

**Comments By The
Ambulance Association of
Pennsylvania
To Proposed Amendments To
Title 35 (Health and Safety) of the
Pennsylvania Consolidated Statutes**

**Senate and House
Veterans Affairs and Emergency
Preparedness Committees
May 14, 2008**



The Ambulance Association of Pennsylvania (AAP) is the independent lead organization serving the needs of its members in the emergency and non-emergency ambulance and medical transportation industry. The AAP advocates the highest quality patient care through ethical and sound business practices, advancing the interests of its members in important legislative, educational, regulatory and reimbursement issues representing over two hundred and thirty ambulance services in Pennsylvania. Our membership is diverse and includes volunteer, non-profit, for-profit, municipal, air medical, hospital and fire based ambulance services that perform the vast majority of the emergency and non-emergency ambulance transportation in the Commonwealth.

While we realize emergency medical services (EMS) is a branch or sector function of emergency management please accept the following comments to the proposed amendments to Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes.

§7102. Definitions.

Page 2, Lines 7-10

“All-Hazard.” Includes all dangers that can threaten or harm individuals, the environment, the economy or property. The term includes events involving terrorism and weapons of mass destruction.

Comment – The definition for “All Hazard” includes the term “economy”. We believe that this term is too broad in scope to permit the possible declaration of a disaster by the Governor solely for “economic” reasons, such as the current energy crisis the Commonwealth is facing. While we understand the scope of any disaster may have a direct or indirect impact on a municipality or the Commonwealth’s economy and create a “disaster”, we believe this term or the intent of this term should be better defined in the final amendment.

Page 2, Lines 16-19

“Citizen Corps.” A volunteer group organized to help citizens take a more active role in crime prevention, support the emergency medical community, and be better trained in a wide range of emergency preparedness and disaster response activities.

Comment – Does the definition of “Citizen Corps” include the group known as Citizens Emergency Response Teams?

Page 4, Lines 27-38

“Dependent care facility.” Any organization, institution or facility responsible for the health, safety and wellness of 10 or more individuals under their care and other facilities where 10 or more individuals may be gathered without means of transportation. The term includes organizations defined by the Federal government as “special facility populations” such as pre-schools, nursery schools and daycare centers, kindergarten through twelfth grade schools, nursing homes, group homes for the physically or mentally challenged and those who are mobility challenged as well as those in correctional facilities. The term also includes hospitals and institutions of higher learning.

Comment – Does the definition for “Dependent care facility” include the facilities known as Personal Care Homes prevalent in the Commonwealth?

Page 6, Line 5-26

"Emergency services." The preparation for and the carrying out of [functions]capabilities, other than [functions]capabilities for which military forces are primarily responsible, to prevent, minimize and provide

emergency repair of injury and damage resulting from disasters or emergencies, together with all other activities necessary or incidental to the preparation for and carrying out of those [functions]capabilities. The [functions]capabilities include, without limitation, firefighting services, police services, medical and health services, search, rescue, engineering, disaster warning services, communications, radiological, shelter, chemical and other special weapons defense, evacuation of persons from stricken areas, emergency welfare services, emergency transportation, emergency [resources] management, existing or properly assigned functions of plant protection, temporary restoration of public utility services and other [functions]capabilities related to civilian protection. The term includes capabilities of municipal governments, county governments, non-governmental organizations or the Commonwealth. The term may include capabilities of regional task forces and other regional response organizations as specifically provided for in this part.

Comment – Does the definition of "Emergency services" include the Department of Health Bureau of EMS Strike Teams? The DOH-BEMS EMS Strike Teams were formed to assist with local, regional and Commonwealth emergencies where an incident overwhelms the local emergency response resources in a geographical area and have been deployed nationally to Hurricanes Katrina and Rita under the Emergency Management Assistance Compact.

Page 10, Lines 42 and 43 and Page 11, Lines 1-6

"Regional task force." A complement of Federal, State, county, council-of-governments and municipal emergency management, health, law enforcement, public safety and other officials and representatives from emergency service organizations, private business and industry, hospitals and medical care facilities and other entities within a multi-county area as

recognized by and determined by the department that is responsible for conducting all-hazard planning, training, and preparedness activities.

Comment – Does the definition of " Regional task force " include the Department of Health Bureau of EMS Strike Teams? The DOH-BEMS EMS Strike Teams were formed to assist with local, regional and Commonwealth emergencies where an incident overwhelms the local emergency response resources in a geographical area and have been deployed nationally to Hurricanes Katrina and Rita under the Emergency Management Assistance Compact.

Page 11, Lines 37-43

"Specialized Statewide response team." A complement of individuals organized by the Commonwealth to provide specialized personnel, equipment and other support capabilities in response to an actual or potential disaster in this Commonwealth.

Comment – Again, does the definition of " Specialized Statewide response team " include the Department of Health Bureau of EMS Strike Teams? The DOH-BEMS EMS Strike Teams were formed to assist with local, regional and Commonwealth emergencies where an incident overwhelms the local emergency response resources in a geographical area and have been deployed nationally to Hurricanes Katrina and Rita under the Emergency Management Assistance Compact.

Page 41, Lines 15-38, Page 42, Lines 1-40, Page 43, Line 1-30

§ 7502. County and local emergency management coordinators [Local coordinator of emergency management].

Comment – This section, specifically § 7502, (e) through (g) discusses training requirements and expense for those requirements for local emergency management coordinators. Have county, municipality or council of government entities been consulted on the costs associated with such training?

Page 59, Lines 34-38, Page 60, Lines 1-3

§ 7524 Specialized Statewide response teams.

Comment – Again, does the definition of " Specialized Statewide response team " include the Department of Health Bureau of EMS Strike Teams? The DOH-BEMS EMS Strike Teams were formed to assist with local, regional and Commonwealth emergencies where an incident overwhelms the local emergency response resources in a geographical area and have been deployed nationally to Hurricanes Katrina and Rita under the Emergency Management Assistance Compact.

Page 63, Lines 27-36

§ 7701. Duties concerning disaster [prevention]preparedness and emergency management.

Comment - §7701 (h) discusses “Large event plans”. What is the determining factor for a ‘large event’?

Additionally, 28 Pa Code Chapter 1013, Special Event EMS, stipulates requirements for Special Events and EMS deployment and resources. Will this supersede this Chapter or augment it?

§ 7706. Workers' compensation.

(a) Benefits.—Volunteers who are members of the Commonwealth emergency management program, a county emergency management program or a local emergency management program are hereby deemed to be employees of the Commonwealth or of the applicable county or municipality for purposes of the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, when engaging in or performing the following activities:

(1) deployment by the applicable emergency management official and participation in emergency services activities;

(2) going to or returning from an emergency or disaster emergency to which program members have been deployed; or

(3) scheduled training, exercise or related official functions designated and authorized by the applicable emergency management official.

Comment - § 7706. Workers' compensation deals with Volunteers who are members of the Commonwealth emergency management program, a county emergency management program or a local emergency management program. How are local emergency responders, volunteer or paid, covered in the response to a declared disaster by proclamation of a local official or Governor?

Thank you for the opportunity to comment on the proposed amendments to Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes.