

**Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Community Affairs Committee

**BILL:** CS/CS/SB 2040

**INTRODUCER:** Community Affairs Committee, Health Regulation Committee and Senator Detert

**SUBJECT:** 911 Emergency Dispatcher Certification

**DATE:** April 20, 2009                      **REVISED:** \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Hankins/Munroe</u>	<u>Wilson</u>	<u>HR</u>	<u>Fav/CS</u>
2.	<u>Molloy</u>	<u>Yeatman</u>	<u>CA</u>	<u>Fav/CS</u>
3.	_____	_____	<u>HE</u>	_____
4.	_____	_____	<u>HA</u>	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**Please see Section VIII. for Additional Information:**

A. COMMITTEE SUBSTITUTE.....  Statement of Substantial Changes

B. AMENDMENTS.....  Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

**I. Summary:**

The CS/CS/SB 2040 (the bill) provides that effective October 1, 2012, any person serving as a 911 emergency dispatcher must be certified by the Department of Health (DOH). Certification is currently voluntary. Definitions are created for “certified dispatch training center” and “certified dispatch training program,” and the training centers and programs must apply to the DOH for approval as a training program or training center prior to use by an applicant for certification as a 911 emergency dispatcher. Standards and certification requirements are created for dispatch training centers and dispatch training programs, and general application procedures are provided. The DOH is authorized to adopt rules to establish procedures for quadrennial review and approval of the training programs to verify compliance with training standards, and fees are authorized.

This bill amends sections 401.465 and 401.411, Florida Statutes.

**II. Present Situation:**

Emergency dispatchers are often the initial point of contact for the public when emergency assistance is required. Emergency dispatchers receive emergency calls from the public requesting

police, fire, medical or other emergency services. These personnel determine the nature, location, and priority of the emergency, and communicate the nature of the call to police, fire, ambulance, or other emergency units as necessary and in accordance with established procedures.

Emergency dispatchers receive and process 911 emergency calls, maintain contact with all units on assignment, and maintain status and location of police, fire, and other emergency units, as necessary. Emergency dispatchers may be trained to enter, update, and retrieve information from a variety of computer systems to assist callers.

Many local public safety agencies offer in-house training programs to their employees. Certification courses from private vendors are available to emergency dispatchers who may wish to show their proficiency in specified skills needed for emergency dispatch. The National Academies of Emergency Dispatch offers certification for emergency medical, fire, and police dispatchers, and emergency telecommunicates, and provide a certification credential for medical, fire, and police functions in one comprehensive training program. The registration fees for these certification courses range from \$295 to \$500.<sup>1</sup>

### **Emergency Dispatch In Florida**

Section 365.171, F.S., governs Florida's public policy on the emergency telephone number "911." This statute specifies that it is the intent of the Legislature to "establish and implement a cohesive statewide emergency telephone number "911" plan which will provide citizens with rapid direct access to public safety agencies by dialing the telephone number "911" with the objective of reducing response time to situations requiring law enforcement, fire, medical, rescue, and other emergency services."

In Florida, local governments handle emergency dispatching in a variety of ways to accommodate local needs and budgeting priorities. The curriculum content and length of training programs varies by agency. According to the DOH, all 67 Florida counties have enhanced 911 dispatch, which allows an emergency dispatch center's computers to automatically provide the caller's name, address and mapped location. The map also identifies the closest police, fire, and emergency medical services agencies. Emergency dispatch may be handled through one or more of the agencies that handle police, fire, and emergency medical services.

With some variation, emergency calls in some counties go to a central dispatch, the dispatcher verifies the caller's location and the nature of the call, and the call is then transferred to the appropriate dispatcher who dispatches the appropriate agency (law enforcement, emergency medical services, fire) and Emergency Medical Dispatch (EMD) is utilized to provide the caller with instructions to treat the emergency while EMS is enroute.<sup>2</sup>

In some counties, when a caller dials 911, the call is directed to the Sheriff's Office. The dispatcher will determine the nature of the call and location and then decide if the call is for emergency medical services or fire. At this point, the call may be transferred to the appropriate agency to handle the emergency or the call may be forwarded to a public safety dispatch center. If equipped, the public safety dispatch center will then provide EMD and send the appropriate

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<sup>1</sup> National Academies of Emergency Dispatch, "Certification Course Overview," <[http://www.emergencydispatch.org/cert\\_home.php?a=certHome&b=certOverview](http://www.emergencydispatch.org/cert_home.php?a=certHome&b=certOverview)> (Last visited March 28, 2009).

<sup>2</sup> Source: Florida Department of Health (Leon, Pinellas, and Okaloosa Counties).

emergency medical service or fire units to the scene or the appropriate fire units to a fire emergency.<sup>3</sup>

### **Department of Education Curriculum Framework and Standards**

The Division of Workforce Education at the DOE publishes curriculum frameworks and standards aligned to the 16 Career Clusters delineated by the United States Department of Education. Each program's course standards are composed of two parts: a curriculum framework and the student performance standards. The curriculum framework includes four major sections: major concepts/content, laboratory activities, special notes, and intended outcomes. Student performance standards are listed for each intended outcome.

The Public Safety Telecommunication program, currently taught at various community colleges and vocational/technical centers across the state, is designed to prepare students for employment as a police, fire, ambulance, or emergency medical dispatcher. The program is divided into two levels. The first level, "Occupational Completion Point A," is a 208-hour curriculum designed for police, fire, and ambulance dispatchers. The second level, "Occupational Completion Point B," is to be completed after the first level through an additional 24-hour curriculum designed for emergency medical dispatchers.

The Public Safety Telecommunication course for police, fire, and ambulance dispatch services is intended to provide the dispatcher with the ability to:<sup>4</sup>

- Describe and demonstrate professional ethics and the role of telecommunicator;
- Describe Florida law and its application to telecommunication operation;
- Identify and define terminology pertinent to public safety telecommunication;
- Identify and explain communication equipment and resources;
- Demonstrate communication and interpersonal skills;
- Perform operational skills;
- Demonstrate understanding of hazardous materials awareness;
- Demonstrate proficiency in first responder to medical emergencies techniques and provide emergency medical care;
- Demonstrate knowledge of sexually transmitted diseases, including AIDS;
- Comprehend stress management techniques;
- Demonstrate employability skills;
- Demonstrate an understanding of Emergency Management practices; and
- Demonstrate CPR proficiency.

For emergency medical dispatch services, the dispatcher should have the ability to:<sup>5</sup>

- Explain the rationale for emergency medical dispatching;
- Interrogate callers to obtain relevant information;
- Understand the medical-legal aspects of emergency medical dispatch;

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<sup>3</sup> Source: Florida Department of Health. (Seminole and Miami-Dade Counties).

<sup>4</sup> See Florida Department of Education, "Curriculum Framework, Public Safety Telecommunication," July 2009, <[http://www.fldoe.org/workforce/dwdframe/ps\\_cluster\\_frame08.asp](http://www.fldoe.org/workforce/dwdframe/ps_cluster_frame08.asp)> (Last visited March 28, 2009).

<sup>5</sup> See Florida Department of Education, "Curriculum Framework, Public Safety Telecommunication," July 2009, <[http://www.fldoe.org/workforce/dwdframe/ps\\_cluster\\_frame08.asp](http://www.fldoe.org/workforce/dwdframe/ps_cluster_frame08.asp)> (Last visited April 16, 2009).

- Understand the concepts of dispatch life support and the psychological aspects of providing pre-arrival instructions;
- Understand the methodologies for delivering, and demonstrating the practical use of, pre-arrival instructions; and
- Understand those pre-hospital medical emergencies and emergency medical complaints found in the employing agency's emergency medical dispatch priority reference system (EMDPRS).

### **Voluntary State Certification of Emergency Dispatchers**

In 2008, the Florida Legislature enacted legislation establishing a voluntary certification program for 911 emergency dispatchers.<sup>6</sup> A person who desires to be certified or recertified as a 911 emergency dispatcher can apply to the DOH under oath on forms provided by the DOH.<sup>7</sup> The DOH is required to establish by rule the education and training criteria for certification and recertification. The law specifies requirements for a certification applicant to become certified, including completion of an appropriate 911 emergency dispatcher training program that is equivalent to the most recently approved emergency dispatcher course of the Department of Education and that consists of not less than 208 hours. An applicant must also complete and document at least 2 years of supervised full-time employment as a 911 emergency dispatcher since January 1, 2002.

The fee for application for the 911 emergency dispatcher original certificate is \$75. Each 911 emergency dispatcher certificate is valid for 2 years, unless revoked or suspended by the DOH. The application fee for the 911 emergency dispatcher biennial renewal certificate is \$100.

### **Sunrise Act**

The Sunrise Act, codified in s. 11.62, F.S., requires the Legislature to consider specific factors in determining whether to regulate a new profession or occupation. The act requires that all legislation proposing regulation of a previously unregulated profession or occupation be reviewed by the Legislature based on a showing of the following: that substantial risk of harm to the public is a risk of no regulation which is recognizable and not remote; that the skills the profession requires are specialized and readily measurable; that other forms of regulation do not or cannot adequately protect the public; and that the overall cost-effectiveness and economic impact of the proposed regulation is favorable.

The act requires proponents of regulation of a previously unregulated profession to provide the agency that is proposed to have jurisdiction over the regulation and the legislative committees of reference information concerning the effect of proposed legislation to initially regulate a previously unregulated profession on the agency's resources to implement and enforce the regulation. Proponents of the mandatory certification of 911 emergency dispatchers did not provide any documentation of the nature and extent of harm to the public caused by the unregulated practice of the occupation.

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<sup>6</sup> See s. 2, ch. 2008-51, Laws of Florida, codified at s. 401.465, F.S.

<sup>7</sup> See rule 64J-3, Florida Administrative Code, which took effect March 17, 2009.

A study conducted by the Florida Chapter of the Association of Public-Safety Communications Officials Standards and Certification Task Force in 2007 found that 28 states have mandatory training standards for emergency dispatchers, three states have voluntary training standards, and 20 states have no training standards. The task force also found that training programs across the country range from 40 hours to 640 hours.

### III. Effect of Proposed Changes:

**Section 1.** Amends subsection (1) of s. 401.695, F.S., to provide the following definitions:

- “Certified dispatch training center” means any public safety agency, as defined in s. 365.171(3)(d), F.S., employing 911 emergency dispatchers whose training program is equivalent to the most recently approved emergency dispatch course in public safety telecommunications of the Department of Education and consists of not less than 232 hours.
- “Certified dispatch training program” means a 911 emergency dispatch training program that is offered by an educational institution approved by the Department of Education to offer such program that is equivalent to the most recently approved emergency dispatch course in public safety telecommunications of the Department of Education and consists of not less than 232 hours.

Creates paragraph (a) of subsection (2), to provide that effective October 1, 2012, any person serving as a 911 emergency dispatcher must be certified by the DOH. Notwithstanding the requirement, a public safety agency may employ a 911 emergency dispatcher trainee for a period not to exceed 6 months, if the trainee is under the direct supervision, as determined by rule of the department, of a certified 911 emergency dispatcher with a minimum of 2 year’s experience.

Amends paragraph (c) of subsection (2), to provide that the training requirements of 911 emergency dispatchers may be satisfied if the applicant completes a certified dispatch training program, or the certified dispatch training program of a certified dispatch training center, if the center or program has applied to and received approval from the DOH as a certified training center or program.

Amends paragraph (d) of subsection (2), to revise DOH review requirements for renewal certification of 911 emergency dispatchers to provide for a 4-year renewal rather than a 2-year renewal as established by department rule.

Amends paragraph (h) of subsection (2) to repeal effective October 1, 2012, the requirement that DOH establish by rule a procedure for the initial certification of 911 emergency dispatchers with years of documented supervised full-time employment as a 911 emergency dispatcher since 1990.

Creates subsection (3) to provide standards and certification requirements for certified dispatch training centers:

- Each certified dispatch training center must apply to the DOH on department approved form to obtain approval prior to providing 911 emergency dispatcher training services.
- Each certified center must notify the DOH of each individual who successfully completes a training course in public safety telecommunications within 2 weeks of the individual’s course

completion date and must certify that the individual has complied with requirements for certification as a 911 emergency dispatcher.

- The DOH must establish by rule a procedure for the quadrennial review and approval of certified dispatch training centers to verify compliance with required training standards.

Creates subsection (4) to provide standards and certification requirements for certified dispatch training programs:

- Each certified dispatch training program must apply to the DOH on department approved forms to obtain approval prior to providing 911 emergency dispatch training services.
- Each certified dispatch training program must notify the DOH of each individual who successfully completes a training course in public safety telecommunications within 2 weeks of the individual's course completion date and must certify that the individual has complied with requirements for certification as a 911 emergency dispatcher.
- The DOH must establish by rule a procedure for the quadrennial review and approval of certified dispatch training programs to verify compliance with required training standards.

Amends subsection (5) to require that the DOH charge a fee of not more than \$100 for the initial review and approval of 911 emergency dispatch training programs offered by certified dispatch training centers, and review and approval of certified dispatch training programs to determine compliance. The DOH must charge a fee of not more than \$75 for the required quadrennial review and approval. Employees of certified dispatch training centers are exempt from all fees.

Creates subsection (6) to provide that DOH may, by rule, require any category of application or certification to be applied for or renewed online using an online application and certification renewal system. When the online application or renewal system is in operation, the DOH may require payment of an additional fee of not more than \$25, to be paid by any applicant who elects to use paper applications or renewal forms instead of the online system. Certified dispatch training centers may electronically certify to the DOH employees who have completed training in compliance with the bill.

**Section 2.** Amends s. 401.411, F.S., to apply provisions for disciplinary actions of professions regulated under chapter 401, F.S., to apply to the certified 911 emergency dispatchers.

**Section 3.** The effective date of the bill is October 1, 2009.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

None.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

This bill provides that effective October 1, 2012; DOH rules that allow the initial certification of 911 emergency dispatchers who can document at least 5 years of supervised full-time employment as a 911 emergency dispatcher are repealed. The bill further provides that effective October 1, 2012, all 911 emergency dispatchers must be certified. Effective October 1, 2009, current 911 dispatchers who meet the qualifications for initial certification will now have to pay the \$75 initial certification fee to be grandfathered in. After October 1, 2012, such persons may only be employed as 911 emergency dispatch trainees irrespective of experience, and only for a 6-month period. After October 1, 2012, all persons seeking employment as 911 emergency dispatchers must be certified by the DOH and will have to pay the initial \$75 certification application fee, and the \$100 renewal certification fee.

The DOH must charge a fee of not more than \$100 for the initial review and approval of 911 emergency dispatch training programs offered by certified dispatch training centers and certified dispatch training programs to determine their compliance with the bill. This fee takes effect October 1, 2009.

The DOH may charge a fee of not more than \$75 for quadrennial review and approval of training programs. This fee takes effect October 1, 2009. Employees of certified dispatch training centers are exempt from all fees.

**B. Private Sector Impact:**

There would also be an impact on private sector emergency medical services providers for the cost of the 911 dispatcher training. There may be an increase in enrollment at facilities such as community colleges that offer the 911 emergency dispatcher training program.

**C. Government Sector Impact:**

The DOH will require staff and operating budget in the Emergency Medical Services Trust Fund to implement the changes to s. 401.465, F.S., due to the current lack of resources to process initial certifications, renewals, and to impose disciplinary action for 911 emergency dispatchers.

Finally, 29 mostly rural, fiscally-constrained counties in Florida, as defined by s. 218.67(1), F.S., receive state aid for the provision of 911 services. Thus, a portion of the costs of mandated training and certification would be borne by the state.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS/CS by Community Affairs on April 20, 2009:**

The committee substitute for committee substitute for SB 2040 conforms the Senate bill to CS/HB 769, and provides that persons who apply for certification as 911 emergency dispatchers must complete an appropriate 911 emergency dispatcher training program equivalent to the course offered by the Department of Education and consisting of 232 hours.

**CS by Health Regulation on April 1, 2009:**

The committee substitute amends provisions relating to emergency dispatcher certification to:

- Provide definitions,
- Mandate certification of dispatchers effective October 1, 2012,
- Define public safety agency for purposes of the employment of trainee dispatchers,
- Require the DOH to approve, in addition to the Department of Education, 911 emergency dispatcher training programs and centers,
- Revise renewal procedures for 911 emergency dispatchers from a biennial to a quadrennial certification,
- Repeal a grandfather clause for 911 emergency dispatchers who have at least 5 years of supervised experience on October 1, 2012,
- Authorize DOH to use online certification and renewal applications,
- Provide grounds to discipline 911 emergency dispatchers, and certified dispatch training program and centers.

The effective date of the committee substitute is changed from July 1, 2009 to October 1, 2009.

**B. Amendments:**

None.