
OLR Bill Analysis

sSB 997

AN ACT CONCERNING THE DEPARTMENT OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY.

SUMMARY:

This bill broadens the jurisdiction of the Department of Emergency Management and Homeland Security (DEMHS) by putting it in charge of fire service, municipal police, emergency telecommunications, and emergency medical services. Under current law, DEMHS is responsible for providing a coordinated, integrated program for statewide emergency management and homeland security.

The bill puts the following entities in DEMHS and transfers their powers, functions, duties, responsibilities, and obligations to DEMHS:

1. Commission on Fire Prevention and Control, which is responsible for firefighter training and is administratively located in the Department of Public Safety (DPS);
2. Police Officer Standards and Training Council (POST), which is responsible for municipal police training and is administratively located in the State Police;
3. Office of Emergency Medical Services (OEMS), which is located in the Department of Public Health (DPH); and
4. Office of State-Wide Emergency Telecommunications (OSET), which is within the DPS' Division of Fire, Emergency and Building Services and administers the state's enhanced 9-1-1 (E 9-1-1) program, which provides dispatch services to people who dial 9-1-1.

The bill establishes an Office of Education and Data Management in DEMHS to (1) train and accredit building and fire code officials and 9-

1-1 operators, (2) provide code-related instruction to people in allied trade professions, and (3) manage the National Fire Incident Reporting System for the state. It establishes an eight-member council of gubernatorial appointees to advise the office on implementing these functions.

The bill makes numerous technical and conforming changes to reflect DEMHS and the DEMHS commissioner's expanded roles.

EFFECTIVE DATE: July 1, 2011

§§1 & 2 — COMMISSION ON FIRE PREVENTION AND CONTROL

The bill removes the 12-member Commission on Fire Prevention and Control, appointed by the governor, from within DPS for administrative purposes only and puts it within DEMHS. It requires DEMHS to assume all of the commission's responsibilities, functions, powers, duties, and obligations.

By law, the commission is primarily responsible for providing training, life safety education, and professional competency certification to fire service personnel, and it serves as both an advisory and policy making body. The commission, through the Office of State Fire Administration, maintains and operates a state fire school, headed by the state fire administrator who carries out the commission's day-to-day responsibilities.

§§ 3 & 4 — POST

The bill transfers POST, which is administratively located in the State Police, and all of its functions, powers, duties, obligations, and responsibilities to DEMHS.

By law, POST's responsibilities include:

1. establishing a comprehensive municipal police training plan;
2. training, certifying, and establishing minimum qualifications for municipal police officers;
3. enforcing professional standards for certification and

decertification of police officers; and

4. developing standards for law enforcement units and granting accrediting units that meet the standards.

(Although the agency's responsibilities are mainly described in terms of "police officers," its authority extends to people who perform police functions, according to a 1993 attorney general's opinion.)

§ 5 — OFFICE OF EDUCATION AND DATA MANAGEMENT

The bill establishes an Office of Education and Data Management in DEMHS to (1) train and accredit building and fire code officials and 9-1-1 operators, (2) provide code-related instruction to people in allied trade professions, and (3) manage the National Fire Incident Reporting System for the state.

The bill also establishes an eight-member Council on Education and Data Management to advise the office on how to plan, implement, and coordinate these activities. The governor must appoint the council by October 1, 2011. Its members are as follows:

1. one DEMHS and one DPS representative,
2. the deputy state fire marshal and state building inspector,
3. one manager or coordinator of 9-1-1 public safety answering points,
4. one local building official and one local fire marshal, and
5. one representative from a statewide building inspectors' organization.

Each member serves for three years from October 1, 2011, or until a successor is appointed and qualified. Members serve without compensation.

§ 6 — STATE-WIDE EMERGENCY MANAGEMENT AND HOMELAND SECURITY COORDINATING COUNCIL

The bill expands the role of this council. It requires the council, to

advise, not just DEMHS, but also the Fire Prevention and Control Commission, POST, Office of Education and Data Management, OEMS, and OSET on:

1. applying for and distributing federal or state funds for emergency management and homeland security;
2. planning, designing, implementing, and coordinating statewide emergency response systems;
3. assessing the state's overall emergency management and homeland security preparedness, policies, and communications;
4. strategies to improve emergency response and incident management, including training and exercises; volunteer management; communications and use of technology; intelligence gathering, compilation, and dissemination; the development, coordination, and implementation of state and federally required emergency response plans; and the assessment of the state's use of regional management structures; and
5. strengthening consultation, planning, cooperation, and communication among federal, state, and local governments; the Connecticut National Guard; police, fire, emergency medical, and other first responders; emergency managers; public health officials; private industry; and community organizations.

It requires the council also to advise the named entities on any other issues within their jurisdiction.

By law, the council must also advise the governor and legislature on its findings and efforts to secure the state from disasters and emergencies and enhance the protection of residents.

§§ 7-11 — OEMS

The bill transfers OEMS from DPH to DEMHS. It transfers to

DEMHS all of OEMS' responsibilities, functions, powers, duties, obligations and (2) makes DEMHS the lead agency for the state's emergency medical services (EMS) program and gives it the responsibility to plan, coordinate, and administer a statewide EMS system (§ 9).

The bill transfers the EMS Advisory Board from DPH to DEMHS; replaces the DPH commissioner with the DEMHS commissioner on the board; and requires the DEMHS commissioner, instead of the DPH commissioner, to appoint the chairperson (§ 11).

By law, the office is responsible for program development activities, including:

1. public education and information programs,
2. administering the EMS equipment and local system development grant program,
3. planning,
4. regional council oversight,
5. training, and
6. providing staff support to the advisory board (§ 10).

By law, the board (1) helps coordinate the efforts of agencies and people concerned with EMS and (2) develops EMS systems, where needed.

The bill makes conforming changes, including (1) requiring the DEMHS commissioner to establish statewide priorities for EMS (§ 9) and (2) requiring emergency medical technicians (EMTs), advanced EMTs, emergency medical responders, and EMS instructors to be certified by DEMHS, instead of DPH (§ 8).

§§ 12-14, 17, 21-25, & 27-30 — TECHNICAL AND CONFORMING CHANGES

These sections make technical and conforming changes, substituting

DEMHS and the DEMHS commissioner for DPH and the DPH commissioner with regard to certain functions and responsibilities pertaining to EMS, EMTs, EMS councils and coordinators, ambulance drivers, and certification, among other things.

(The bill does not amend CGS §§ 19a-194 and 19a-195. The first statute deals with motorcycle rescue vehicles and requires the DPH commissioner to annually issue a list minimum equipment that a motorcycle must carry to operate as a motor cycle. The second statute requires the DPH commissioner to adopt regulations on the staffing levels of the vehicles.)

§§ 15 &16 — OSET

The bill transfers OSET from DPS' Division of Fire, Emergency and Building Services to DEMHS. It requires DEMHS to assume all of OSET's responsibilities, functions, powers, duties, obligations.

It requires the DEMHS commissioner, instead of the DPS commissioner, to adopt regulations establishing eligibility standards for state financial assistance to police, fire, and EMS agencies providing emergency service telecommunications.

By law, OSET administers the state's enhanced 9-1-1 (E 9-1-1) program, which provides dispatch services to people who dial 9-1-1. OSET works with the Department of Public Utility Control to carry out its functions, and an 11-member E 9-1-1 commission appointed by the governor helps it to plan, design, and implement the E 9-1-1 program.

§§ 18 &19 — EMS REPORTS

Although the bill transfers EMS responsibility from DPH to DEMHS, it requires the DPH commissioner to prepare and post on the DEMHS' website a report on the (1) number of EMS received during the reporting year; (2) EMS provided; and (3) number of missed, cancelled, or mutual aid calls. The bill also requires the DPH commissioner to submit an annual report on the EMS system to the Public Safety and Security Committee, instead of the Public Health Committee.

§ 20 — EMT ALTERNATIVE TREATMENT

Under current law, the scope of practice of EMTs or paramedics may include methods not specified in state regulations if they are approved by the Connecticut EMS Medical Advisory Committee and the DPH commissioner. The bill requires them to be approved by the DEMHS commissioner in consultation with the DPH commissioner.

§ 26 — EMS COORDINATOR

The bill requires any unclassified durational position for EMS coordinator extended beyond October 1, 2011 to be transferred to DEMHS.

§ 31 — EMT RECOGNITION

Under current law, EMTs may administer epinephrine using certain types of injectors or equipment in accordance with written protocols and a licensed physician's standing orders if the EMTs are trained in accordance with national standards recognized by the DPH commissioner. The bill requires that the EMT be trained in accordance with national standards recognized by the DEMHS commissioner in consultation with the DPH commissioner.

§ 32 — PROFESSIONAL BOARDS

The bill repeals a provision that specifies that no boards must be established for EMTs, advanced EMTs, emergency medical responders, and EMS instructors.

BACKGROUND

Related Bills

SB 1016, reported favorably by the Public Safety and Security Committee, establishes a Department of Emergency Responder Training (DERT), headed by an executive director appointed by the governor, to train firefighters and municipal police. It transfers to DERT all the functions currently performed by POST and the Commission on Fire Prevention and Control.

SB 1017, reported favorably by the Public Safety and Security Committee, eliminates DEMHS and transfers its functions and

responsibilities to the DPS. It creates a Division of Emergency Management and Homeland Security in DPS.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 23 Nay 0 (03/15/2011)