chapters specifically.

In regard to the chapter dedicated to training, I feel that the positions identified within a Communications Center, and subsequent needed training mirror the Philadelphia Fire Department's conception of these roles. To insure this training PEMA has mandated that an Agency approved course be given for the positions of Call Taker and Dispatcher. However, PEMA would prescribe testing procedures for certification and recertification. I feel it would be more consistent to have the Communication Centers develop their own testing procedures for certification and recertification of personnel. These testing procedures, along with associated courses, would be subject to PEMA approval. While providing standardized curriculum, this would permit the individual county to tailor their training and testing to meet the needs and resources of individual communities and organizations. I feel this method would also avoid any conflicts in local Civil Service procedures, and municipal workers labor contracts. The point becomes more apparent at the supervisory level, as both course and testing procedures are authored by PEMA.

The section of this chapter addressing instructor status seems vague and inconclusive. PEMA approval to teach any certification course is required. To attain this approval an instructor must have attained some unspecified level of academic and teaching experience. Or, instructor candidate must have successfully completed some unnamed training course.

In this chapter PEMA also established guidelines for certification documentation, reserves its' right to enter a Center and audit these records, as well as inspect all equipment and operational materials within the Center. While notice to audit certification records is required (10 Days), no such notice is mentioned for inspection of premises. It is felt this courtesy should be extended to be able to adequately prepare and detail an extensive, thorough description of the Center.

RECEIVED

99 MAY 10 AM 10:00

FIRE DEPARTMENT

**MEMORANDUM****CITY OF PHILADELPHIA  
FIRE DEPARTMENT**

With regard to the chapter on Quality Assurance I believe the same issues are basically involved. This chapter provides quality assurance definitions, establishes standards and procedures, and lists the type of quality assurance reviews to be performed. Both the types and procedures to be performed are rigidly prescribed by FEMA. Certainly the teaching and learning benefits of a QA program, for the dispatcher and organization on whole are realized and acknowledged by the Philadelphia Fire Department. However, due to the diversity of communities and communications centers existing within the state it is felt that the conception and implementation of a Quality Assurance program should fall to each center. Once again this would allow counties to tailor their QA programs to meet the needs and resources specific to them. However, to retain standardization and provide oversight, FEMA could offer more general guidelines, and the programs subject to FEMA approval.



# FAYETTE COUNTY EMERGENCY MANAGEMENT



Fayette County Public Service Building  
24 East Main Street  
Uniontown, Pennsylvania 15401

(724) 430-1277

April 28, 1999

Mr. Mark Goodwin, Chief Counsel  
Pennsylvania Emergency Management Agency  
PO Box 3321  
Harrisburg Pa. 17105

ORIGINAL: 2020  
FORM LETTER

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FAYETTE COUNTY  
29 MAY -6 PM 1:05

Mr. Goodwin:

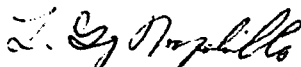
After reviewing the proposed draft regulations pertaining to Training and Certification Standards for 9-1-1 Emergency Communications Personnel I feel that there may be a need for some minor changes in the language of the proposed regulations. Primarily the paragraphs in 120c.102 Call Taker Certification, 120c.103 Emergency Dispatcher Certification and 120c.104 9-1-1 Center Supervisor Certification. Under Certification in all sections noted, it states that the "Agency" (PEMA) will **prescribe** both the written examination as well as the practical test to be administered to the call-takers, dispatchers and supervisors.

After much consideration and discussion with PSAP managers in western Pennsylvania as well as PEMA representatives, I believe that the changing of the word **prescribe** to **approve** in the regulations would enable this legislation to be implemented in a more efficient manner. While some basic training issues remain consistent throughout all PSAPs in Pennsylvania, many PSAPs incorporate localized equipment, geographical, and procedural issues into their respective training programs. Simply put, PEMA could develop key elements for training and certification and review the PSAP training outlines and tests to assure these elements were covered.

I am also concerned about the certification process for the instructors discussed in the proposed legislation. Many PSAP instructors are already certified through a number of Federal, national and/or state recognized agencies and this component may be simply redundant. Proof of existing instructor certification could be provided to PEMA.

I would appreciate your consideration of these key issues to the proposed legislation and await your response.

Sincerely,

  
L. Guy Napolillo  
9-1-1 Coordinator



# THE COUNTY OF CHESTER



COMMISSIONERS:  
Colin A. Hanna, Chairman  
Karen L. Martynick  
Andrew E. Dinniman

DEPARTMENT OF EMERGENCY SERVICES  
601 Westtown Road, Suite 012  
P.O. Box 2747  
West Chester, PA 19380-0990  
(610) 344-5000  
FAX: (610) 344-5050

16 April 1999

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

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DEPARTMENT OF EMERGENCY SERVICES

RE: 4 PA. Code CH. 120d. Annex A. Title 4. Administration. Part V. Emergency Management Agency Chapter 120c. *Training and Certification Standards for 911 Emergency Communications Personnel.*

Dear Mr. Goodwin:

I have reviewed the referenced proposed documentation. As I understand the proposal, re-certification for call takers, dispatchers and supervisors, will be mandated by administering a test every third year. This proposed method appears to be contrary to other current re-certification methods.

The Association for Public Safety Communications Officials (APCO) has recently changed Emergency Medical Dispatch (EMD) re-certification to be satisfied through the completion of approved continuing education. Additionally, the Pennsylvania Department of Health has recently changed Paramedic and EMT re-certification to the completion of approved continuing education.

I recommend that re-certification for call takers, dispatchers and supervisors be satisfied through the completion of continuing education. Utilizing the Emergency Medical Services (EMS) regional continuing education program to administer and track re-certification would be of great assistance. Using existing equipment and personnel to complete this task would reduce the overall cost of the process.

Very respectfully,

Edward J. Atkins  
Director

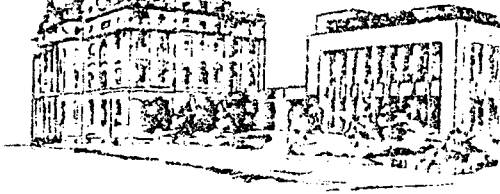
Cc: Charles F. Wynne

**Terry R. Marolt**  
Commissioner

**Richard F. Vidmer**  
Chairman

**Tom Balya**  
Commissioner

# Westmoreland County Pennsylvania



Department of  
Public Safety  
(724) 830-3771  
**James P. Corcoran**  
DIRECTOR  
(724) 830-3770  
Fax (724) 830-3666

9-1-1  
Dispatch Center  
Telephone  
(724) 830-3774  
**J. Robert Ceroni**  
DEPUTY DIRECTOR  
(724) 830-3773

April 30, 1999

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

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Legal  
FORM LETTER 2

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PROCESSED

Mr. Goodwin:

After reviewing the proposed draft regulations pertaining to Training and Certification Standards for 9-1-1 Emergency Communications Personnel I feel that there may be a need for some minor changes in the language of the proposed regulations. Primarily the paragraphs in 120c. 102 Call Taker Certification, 120c. 103 Emergency Dispatcher Certification and 120c. 104 9-1-1 Center Supervisor Certification. Under Certification in all sections noted, it stated that the "Agency" (PEMA) will **prescribe** both the written examinations as well as the practical test to be administered to the call-takers, dispatchers, and supervisors.

After much consideration and discussion with PSAP managers in western Pennsylvania as well as PEMA representatives, I believe that the changing of the word **prescribe** to **approve** in the regulations would enable this legislation to be implemented in a more efficient manner. While some basic training issues remain consistent throughout all PSAP's in Pennsylvania, many PSAP's incorporate localized equipment, geographical, and procedural issues into their respective training programs. Simply put, PEMA could develop key elements for training and certification and review the PSAP training outlines and tests to assure these elements were covered.

I am also concerned about the certification process for the instructors discussed in the proposed legislation. Many PSAP instructors are already certified through a number of Federal, national and/or state recognized agencies and this component may be simply redundant. Proof of existing instructor certification could be provided to PEMA.

I would appreciate your consideration of these key issues to the proposed legislation and await your response.

Sincerely,

William Fleming  
Training Supervisor/TAC



L. Robert Kimball & Associates  
Washington Square, Suite F, 21 W. Washington Street, West Chester, PA 19380  
Tel: 610-692-2232 Fax: 610-692-8511 E-Mail: wchstrgn@lrkimb.com

RECORDED  
99 MAY -6 PM 1:05  
FBI - WEST CHESTER  
FBI - WEST CHESTER

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

ORIGINAL: 2020 & 2021 & 2019  
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Legal

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:

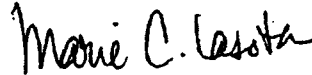
- (1) Call Taker and Emergency Dispatch Certification (Sections 120c.102, 103)-- The attached April 29, 1999 inter-Departmental Memorandum sets forth a description of the manner in which the City presently handles training and deployment of new call takers/dispatchers. Under the City's pre-existing labor 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 is 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

4

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

# LANCASTER COUNTY

LANCASTER COUNTY-WIDE COMMUNICATIONS

COUNTY COMMISSIONERS  
TERRY L. KAUFFMAN, Chairman  
PAUL THIBAUT, Vice Chairman  
RON FORD

P.O. BOX 487  
MANHEIM, PA 17545-0487  
TELEPHONE: 717-664-1100  
800-297-5292  
FAX: 717-664-1126

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MICHAEL W. WEAVER  
Director

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MAY - 6 PM 1:05

30 April 1999

Mr. Mark Goodwin  
Chief Counsel  
Pennsylvania Emergency Management Agency  
PO Box 3321  
Harrisburg, PA 17105

VIA FACSIMILE AND CERTIFIED MAIL

Dear Mr. Goodwin,

I have reviewed the proposed rulemaking as advertised in the Pennsylvania Bulletin, Volume 29 Number 14 Dated April 3, 1999 titled "9-1-1 Performance Review and Quality Assurance." While this document generally reflects the success of direct involvement of the Commonwealth's 9-1-1 Community in the development of the proposed regulations, I do have issues with the section titled " Certification curriculum and instructors ", 120c.105 (a) (b) as found on pages 1723 and 1724.

1. 120c.105 (a) page 1723. The proposed regulation requires that the agency approve specific and detailed portions of County training programs such as schedules, record keeping, materials, examinations, fees, etc.

Our County has a very complex, refined multi-phased training program which allows for continuous adjustment and modification of this program based on individual trainee assessment and progress as well as the changing needs of our agency. Our program is designed to ensure that trainees will either achieve the required performance standards or " wash out " of the program. Once the trainee has made it through the core program, we have a system of on-going training that continues through the entire term of employment. Lancaster County spends a lot of time and money to maintain a high standard of training excellence including employing a full time Training Supervisor and full time Quality Assurance Supervisor with a combined total of forty one ( 41 ) years of experience specifically in public safety communications and 9-1-1.

Additionally, our program is in a continuous cycle of review and improvement. The program

changes and adapts to the needs of the agency based on such things as societal changes. Any programs that do not change and adapt will eventually become stagnant and less effective. For instance, with all of the current problems of school violence, we are reviewing programs to better train and prepare our 9-1-1 personnel to deal with one of these situations if, God forbid, we should have to. The regulation, as written, will inhibit program enhancements due to the administrative burden associated with the Agency approval process .

### RECOMMENDATION

The Regulation should simply state that the Agency will review and approve the certification curriculums based on the training and Q/A guidelines found in sections 120d.104,105 and 120c.101,102,103, and 104. PEMA auditors and trainers can ensure compliance with the legislative intent as part of their normal auditing function and take corrective action as needed.

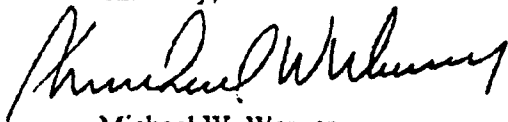
2. 120c.105 (b) page 1723 and 1724. The requirements for instructors must consider specific county training programs. Our training supervisor is a certified instructor as are several of our other personnel who do the primary instruction .Our training supervisor oversees the entire department training program. However, we also use focus instructors in specific areas such as computer aided dispatch, emergency management, HAZMAT, etc. and while these people are experts in their particular area, they are not certified trainers, per se. I don't feel that it is necessary to certify these individuals when they are only providing training in one specific area of their expertise and they are doing this under the supervision of the training supervisor.

### RECOMMENDATION

The agency should only certify the lead agency trainer who would then be responsible for the training of the County PSAP. Again, the PEMA auditors and trainers can ensure compliance with the legislative intent as part of their normal auditing function.

Please feel free to contact me with any questions you may have.

Sincerely,



Michael W. Weaver  
Director

cc: file  
Carl Kuehn II



Erie County Emergency Management Agency  
 Erie County 911 Center  
 1714 French Street • Erie, Pennsylvania 16501  
 814-870-9920 Office • 814-870-9930 Fax



Nick Sleptzoff, Director  
 Richard Crabtree,  
 Associate Director

Internet Web Address: <http://www.ecdh.org/emergency>

Judith M. Lynch  
 County Executive

April 30, 1999

Mr. Carl C. Kuehn, II  
 Deputy Director, 911 Coordinator  
 Pennsylvania Emergency Management Agency  
 Box 3321  
 Harrisburg, Pennsylvania 17105-3321

ORIGINAL: 2020 & 2021  
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 COPIES: Jewett  
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 Legal

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 99 MAY -6 PM 1:05  
 (10/1/99)

Dear Mr. Kuehn:

I am writing this letter to you on behalf of Mrs. Judy Lynch, Erie County Executive.

We have read the proposed rules and regulations for the training and quality assurance standards for 911 Centers in the Commonwealth of Pennsylvania. I know that a lot of thought and time has been put into these documents and that you have sought the expertise on many people throughout Pennsylvania who are in the communications industry. You and those who helped deserve a hearty congratulations for tackling these issues and successfully completing the rules and regulations in such a short period of time.

After reviewing both documents and talking to communication center personnel in Erie County the only comment we have regards a training issue. We have heard that PEMA will be permitting existing 911 personnel to take the tests for the various modules to prove that they do not need to take a course however, it is not mentioned in the proposed rules and regulations. We believe that making such a statement would do much to make the requirements acceptable to those people who have put an effort to become credentialed by taking hundreds of hours of training in communications over the past few years. There is a great concern around our county from communication center personnel in regard to taking courses that they do not need because they have surpassed your proposed requirements. In most cases, Erie County communication centers will need to spend a lot of money in overtime to get people certified by your courses. By permitting people to take your test and successfully passing it, there will be less overtime that needs to be paid. Please seriously consider adding language in the proposed rules and regulations that PEMA will allow a one time challenge for current communication personnel to take the tests for certification.

If you have any questions or need additional information feel free to call either Mrs. Lynch at 814-451-6333 or myself at 814-870-9920.

Thank you.

Sincerely,

Nicholas Sleptzoff, Director  
 Erie County Emergency Management Agency

C: Mrs. Judy Lynch, Erie County Executive  
 Ms. Elizabeth Howard, Erie County 911 Supervisor  
 Mr. Joe Trzybinski, ECDOH

DAUPHIN COUNTY

Michael E. Wertz  
Director EMA

Martyn R. Nevil  
Assistant Director

558-6800  
558-6850 Fax



Commissioners

Sally S. Klein  
Chairman

Russell L. Sheaffer  
Vice Chairman

Anthony M. Petrucci

911 GIBSON BOULEVARD \* STEELTON, PENNSYLVANIA 17113-1899

ORIGINAL: 2021

MIZNER

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April 30, 1999

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

99 MAY -6 PM 1:05  
Performance

Dear Mr. Goodwin:

This agency reviewed Proposed Rulemaking, PA Bulletin, Volume 29 Number 14, "911 Performance Review and Quality Assurance."

The document reflects the success of committee involvement in the development of policy and procedures. We would like to provide comment on certification curriculum and instructors requirements.

1. **Curriculum (page 1723, 120 c. 105. (a).** Proposal requires that the Agency approve specific and detailed portions of county training programs such as schedules, record keeping, materials, etc.

Our county has a complex multi-phased training program which allows continuous adjustment/modification of our "core program" based on individual trainee assessment and progress. You cannot effectively train individuals in the 911 environment at the same levels and achieve equal outcomes. Flexibility around the "core program" ensures that trainees will either achieve performance standards or leave the organization.

Additionally, all programs should be in a cycle of review and improvement. Those programs that are not, eventually become stagnant and less effective. The proposal will inhibit program enhancements due to the administrative burden associated with an Agency approval process.

**Recommendation** The proposal should state that the Agency will approve the overall training program based on PEMA guidelines. These guidelines should be a stand alone document that can be readily modified based on federal or state requirements. The guidelines must provide flexibility for county program development and execution. PEMA auditors and trainers can ensure compliance with legislative intent.

2. **Instructions page 1723, 120c. 105, (b).** Requirements for instructions must consider specific county training programs. Our master (lead) trainer is an APCO certified instructor. He oversees the program and teaches much of the "basic phase." However, we also include "focus instructors" on emergency management, HAZMAT, stress, automation, telephone, etc. It is not feasible nor necessary to certify every staff member who provides a two (2) hour presentation.

Additionally, when trainees undergo structured multiphase training in the PSAP, we have two designated trainers per position (i.e., phones, fire, police, EMS) per shift (3 shifts). We also expect our supervisors/OIC's to supplement trainers during difficulties. Although we "train" our trainers in instructional methology, it would be difficult and costly to send all to a formal trainers course.

**Recommendation** The Agency should approve/certify only the master or lead county PSAP trainer. The agency should approve county programs which address the training of other trainers. The county should certify these trainers.

Please contact myself or Mark Rothermel at (717) 558-6800 with any questions.

Sincerely,

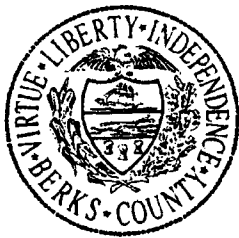


Roy Hyatt,  
Communications Coordinator

RH/bkh

cc: Michael Wertz





## Berks County Communications Center

Craig S. Breneiser, Director  
Eric D. Olena, Assistant Director

Courthouse, Eighteenth Floor  
633 Court Street  
Reading, PA. 19601

(610) 655-4921  
(800) 237-0079

3 May 1999

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

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Dear Mr. Goodwin,

We have reviewed the proposed rulemaking pursuant to Act 17 of 1998 as posted in the Pennsylvania Bulletin, Volume 29, Number 14. We would like to provide the following comments:

### Chapter 120d. 911 Performance Review & Quality Assurance Standards

- We are unclear with respect to our responsibility for remote dispatch points associated with our PSAP. As the primary PSAP (and the recipient of surcharge funds provided through Act 78), are we responsible for auditing calls that are transferred to other dispatch points (including the Pennsylvania State Police) and radio traffic that is not under our authority? If so, do the proposed regulations provide us with authority to access tape recordings that do not belong to us?
- Depending upon the Agency's position with respect to the preceding concern, if a remote dispatch point provides emergency medical dispatch using a program other than that used by the PSAP, how can we provide quality assurance audits when we have no affiliation with that program?

### Chapter 120c. Training & Certification Standards... Communications Personnel

- A 9-1-1 supervisor is required to have completed both call-taker and emergency dispatcher certifications; however, it is unclear whether those certifications must be *maintained* following receipt of supervisor certification. Must existing supervisors receive call-taker and emergency dispatcher certification, or must they successfully complete a supervisory course and examination?

-more-

- With respect to Agency certification of instructors, is such certification required for anyone who provides instruction, or is it limited to the individual(s) who coordinate and certify course completion? It is common to use individuals with particular expertise to teach a portion of a course without them being formally certified as instructors (e.g.: our computer coordinator would provide general training on the functioning of the computer-assisted dispatch system, but would not assume responsibility for certifying competency). Also, if a trainee is assigned for "on-the-job" training with a senior telecommunicator, must that person be certified to provide OJT?
- What certification requirements are placed on personnel employed by remote dispatch points? What responsibility does the PSAP have with respect to these requirements (or authority to enforce them)?
- We are concerned with the vagueness of the required refresher training. "Sufficient content and duration" leaves a very wide space for interpretation.
- While we do *not* expect the Agency to employ high-handed tactics with respect to its right to enter and inspect a 9-1-1 center, we do note some concern with the potential to conduct an inspection at whim. There needs to be a very high standard of conduct in such cases (akin to that required of law enforcement agencies seeking a search warrant). Does this "enter and inspect" right extend to remote dispatch points, too?

#### **Chapter 120b. Public Safety Emergency Telephone Program**

- As drafted, the term "local exchange carrier" (LEC) would seem to include both ALECs and CLECs. However, empirical experience has shown both ALECs and CLECs may attempt to avoid responsibility with respect to maintaining a good MSAG. The same may also be true of wireless carriers (which have historically been resistant to providing a physical address for their tower sites). Therefore, we recommend the language be tightened to include any entity that provides dial tone service.
- The suggestion to validate a database every six months would be wholly unrealistic in our system. While we have received cooperation in performing daily validations, a statutory requirement may result in loss of such cooperation. We prefer to see language that permits the PSAP to set a reasonable validation schedule.
- If we wait until a LEC reaches a 95% accuracy on its database, the MSAG will never receive the required information. In our case, it has been more expedient to take the data provided by a LEC, validate and make corrections. In this fashion, whatever good information the LEC has can be used, rather than having no available data.

*-more-*

*Act 17 Rules*

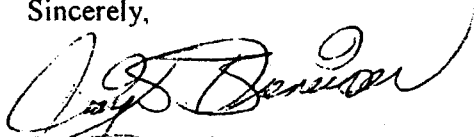
*Page 3*

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Generally, we appreciate the programmatic changes contained in Act 17, and believe this will result in an overall improvement in the delivery of 9-1-1 services throughout the Commonwealth. Like anything new, however, there are some potentials for problems and concerns, and the foregoing comments are where we see such instances. The purpose of this letter is intended to be constructive, not critical.

If we can be of further service, please do not hesitate to contact us.

Sincerely,



Craig S. Breneiser, MPA, ENP  
Director,  
Berks County Communications Center

pc: W. Rehr, 911 Coordinator  
Communications Advisory Committee

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**REGIONAL EMERGENCY MEDICAL SERVICES COUNCILS**  
 Revised - August 1998

REGIONAL EMS COUNCIL	COUNTIES/CODE	REGION CODE
Robert D. Cooney, EHS Program Manager <b>Bradford Susquehanna EMS Council</b> The Mansfield University Center 200 South Wilbur Avenue Sayre, PA 18840-1698 (717) 882-4604 FAX (717) 882-4413	Bradford (8) Susquehanna(58)	<b>01</b>
Joseph W. Schmider, Director <b>Bucks County Emergency Health Services</b> 50 North Main Street Doylestown, PA 18901 (215) 348-6100 FAX (215) 348-2019	Bucks (09)	<b>10</b>
Stephen S. Webb, EHS Program Manager <b>Chester County EMS Council</b> Department of Emergency Services Chester County Government Services Center 601 Westtown Road -- Suite 12 West Chester, PA 19382-4558 (610) 344-5000 FAX (610) 344-5050	Chester (15)	<b>11</b>
Maureen Hennessey Herman Regional Director <b>Delaware County EHS Council, Inc.</b> 201 W. Front Street Government Center Building, Room 117 Media, PA 19063 (610) 891-5310 FAX (610) 566-3947	Delaware (23)	<b>12</b>
Everitt F. Binns, Ph.D., Executive Director <b>Eastern PA EMS Council, Inc.</b> 1405 North Cedar Crest Blvd. - Suite 208 Allentown, PA 18104 (610) 820-9212 FAX (610) 820-5620	Berks (6) Monroe (45) Carbon (13) Northampton (48) Lehigh (39) Schuylkill (54)	<b>02</b>
Cynthia S. Ehlers, President <b>EHS Federation, Inc.</b> 722 Limekiln Road New Cumberland, PA 17070 (717) 774-7911 FAX (717) 774-6163	Adams (1) Lancaster (36) Cumberland (21) Lebanon (38) Dauphin (22) Perry (50) Franklin (28) York (67)	<b>03</b>

REGIONAL EMS COUNCIL	COUNTIES/CODE	REGION CODE
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Richard R. Harden, Ph.D., Executive Director  
**Emergency Medical Service Institute**  
 221 Penn Avenue, Suite 2500  
 Pittsburgh PA 15221  
 (412) 242-7322 FAX (412) 242-7434

Allegheny (2) Greene (30)  
 Armstrong (3) Indiana (32)  
 Beaver (4) Lawrence (37)  
 Butler (10) Washington (63)  
 Fayette (26) Westmoreland (65)

04

Jerome E. Ozog, Executive Director  
**EMMCO East, Inc.**  
 1411 Million Dollar Highway  
 Kersey, PA 15846  
 (814) 834-9212 FAX (814) 781-3881

Cameron (12) Jefferson (33)  
 Clearfield (17) McKean (42)  
 Elk (24) Potter (53)

19

Richard Gibbons, Executive Director  
**EMMCO West, Inc.**  
 Suite 101  
 16271 Conneaut Lake Road  
 Meadville, PA 16335-3814  
 (814) 337-5380 FAX (814) 337-0871

Clarion (16) Mercer (43)  
 Crawford (20) Venango (61)  
 Erie (25) Warren (62)  
 Forest (27)

18

John E. Campos, Executive Vice President  
**EMS of Northeastern Pa, Inc.**  
 1153 Oak Street  
 Pittston, PA 18640  
 (717) 655-6818 FAX (717) 655-6824

Lackawanna (35)  
 Luzerne (40)  
 Pike (52)  
 Wayne (64)  
 Wyoming (66)

05

Gary S. Hutchinson, Executive Director  
**LTS EMS Council**  
 2130 County Farm Road  
 Montoursville, PA 17754-9621  
 (800) 433-9063 FAX (717) 433-4435  
 (717) 327-2447

Lycoming (41)  
 Sullivan (57)  
 Tioga (59)

07

David Paul Brown, Director  
**Montgomery County Emergency  
 Medical Services**  
 Office of Emergency Medical Services  
 50 Eagleville Road  
 Eagleville, PA 19403  
 (610) 631-6520 FAX (610) 631-9864

Montgomery (46)

13

REGIONAL EMS COUNCIL	COUNTIES/CODE	REGION CODE
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Ralph A. Halper, Director  
**Philadelphia EMS Council**  
Philadelphia Fire Department  
240 Spring Garden Street  
Philadelphia, PA 19123-2991  
(215) 686-1313 FAX (215) 686-1321

City of Philadelphia (51)

14

Stephen M. Koon, Director  
**Seven Mountains EMS Council, Inc.**  
523 Dell Street  
Bellefonte, PA 16823  
(814) 355-1474 FAX (814) 355-5149

Centre (14)  
Clinton (18)  
Juniata (34)  
Mifflin (44)

08

Sandra L. Jablonski, Executive Director  
**Southern Alleghenies EMS Council, Inc.**  
Olde Farm Office Centre - Carriage House  
Duncansville, PA 16635  
(814) 696-3200 FAX (814) 696-0101

Bedford (5) Fulton (29)  
Blair (7) Huntingdon (31)  
Cambria (110) Somerset (56)

09

Ralph J. Cope, Director  
**Susquehanna EHS Council, Inc.**  
249 Market Street  
Sunbury, PA 17801-3401  
(717) 988-3443 FAX (717) 988-3446

Columbia (19)  
Montour (47)  
Northumberland (49)  
Snyder (55)  
Union (60)

15

**Emergency Medical Services Office**  
State EMS Office -- 8:00 a.m. - 5:00 p.m.

Margaret E. Trimble, Director  
Pennsylvania Department of Health  
P.O. Box 90 -- Harrisburg, PA 17108  
(717) 787-8740  
FAX (717) 772-0910

**PENNSYLVANIA EHS COUNCIL**  
State Advisory Council - 8:00 a.m. - 5:00 p.m.

Richard D. Flinn, Jr., Executive Director  
**Pennsylvania EHS Council**  
Maple Building, Suite 210 -- 5012 Lenker Street  
Mechanicsburg, PA 17055  
(717) 730-9000  
FAX (717) 730-9200