

June 27, 2003

The Honorable Joseph Leibham, Co-Chairperson
Joint Committee for Review of Administrative Rules
Room 409 South, State Capitol
P.O. Box 7882
Madison, Wisconsin 53707-7882

Dear Senator Leibham:

The Department of Health and Family Services has an emergency rulemaking order in effect that will expire before the emergency rules are replaced by permanent rules unless the effective period of the emergency order is extended. Pursuant to s. 227.24 (2), Stats., I ask the Joint Committee to extend the effective period of the emergency order by 34 days as explained below.

The emergency rules relate to the Department's requiring EMTs and first responders to receive training for responding to acts of terrorism. 2001 Wisconsin Act 109 amended sections 146.50 (6) (a) 2., (b) 2. and (8) (b) 3. of the statutes by adding the requirement that as of January 1, 2003, to receive an initial or renewed EMS license or first responder certification, the applicant must have received training in response to acts of terrorism. Section 146.50 (6) (b) 2. of the statutes specifically directs the Department, in conjunction with the technical college system board, to promulgate rules specifying training, education, or examination requirements for training in response to acts of terrorism. The training must be completed by all persons desiring to receive an initial or renewed license or certification after January 1, 2003. To enforce and administer this statutory requirement, the Department revised the administrative rules associated with the licensing of Emergency Medical Technicians (EMTs) – Basic and EMTs- Basic IV (found in ch. HFS 110), EMTs- Intermediate (found in ch. HFS 111), EMTs – Paramedic (found in ch. HFS 112) and First Responders (found in ch. HFS 113.)

The rule changes removed any question of whether the Department had the authority to require persons to receive training for acts of terrorism. Such training is needed to promote the public's health and safety and, due to the statutory effective date of January 1, 2003, the Department promulgated the rule changes through an emergency order. The emergency rulemaking order amending and creating rules was published and effective on **December 31, 2002**. On May 27th, the effective period of the emergency rule was extended by your Committee for 60 days on the condition that the Department work with

Senator Leibham

June 27, 2003

Page 2

the assigned legislative standing committees to resolve issues raised by both committees with respect to the final proposed permanent rules. On June 24th, the Department met with all involved parties, including Dave Bloom, a representative of the Wisconsin Fire Chiefs Association and resolved to the satisfaction of the Association the concerns the Association has expressed about the proposed rule. The Department explained that fire departments have a great deal of flexibility in complying with the rule insofar as fire department staff may instruct fire station personnel with respect to the required training for responding to acts of terrorism. The Department clarified that the training does not need to be obtained through technical colleges. The Department will state this policy, including who may teach the required training and how the training may be delivered, in writing, and transmit the document to Mr. Bloom for review. If, in the opinion of Mr. Bloom, the Department has satisfactorily addressed all of the outstanding issues, the Department will transmit Mr. Bloom's confirmation to Senators Roessler and Brown who will expedite the rule's filing.

The existing extension of the emergency rule will expire after July 28th, 2003, unless extended. Assuming the Department files the permanent rulemaking order by July 15th, the order will take effect on September 1st. Therefore, the Department requests a 34-day extension of this rulemaking order.

A copy of the emergency rulemaking order is attached to this letter. If you have any questions about the rules, you may contact Jon Morgan in the Division of Public Health at 266-9781.

Sincerely,

Helene Nelson
Secretary

Attachments

cc Representative Grothman
Gary Radloff

Jermstad, Sara

From: Ferris, Amy
Sent: Wednesday, July 02, 2003 9:58 AM
To: Jermstad, Sara
Subject: Follow-up on our EMT conversation.

Hi Sara.

I talked to Bob again. He likes what you talked about with Chief Bloom and DHFS on the flexibility to teach in-house and the state paying for the courses. However, he still does not like the additional 4 hour requirement for the basic and refresher courses. It's another 4 hours his guys/gals have to be away from their families. He wants this to be incorporated in the existing training requirements.

Hopefully this is something DHFS might be receptive to.

Amy

Asbjornson, Karen

From: Radloff, Gary
Sent: Tuesday, August 05, 2003 8:02 AM
To: Asbjornson, Karen
Cc: Hughes, Carolyn; Mnuk, Katie
Subject: HFS 110-113 terrorism training

Hello Karen:

I do need to receive some affirmative indication that we can file this rule based on the changes made prior to Jennifer's return to your office. This is necessary given the deadlines for publication and the emergency rule expiration date. I have given a copy to the Assembly Public Health Committee chair Rep Hines' office and Senator Brown's office also. Please check with the Senate committee members and Senator Roessler to make sure the changes meet their needs. The new draft should meet all concerns DHFS has heard to date from legislators and fire chiefs.

Thank you, Gary (6-3262).



Carol Roessler
STATE SENATOR

To: Members of the Senate Committee on Health, Children, Families, Aging and Long Term Care

From: Senator Carol Roessler

Date: August 5, 2003

Re: Modifications to Clearinghouse Rule 02-155

The Department of Health and Family Services has submitted a germane modification to Clearinghouse Rule 02-155, relating to the licensing of emergency medical technicians and the certification of first responders to incorporate responding to acts of terrorism as a training component, required for initial or renewed licensure or certification.

The Department's memo requesting the Committee to accept the germane modification is attached. The modification deletes the proposed requirement that the terrorism and hazardous materials awareness-training course must be 4 hours in length.

If you have **any questions or would like to request a hearing, please contact Jennifer Halbur in my office by Tuesday, August 12.** The Committee's jurisdiction of CR 02-155 ends August 15, 2003.

PROPOSED ORDER OF THE
DEPARTMENT OF HEALTH AND FAMILY SERVICES
AMENDING AND CREATING RULES

To amend HFS 110.05 (1) (d), 110.07 (3) (c) 2, and (4) (a) and (b), 111.04 (1) (e), 111.06 (1) (c) 1., 112.04 (1) (d), 112.04 (5) (f) 2., 112.06 (1) (c) 1, and 113.04 (9) (a) 4. and (10) (b) 3., and to create HFS 113.04 (6) (a) 1m., relating to the licensing of emergency medical technicians and the certification of first responders to incorporate responding to acts of terrorism as a training component required for initial or renewed licensure or certification.

Analysis Prepared by the Department of Health and Family Services

2001 Wisconsin Act 109 amended sections 146.50 (6) (a) 2., (b) 2. and (8) (b) 3. by adding the requirement that as of January 1, 2003, to receive an initial or renewed EMS license or first responder certification, the applicant must have received training in response to acts of terrorism. Section 146.50 (6) (b) 2. of the statutes specifically directs the Department, in conjunction with the technical college system board, to promulgate rules specifying training, education, or examination requirements for training in response to acts of terrorism. The training must be completed by all persons desiring to receive an initial or renewed license or certification after January 1, 2003. To enforce and administer this statutory requirement, the Department must revise the administrative rules associated with the licensing of Emergency Medical Technicians (EMTs) – Basic and EMTs-Basic IV (found in ch. HFS 110), EMTs- Intermediate (found in ch. HFS 111), EMTs – Paramedic (found in ch. HFS 112) and First Responders (found in ch. HFS 113.) These rules will replace an emergency rule that took effect on December 31, 2002. The rules require completion of a NT100 Terrorism/Hazardous Materials Awareness training course, which is four hours in length. Materials for the training course were included in all EMT courses beginning January 1, 2003 and will also be available as a stand-alone course module.

The Department's authority to create these rules is found in ss. 146.50 (6) (b) 2. and (13) (a), 227.11 (2) (a) and 250.04 (7), Stats. The rules interpret ss. 146.50 (6) (b) 2., (8) (b) 3., (c) and (13) (a) and 250.04 (7), Stats.

SECTION 1. HFS 110.05 (1) (d) is amended to read:

HFS 110.05 (1) (d) Present documentation of successful completion of department-approved EMT-basic or EMT-basic IV training taken within 24 months prior to application or proof of current national registry of EMTs registration or proof of equivalent training and current licensure from another state. The training shall include training for responding to acts of terrorism.

SECTION 2. HFS 110.07 (3) (c) 2. and (4) (a) and (b) are amended to read:

HFS 110.07 (3) (c) 2. The training shall include the knowledge and skills objectives contained in the U.S. department of transportation/national highway traffic safety administration's national standard curriculum for refresher training of EMTs–basic, 1994 edition, and additional training as approved by the department, including training for response to acts of terrorism. Completion of an NT100 terrorism and hazardous materials awareness training course that is 4 hours in length meets the requirement for training for response to acts of terrorism. Course material for training for response to acts of terrorism shall be included in all initial and refresher EMT courses beginning January 1, 2003 and shall also be available as a stand-alone course module for EMTs who received training before January 2003. After June 30, 2004, the required refresher training for acts of terrorism shall no longer be the full 4-hour NT100 terrorism and hazardous materials awareness training course. Prior to June 30, 2004, the ongoing training

requirement shall be determined by the department, in consultation with the EMS advisory board and the Wisconsin technical college system board. The department shall disseminate information on the ongoing training requirement to ambulance providers and training centers and offer multiple training methods.

(4) (a) EMT-BASIC TRAINING COURSE CONTENT AND HOURS. (a) The national standard curriculum for training EMTs-basic shall be used as the basis for a training course. Training shall also include instruction on responding to acts of terrorism. Additional skills training requires approval of the department. Any deviation from the curriculum shall be submitted separately and approved by the department prior to its use in the course.

~~(b) An EMT-basic training course shall have a minimum of 110 hours of instruction and may not exceed 140-144 hours of mandatory attendance.~~

SECTION 3. HFS 111.04 (1) (e) is amended to read:

HFS 111.04 (1) (e) Present documentation that verifies the successful completion of classroom, clinical and field experience training offered by a department approved EMT-intermediate training course within 24 months prior to application, or equivalent training in all areas listed under s. HFS 111.06 (4) and is deemed to be comparable by the department. The training shall include training for responding to acts of terrorism.

SECTION 4. HFS 111.06 (1) (c) 1. is amended to read:

HFS 111.06 (1) (c) 1. A description of the capabilities of the organization to train EMTs-intermediate in the provision of emergency medical care in pre-hospital, interfacility and hospital settings. The training shall include training covered in the national standard curriculum for training EMTs-intermediate and shall include additional training approved by the department, including instruction on responding to acts of terrorism. Completion of an NT100 terrorism and hazardous materials awareness training course that is 4 hours in length meets the requirement for training for response to acts of terrorism. Course material for training for response to acts of terrorism shall be included in all initial and refresher EMT courses beginning January 1, 2003 and shall also be available as a stand-alone course module for EMTs who received training before January 2003. After June 30, 2004, the required refresher training for acts of terrorism shall no longer be the full 4-hour NT100 terrorism and hazardous materials awareness training course. Prior to June 30, 2004, the ongoing training requirement shall be determined by the department, in consultation with the EMS advisory board and the Wisconsin technical college system board. The department shall disseminate information on the ongoing training requirement to ambulance providers and training centers and offer multiple training methods.

SECTION 5. HFS 112.04 (1) (d) is amended to read:

HFS 112.04 (1) (d) Present documentation of successful completion of an EMT-paramedic training course approved under s. HFS 112.06 (3) within 24 months prior to application, or equivalent training acceptable to the department. In this paragraph, "equivalent training" means training in all areas listed under s. HFS 112.06 (3). Documentation shall include verification of completion of classroom, clinical and field experiences. The training shall include training for responding to acts of terrorism.

SECTION 6. HFS 112.04 (5) (f) 2. is amended to read:

HFS 112.04 (5) (f) 2. A licensee who submits evidence of having successfully completed, within the 24 months immediately preceding the license renewal date, an EMT paramedic training course, including the knowledge and skills objectives of the National Standard Curriculum for Training EMTs-Paramedic, as approved by the department, including training for response to acts of terrorism, shall be considered to have met the requirement of subd. 1. b. Completion of an NT100 terrorism and hazardous materials awareness training course that is 4 hours in length meets the requirement for training for response to acts of terrorism. Course material for training for response to acts of terrorism shall be included in all initial and refresher EMT courses beginning January 1, 2003 and shall also be available as a stand-alone course module for EMTs who received training before January 2003. After June 30, 2004, the required refresher training for acts of terrorism shall no longer be the full 4-hour NT100 terrorism and hazardous materials awareness training course. Prior to June 30, 2004, the ongoing training requirement shall be determined by the department, in consultation with the EMS advisory board and the Wisconsin technical college system board. The department shall disseminate information on the ongoing training requirement to ambulance providers and training centers and offer multiple training methods.

SECTION 7. HFS 112.06 (1) (c) 1. is amended to read:

HFS 112.06 (1) (c) 1. A description of the capabilities of the organization to train EMTs-paramedic in the provision of emergency medical care in pre-hospital, interfacility and hospital settings. The training shall include training covered in the National Standard Curriculum for Training EMTs-Paramedic and training for response to acts of terrorism, and may include additional training approved by the department.

SECTION 8. HFS 113.04 (6) (a) 1m. is created to read:

HFS 113.04 (6) (a) 1m. Completion of training on responding to acts of terrorism. Completion of an NT100 terrorism and hazardous materials awareness training course that is 4 hours in length meets the requirement for training for response to acts of terrorism. Course material for training for response to acts of terrorism shall be included in all initial and refresher EMT courses beginning January 1, 2003 and shall also be available as a stand-alone course module for EMTs who received training before January 2003.

SECTION 9. HFS 113.04 (9) (a) 4. and (10) (b) 3. are amended to read:

HFS 113.04 (9) (a) 4. Present documentation of having successfully completed the national standard basic or refresher curriculum or equivalent training as determined by the department for training first responders within 24 months prior to application, or hold current voluntary certification from the department as a first responder. The training shall include training for responding to acts of terrorism.

(10) (b) 3. Documentation that the certificate holder has, during the biennial period immediately preceding application, successfully completed the national standard first responder refresher course or equivalent training, including training for response to acts of terrorism, as determined by the department; and

SECTION 10. HFS 113.04 (10) (b) 5. is created to read:

HFS 113.04 (10) (b) 5. Completion of a NT100 terrorism and hazardous materials awareness training course that is 4 hours in length meets the requirement for training for response to acts of terrorism subd. 3. Course material for training for response to acts of terrorism shall be included in all initial and refresher first responder courses beginning January 1, 2003 and shall also

be available as a stand-alone course module for first responders who received training before January 2003. After June 30, 2004, the required refresher training for acts of terrorism shall no longer be the full 4-hour NT100 terrorism and hazardous materials awareness training course. Prior to June 30, 2004, the department, in consultation with the EMS advisory board and the Wisconsin technical college system board, shall determine the ongoing training requirement. The department shall disseminate information on the ongoing training requirement to ambulance providers and training centers and offer multiple training methods.

This rule shall take effect on the first day of the month following publication in the Wisconsin administrative register, as provided in s. 227.22 (2) (intro.), Stats.

Wisconsin Department of Health
and Family Services

Dated:

By: _____
Helene Nelson
Secretary

SEAL:

Asbjornson, Karen

From: Asbjornson, Karen
Sent: Wednesday, August 06, 2003 9:01 AM
To: Mnuk, Katie
Subject: RE: Re: Stuff

*Re: terrorism
training
rule*

Hi Katie,

Carol is ok with the changes if Ron is. Those were her exact words!

Karen Asbjornson
Office of Senator Carol Roessler
(608) 266-5300/1-888-736-8720
Karen.Asbjornson@legis.state.wi.us

-----Original Message-----

From: Mnuk, Katie
Sent: Wednesday, August 06, 2003 8:38 AM
To: Asbjornson, Karen
Subject: RE: Re: Stuff

Yikes -- that's interesting. I don't know of anyone off the top of my head, but I'll certainly spread the word!

Regarding the rule, I gave it to Ron yesterday so he was going to look it over. Is Carol comfortable with the Dept's changes?

-----Original Message-----

From: Asbjornson, Karen
Sent: Wednesday, August 06, 2003 7:19 AM
To: Mnuk, Katie
Subject: RE: Re: Stuff

Hi Katie,

You will get the changes to the terrorism training clearing house rule this morning. I will have Jennifer contact you next week about the dental hygienist bill.

Also, just so you know...Todd Stuart gave his notice yesterday - he is going to Sen. Cowles office (Jennifer's job). Thus, we have another opening...if you know anyone you would recommend that is strong in taxes, transportation and education let me know...

Karen Asbjornson
Office of Senator Carol Roessler
(608) 266-5300/1-888-736-8720
Karen.Asbjornson@legis.state.wi.us

-----Original Message-----

From: Mnuk, Katie
Sent: Tuesday, August 05, 2003 9:04 AM
To: Asbjornson, Karen
Subject: RE: Re: Stuff

Thanks, Karen. Believe me, I sympathize -- we're going through a transition too! James handled the EMT rule, so I'll be asking Ron about the changes from Gary. Please let me know what you guys think --

Katie

-----Original Message-----

From: Asbjornson, Karen
Sent: Tuesday, August 05, 2003 9:02 AM
To: Mruk, Katie
Subject: Re: Stuff

Hi Katie,

I will have Jennifer contact you when she returns next Monday about the dental hygienist bill. I am not sure if we dropped it yet or not. With Sara leaving and Jennifer coming on board and then going on vacation we probably aren't as organized as we should be :)

Also, I will be talking with Carol about the rule changes that Gary dropped off yesterday regarding terrorism training.

Karen Asbjornson
Office of Senator Carol Roessler
(608) 266-5300/1-888-736-8720
Karen.Asbjornson@legis.state.wi.us

AUG 12 2003



Carol Roessler
STATE SENATOR

August 6, 2003

Tim Franz
2090 Shawnee Ln
Oshkosh, WI 54901-9784

Dear Tim:

Thank you very much for your email. Enclosed is the modification to the clearinghouse rule on terrorism training. The modification deletes the proposed requirement that the terrorism and hazardous materials awareness-training course must be six hours in length.

It was nice to see you at the mayor's breakfast last week! I was also glad you hear of your election to the board of the State Fire Chief's Association and I look forward to hearing your input on related issues. In addition, it will be my pleasure to take care of Senator Ron Brown.

Again, thank you for your e-mail. Please feel free to contact me with any further questions or comments you may have on this issue or any other.

Sincerely,

A handwritten signature in cursive script that reads "Carol".

CAROL ROESSLER
State Senator
18th Senate District

CR:wh/franz-terrorismtraining

Franz, Tim
2090 Shawnee Ln
Oshkosh, WI 54901-9784

Contact Date: 06/24/2003

Contact Type: E-mail

Summary: Terrorism Training

Issue:

Position:

Description: Carol,

I was unable to attend the public hearing on May 27th but I would like to pass on to you that I agree with the information shared with you by the Chief's Association that day. As a regional haz-mat team we have people on our department far more informed and trained than most of the trainers delivering the First Responder Terrorism training through DHFS/VTAE.

I agree that the training is needed we just need to allowed to complete it in the most cost effective means possible, in our case it would be using our own people. We would also like to be able to share the knowledge of our people with other departments in the area and have this training count.

We should also not direct this at only one group of "first responders" is law enforcement under this requirement, what about firefighters that do not hold an EMS license? Are they not important or was EMS targeted as being more regulated and controlled by VTAE training.

I would be more than willing to provide input into this situation if there still is time just let me know or call if you have any questions. I have many concerns on terrorism training and funding to ensure the money is being spent right that I would be willing to share with you as well.

On another note I was just elected to the board of the State Fire Chief's Association so I will probably be keeping in touch with you more on State issues. Thank you for your time and take care of my freshman Senator friend Ron Brown, I saw him this past week and he said he enjoyed working with you.

Tim Franz
Fire Chief
City of Oshkosh
(920) 236-5240

Not sure why assigned to Mike I reassigned Jennifer

Status: Pending

Closed Date:

Assigned: Driedric, Michael

Owner: Driedric, Michael

Note **Note Date:**

Summary:

Contact Type:

Description:

PROPOSED ORDER OF THE
DEPARTMENT OF HEALTH AND FAMILY SERVICES
AMENDING AND CREATING RULES

To amend HFS 110.05 (1) (d), 110.07 (3) (c) 2, and (4) (a) and (b), 111.04 (1) (e), 111.06 (1) (c) 1., 112.04 (1) (d), 112.04 (5) (f) 2., 112.06 (1) (c) 1. and 113.04 (9) (a) 4. and (10) (b) 3., and to create HFS 113.04 (6) (a) 1m., relating to the licensing of emergency medical technicians and the certification of first responders to incorporate responding to acts of terrorism as a training component required for initial or renewed licensure or certification.

Analysis Prepared by the Department of Health and Family Services

2001 Wisconsin Act 109 amended sections 146.50 (6) (a) 2., (b) 2. and (8) (b) 3. by adding the requirement that as of January 1, 2003, to receive an initial or renewed EMS license or first responder certification, the applicant must have received training in response to acts of terrorism. Section 146.50 (6) (b) 2. of the statutes specifically directs the Department, in conjunction with the technical college system board, to promulgate rules specifying training, education, or examination requirements for training in response to acts of terrorism. The training must be completed by all persons desiring to receive an initial or renewed license or certification after January 1, 2003. To enforce and administer this statutory requirement, the Department must revise the administrative rules associated with the licensing of Emergency Medical Technicians (EMTs) – Basic and EMTs-Basic IV (found in ch. HFS 110), EMTs- Intermediate (found in ch. HFS 111), EMTs – Paramedic (found in ch. HFS 112) and First Responders (found in ch. HFS 113.) These rules will replace an emergency rule that took effect on December 31, 2002. The rules require completion of a NT100 Terrorism/Hazardous Materials Awareness training course, ~~which is four hours in length.~~ Materials for the training course were included in all EMT courses beginning January 1, 2003 and will also be available as a stand-alone course module.

The Department's authority to create these rules is found in ss. 146.50 (6) (b) 2. and (13) (a), 227.11 (2) (a) and 250.04 (7), Stats. The rules interpret ss. 146.50 (6) (b) 2., (8) (b) 3., (c) and (13) (a) and 250.04 (7), Stats.

SECTION 1. HFS 110.05 (1) (d) is amended to read:

HFS 110.05 (1) (d) Present documentation of successful completion of department-approved EMT-basic or EMT-basic IV training taken within 24 months prior to application or proof of current national registry of EMTs registration or proof of equivalent training and current licensure from another state. The training shall include training for responding to acts of terrorism.

SECTION 2. HFS 110.07 (3) (c) 2. and (4) (a) and (b) are amended to read:

HFS 110.07 (3) (c) 2. The training shall include the knowledge and skills objectives contained in the U.S. department of transportation/national highway traffic safety administration's national standard curriculum for refresher training of EMTs–basic, 1994 edition, and additional training as approved by the department, including training for response to acts of terrorism. Completion of an NT100 terrorism and hazardous materials awareness training course that is 4 hours in length meets the requirement for training for response to acts of terrorism. Course material for training for response to acts of terrorism shall be included in all initial and refresher EMT courses beginning January 1, 2003 and shall also be available as a stand-alone course module for EMTs who received training before January 2003. After June 30, 2004, the required refresher training for acts of terrorism shall no longer be the full 4-hour NT100 terrorism and hazardous materials awareness training course. Prior to June 30, 2004, the ongoing training

requirement shall be determined by the department, in consultation with the EMS advisory board and the Wisconsin technical college system board. The department shall disseminate information on the ongoing training requirement to ambulance providers and training centers and offer multiple training methods.

(4) (a) EMT-BASIC TRAINING COURSE CONTENT AND HOURS. (a) The national standard curriculum for training EMTs-basic shall be used as the basis for a training course. Training shall also include instruction on responding to acts of terrorism. Additional skills training requires approval of the department. Any deviation from the curriculum shall be submitted separately and approved by the department prior to its use in the course.

~~(b) An EMT-basic training course shall have a minimum of 110 hours of instruction and may not exceed 140-144 hours of mandatory attendance.~~

SECTION 3. HFS 111.04 (1) (e) is amended to read:

HFS 111.04 (1) (e) Present documentation that verifies the successful completion of classroom, clinical and field experience training offered by a department approved EMT-intermediate training course within 24 months prior to application, or equivalent training in all areas listed under s. HFS 111.06 (4) and is deemed to be comparable by the department. The training shall include training for responding to acts of terrorism.

SECTION 4. HFS 111.06 (1) (c) 1. is amended to read:

HFS 111.06 (1) (c) 1. A description of the capabilities of the organization to train EMTs-intermediate in the provision of emergency medical care in pre-hospital, interfacility and hospital settings. The training shall include training covered in the national standard curriculum for training EMTs-intermediate and shall include additional training approved by the department, including instruction on responding to acts of terrorism. Completion of an NT100 terrorism and hazardous materials awareness training course that is 4 hours in length meets the requirement for training for response to acts of terrorism. Course material for training for response to acts of terrorism shall be included in all initial and refresher EMT courses beginning January 1, 2003 and shall also be available as a stand-alone course module for EMTs who received training before January 2003. After June 30, 2004, the required refresher training for acts of terrorism shall no longer be the full 4-hour NT100 terrorism and hazardous materials awareness training course. Prior to June 30, 2004, the ongoing training requirement shall be determined by the department, in consultation with the EMS advisory board and the Wisconsin technical college system board. The department shall disseminate information on the ongoing training requirement to ambulance providers and training centers and offer multiple training methods.

SECTION 5. HFS 112.04 (1) (d) is amended to read:

HFS 112.04 (1) (d) Present documentation of successful completion of an EMT-paramedic training course approved under s. HFS 112.06 (3) within 24 months prior to application, or equivalent training acceptable to the department. In this paragraph, "equivalent training" means training in all areas listed under s. HFS 112.06 (3). Documentation shall include verification of completion of classroom, clinical and field experiences. The training shall include training for responding to acts of terrorism.

SECTION 6. HFS 112.04 (5) (f) 2. is amended to read:

HFS 112.04 (5) (f) 2. A licensee who submits evidence of having successfully completed, within the 24 months immediately preceding the license renewal date, an EMT paramedic training course, including the knowledge and skills objectives of the National Standard Curriculum for Training EMTs-Paramedic, as approved by the department, including training for response to acts of terrorism, shall be considered to have met the requirement of subd. 1. b. Completion of an NT100 terrorism and hazardous materials awareness training course that is 4 hours in length meets the requirement for training for response to acts of terrorism. Course material for training for response to acts of terrorism shall be included in all initial and refresher EMT courses beginning January 1, 2003 and shall also be available as a stand-alone course module for EMTs who received training before January 2003. After June 30, 2004, the required refresher training for acts of terrorism shall no longer be the full 4-hour NT100 terrorism and hazardous materials awareness training course. Prior to June 30, 2004, the ongoing training requirement shall be determined by the department, in consultation with the EMS advisory board and the Wisconsin technical college system board. The department shall disseminate information on the ongoing training requirement to ambulance providers and training centers and offer multiple training methods.

SECTION 7. HFS 112.06 (1) (c) 1. is amended to read:

HFS 112.06 (1) (c) 1. A description of the capabilities of the organization to train EMTs-paramedic in the provision of emergency medical care in pre-hospital, interfacility and hospital settings. The training shall include training covered in the National Standard Curriculum for Training EMTs-Paramedic and training for response to acts of terrorism, and may include additional training approved by the department.

SECTION 8. HFS 113.04 (6) (a) 1m. is created to read:

HFS 113.04 (6) (a) 1m. Completion of training on responding to acts of terrorism. Completion of an NT100 terrorism and hazardous materials awareness training course that is 4 hours in length meets the requirement for training for response to acts of terrorism. Course material for training for response to acts of terrorism shall be included in all initial and refresher EMT courses beginning January 1, 2003 and shall also be available as a stand-alone course module for EMTs who received training before January 2003.

SECTION 9. HFS 113.04 (9) (a) 4. and (10) (b) 3. are amended to read:

HFS 113.04 (9) (a) 4. Present documentation of having successfully completed the national standard basic or refresher curriculum or equivalent training as determined by the department for training first responders within 24 months prior to application, or hold current voluntary certification from the department as a first responder. The training shall include training for responding to acts of terrorism.

(10) (b) 3. Documentation that the certificate holder has, during the biennial period immediately preceding application, successfully completed the national standard first responder refresher course or equivalent training, including training for response to acts of terrorism, as determined by the department; and

SECTION 10. HFS 113.04 (10) (b) 5. is created to read:

HFS 113.04 (10) (b) 5. Completion of a NT100 terrorism and hazardous materials awareness training course that is 4 hours in length meets the requirement for training for response to acts of terrorism subd. 3. Course material for training for response to acts of terrorism shall be included in all initial and refresher first responder courses beginning January 1, 2003 and shall also

be available as a stand-alone course module for first responders who received training before January 2003. After June 30, 2004, the required refresher training for acts of terrorism shall no longer be the full 4-hour NT100 terrorism and hazardous materials awareness training course. Prior to June 30, 2004, the department, in consultation with the EMS advisory board and the Wisconsin technical college system board, shall determine the ongoing training requirement. The department shall disseminate information on the ongoing training requirement to ambulance providers and training centers and offer multiple training methods.

This rule shall take effect on the first day of the month following publication in the Wisconsin administrative register, as provided in s. 227.22 (2) (intro.), Stats.

Wisconsin Department of Health
and Family Services

Dated:

By: _____
Helene Nelson
Secretary

SEAL:

Halbur, Jennifer

To: Mnuk, Katie; Ferris, Amy
Subject: Chief Bloom

Hello,

I just talked to Chief Bloom. He confirmed that the concern is his 5th point relating to Section 1 (4)(b). He said Nan agrees that removing that section was a technical mistake. Nan will be in today at 11:30. I will talk to her this afternoon about making the change.

If the Department can make the change by Friday, the Committee will have an additional 10 days to review the rule. If not, the Committee's jurisdiction over the rule will end on Friday and the process will essentially start over.

I'll touch base later today when I have more information.

Thanks!

Jennifer

8/13
~~* NO further changes
necessary!~~



Wisconsin State Fire Chiefs Association, Inc.

Together We Can Make A Difference

- Education
- Prevention
- Safety
- Suppression
- EMS

FAX

To: Jennifer Date: 8/13/03

Company: Sen. Roessler

Phone #: _____ FAX #: _____

From: Dave Bloom Pages: 6 (including this page)

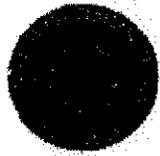
Subject: _____

- Urgent
- Please Review & Respond
- Per Your Request
- For Your Information

Comments:

If you have any questions, I will be available by cell phone today. 608-444-3324

Thanks
Dave



Wisconsin State Fire Chiefs' Association, Inc.

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DATE: August 13, 2003
TO: Senators Welch, Brown & Roesler
FROM: David Bloom, WI State Fire Chiefs Assoc.
RE: Terrorism Training Rules Amendments

I have discussed the changes with Nan Turner from the department and I believe we are in agreement with the changes proposed in the attached document as explained below.

- 1) We agree on the four-hour requirement wording being struck throughout the document. The training will be conducted using the approved curriculum, which should take approximately four hours for delivery but could vary dependant on the training level of the students receiving the instruction.
- 2) The department has indicated that they will recognize equivalent training as long as the training and/or certifications cover the content of the terrorism-training course. The Mark I may have to be taught in a short module to cover that nerve agent antidote's delivery and actions, which has not been taught to EMS providers in Wisconsin. This addresses the many people who have been certified in Haz Mat Operations and have taken numerous hours of terrorism training already but have not formally received the approved terrorism training course at this point.
- 3) The department will review and recognize the academic credentials of other instructors who have completed formal training to develop their instructional skills and who are approved by their supervisor (chief) for delivery of training programs. This was in regards to only Technical School Instructors being able to deliver the terrorism training.
- 4) There is an internet based training program being developed by the National EMS Director's Association and could be available as soon as October and available for delivery in Wisconsin by January 2004 according to Nan. There is at least one other terrorism training program available on-line that has offered to add any changes that the department requires to make the delivery available in Wisconsin but the department has indicated that they would not review that program until after the June 2004 renewal of WI EMT's. The WI State Fire Chiefs Association would encourage the department to provide this on-line training delivery or one of the other on-line deliveries that have indicated they would make the changes to meet the department's training needs.
- 5) Section 1 (4) (b) has been struck out of the rules completely and we think that this is a mistake. We believe only the 144 hours should be struck from that section. The department has indicated that not having the 110 minimum hours in that section could affect the Funding Assistance Program (FAP) funding received.

2120 Fish Hatchery Rd. • Madison, WI 53713
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Email: bloomd@town.madison.wi.us

**PROPOSED ORDER OF THE
DEPARTMENT OF HEALTH AND FAMILY SERVICES
AMENDING AND CREATING RULES**

To amend HFS 110.05 (1) (d), 110.07 (3) (c) 2. and (4) (a) ~~and (b)~~ 111.04 (1) (e), 111.06 (1) (c) 1., 112.04 (1) (d), 112.04 (5) (f) 2., 112.06 (1) (c) 1., and 113.04 (9) (a) 4. and (10) (b) 3., and to create HFS 113.04 (6) (a) 1m., relating to the licensing of emergency medical technicians and the certification of first responders to incorporate responding to acts of terrorism as a training component required for initial or renewed licensure or certification.

Analysis Prepared by the Department of Health and Family Services

2001 Wisconsin Act 109 amended sections 146.50 (6) (a) 2., (b) 2. and (8) (b) 3. by adding the requirement that as of January 1, 2003, to receive an initial or renewed EMS license or first responder certification, the applicant must have received training in response to acts of terrorism. Section 146.50 (6) (b) 2. of the statutes specifically directs the Department, in conjunction with the technical college system board, to promulgate rules specifying training, education, or examination requirements for training in response to acts of terrorism. The training must be completed by all persons desiring to receive an initial or renewed license or certification after January 1, 2003. To enforce and administer this statutory requirement, the Department must revise the administrative rules associated with the licensing of Emergency Medical Technicians (EMTs) – Basic and EMTs-Basic IV (found in ch. HFS 110), EMTs- Intermediate (found in ch. HFS 111), EMTs – Paramedic (found in ch. HFS 112) and First Responders (found in ch. HFS 113.) These rules will replace an emergency rule that took effect on December 31, 2002. The rules require completion of a NT100 Terrorism/Hazardous Materials Awareness training course, ~~which is four hours in length~~. Materials for the training course were included in all EMT courses beginning January 1, 2003 and will also be available as a stand-alone course module.

The Department's authority to create these rules is found in ss. 146.50 (6) (b) 2. and (13) (a), 227.11 (2) (a) and 250.04 (7), Stats. The rules interpret ss. 146.50 (6) (b) 2., (8) (b) 3., (c) and (13) (a) and 250.04 (7), Stats.

SECTION 1. HFS 110.05 (1) (d) is amended to read:

HFS 110.05 (1) (d) Present documentation of successful completion of department-approved EMT-basic or EMT-basic IV training taken within 24 months prior to application or proof of current national registry of EMTs registration or proof of equivalent training and current licensure from another state. The training shall include training for responding to acts of terrorism.

SECTION 2. HFS 110.07 (3) (c) 2. and (4) (a) ~~and (b)~~ are amended to read:

HFS 110.07 (3) (c) 2. The training shall include the knowledge and skills objectives contained in the U.S. department of transportation/national highway traffic safety administration's national standard curriculum for refresher training of EMTs–basic, 1994 edition, and additional training as approved by the department, including training for response to acts of terrorism. Completion of an NT100 terrorism and hazardous materials awareness training course of 4 hours in length meets the requirement for training for response to acts of terrorism. Course material for training for response to acts of terrorism shall be included in all initial and refresher EMT courses beginning January 1, 2003 and shall also be available as a stand-alone course module for EMTs who received training before January 2003. After June 30, 2004, the required refresher training for acts of terrorism shall no longer be the full 4 hour NT100 terrorism and hazardous materials awareness training course. Prior to June 30, 2004, the ongoing training

requirement shall be determined by the department, in consultation with the EMS advisory board and the Wisconsin technical college system board. The department shall disseminate information on the ongoing training requirement to ambulance providers and training centers and offer multiple training methods.

(4) (a) EMT-BASIC TRAINING COURSE CONTENT AND HOURS. (a) The national standard curriculum for training EMTs-basic shall be used as the basis for a training course. Training shall also include instruction on responding to acts of terrorism. Additional skills training requires approval of the department. Any deviation from the curriculum shall be submitted separately and approved by the department prior to its use in the course.

~~(b) An EMT-basic training course shall have a minimum of 120 hours of instruction and may not exceed 170 1/4 hours of mandatory attendance.~~

SECTION 3. HFS 111.04 (1) (e) is amended to read:

HFS 111.04 (1) (e) Present documentation that verifies the successful completion of classroom, clinical and field experience training offered by a department approved EMT-intermediate training course within 24 months prior to application, or equivalent training in all areas listed under s. HFS 111.06 (4) and is deemed to be comparable by the department. The training shall include training for responding to acts of terrorism.

SECTION 4. HFS 111.06 (1) (c) 1. is amended to read:

HFS 111.06 (1) (c) 1. A description of the capabilities of the organization to train EMTs-intermediate in the provision of emergency medical care in pre-hospital, interfacility and hospital settings. The training shall include training covered in the national standard curriculum for training EMTs-intermediate and shall include additional training approved by the department, including instruction on responding to acts of terrorism. Completion of an NT100 terrorism and hazardous materials awareness training course that is 4 hours in length meets the requirement for training for response to acts of terrorism. Course material for training for response to acts of terrorism shall be included in all initial and refresher EMT courses beginning January 1, 2003 and shall also be available as a stand-alone course module for EMTs who received training before January 2003. After June 30, 2004, the required refresher training for acts of terrorism shall no longer be the full 4-hour NT100 terrorism and hazardous materials awareness training course. Prior to June 30, 2004, the ongoing training requirement shall be determined by the department, in consultation with the EMS advisory board and the Wisconsin technical college system board. The department shall disseminate information on the ongoing training requirement to ambulance providers and training centers and offer multiple training methods.

SECTION 5. HFS 112.04 (1) (d) is amended to read:

HFS 112.04 (1) (d) Present documentation of successful completion of an EMT-paramedic training course approved under s. HFS 112.06 (3) within 24 months prior to application, or equivalent training acceptable to the department. In this paragraph, "equivalent training" means training in all areas listed under s. HFS 112.06 (3). Documentation shall include verification of completion of classroom, clinical and field experiences. The training shall include training for responding to acts of terrorism.

SECTION 6. HFS 112.04 (5) (f) 2. is amended to read:

HFS 112.04 (5) (f) 2. A licensee who submits evidence of having successfully completed, within the 24 months immediately preceding the license renewal date, an EMT paramedic training course, including the knowledge and skills objectives of the National Standard Curriculum for Training EMTs-Paramedic, as approved by the department, including training for response to acts of terrorism, shall be considered to have met the requirement of subd. 1. b. Completion of an NT100 terrorism and hazardous materials awareness training course that is 4 hours in length meets the requirement for training for response to acts of terrorism. Course material for training for response to acts of terrorism shall be included in all initial and refresher EMT courses beginning January 1, 2003 and shall also be available as a stand-alone course module for EMTs who received training before January 2003. After June 30, 2004, the required refresher training for acts of terrorism shall no longer be the full NT100 terrorism and hazardous materials awareness training course. Prior to June 30, 2004, the ongoing training requirement shall be determined by the department, in consultation with the EMS advisory board and the Wisconsin technical college system board. The department shall disseminate information on the ongoing training requirement to ambulance providers and training centers and offer multiple training methods.

SECTION 7. HFS 112.06 (1) (c) 1. is amended to read:

HFS 112.06 (1) (c) 1. A description of the capabilities of the organization to train EMTs-paramedic in the provision of emergency medical care in pre-hospital, interfacility and hospital settings. The training shall include training covered in the National Standard Curriculum for Training EMTs-Paramedic and training for response to acts of terrorism, and may include additional training approved by the department.

SECTION 8. HFS 113.04 (6) (a) 1m. is created to read:

HFS 113.04 (6) (a) 1m. Completion of training on responding to acts of terrorism. Completion of an NT100 terrorism and hazardous materials awareness training course that is 4 hours in length meets the requirement for training for response to acts of terrorism. Course material for training for response to acts of terrorism shall be included in all initial and refresher EMT courses beginning January 1, 2003 and shall also be available as a stand-alone course module for EMTs who received training before January 2003.

SECTION 9. HFS 113.04 (9) (a) 4. and (10) (b) 3. are amended to read:

HFS 113.04 (9) (a) 4. Present documentation of having successfully completed the national standard basic or refresher curriculum or equivalent training as determined by the department for training first responders within 24 months prior to application, or hold current voluntary certification from the department as a first responder. The training shall include training for responding to acts of terrorism.

(10) (b) 3. Documentation that the certificate holder has, during the biennial period immediately preceding application, successfully completed the national standard first responder refresher course or equivalent training, including training for response to acts of terrorism, as determined by the department; and

SECTION 10. HFS 113.04 (10) (b) 5. is created to read:

HFS 113.04 (10) (b) 5. Completion of a NT100 terrorism and hazardous materials awareness training course that is 4 hours in length meets the requirement for training for response to acts of terrorism subd. 3. Course material for training for response to acts of terrorism shall be included in all initial and refresher first responder courses beginning January 1, 2003 and shall also

be available as a stand-alone course module for first responders who received training before January 2003. After June 30, 2004, the required refresher training for acts of terrorism shall no longer be the full 4-hour-NT100 terrorism and hazardous materials awareness training course. Prior to June 30, 2004, the department, in consultation with the EMS advisory board and the Wisconsin technical college system board, shall determine the ongoing training requirement. The department shall disseminate information on the ongoing training requirement to ambulance providers and training centers and offer multiple training methods.

This rule shall take effect on the first day of the month following publication in the Wisconsin administrative register, as provided in s. 227.22 (2) (intro.), Stats.

Wisconsin Department of Health
and Family Services

Dated:

By: _____
Helene Nelson
Secretary

SEAL:

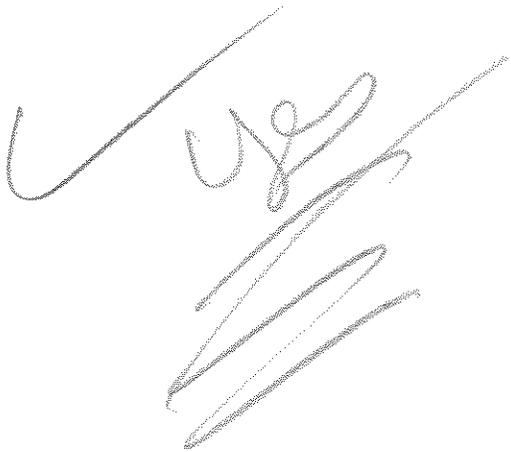
Donna-

The Committee requested modifications, 8/14/03

however, I did not see an exec. for this rule on Com Clerk. I talked to Dawn (I think that is who it was) and she said I should go ahead with the report. The committee's jurisdiction ended 8/15/03. Please let me know if anything needs to be corrected.

Thank you
-Jennifer

August 14, 2003

Handwritten signature and scribbles in the top right corner of the page.

To: Carol

From: Jennifer

Re: CR 02-155 relating to licensing EMT's

The review period for the modifications made to CR 02-155 by the DHFS expires Friday August 15th. Karen left me a note indicating that she had a conversation with you about the changes and said you are satisfied as long as the Fire Chiefs Association and the other Committee members are fine. I spoke with Chief Bloom, Senator Welch's office and Senator Brown's office and they are all okay with the rule.

Halbur, Jennifer

From: Radloff, Gary
Sent: Thursday, August 14, 2003 8:10 AM
To: Halbur, Jennifer
Subject: Fwd: Re: HFS 110-113 terrorism training

What does Carol want? I will make changes for her, but not Welch.

-----Original Message-----

Date: 08/14/2003 06:54 am -0500 (Thursday)
From: Larry Hartzke
To: Gary Radloff; Jonathon Morgan; Nan Turner
Subject: Re: HFS 110-113 terrorism training

** High Priority **

Gary, it's your call, as it's the committee, not the fire chiefs, that are holding up the rule.

a. Given what's been said by Nan and Jon, it seems the logical thing to do is to convince whoever is holding up the rule that the fire chiefs don't object to raising the limit to 144 hours and I would simply reinsert that amended language.

b. If that is not acceptable to whoever is holding the rule up, can you explain to them that if we are not raising the limit to 144 hours (from 140), there's no need to include paragraph (b) in the rulemaking order because nothing about paragraph (b) is being changed?

c. My least favorite option is to include paragraph (b) in the order as it currently is written in administrative code (140 hours.) That's bad drafting style, but if it will get us a committee waiver today, I'll do it!

>>> Nan Turner 08/13/03 05:27PM >>>

Just spoke with Jennifer again. Fire Chiefs are fine with 110 - 144 hours. I am not sure who is wanting it left at 110 -140. The reality is that this is a 4 hour course that will be taught in the initial EMT-basic course. The training centers are having difficulty getting the course completed within the 140 hour timeline.

If possible, the preference is for the 144 limit...if impossible, then whatever.

8-14

Welch + Brown are fine

fast training acceptable?

- Mark 1 bit → antidote for diff biological agents

↳ this may not be included

everyone has to take a refresher course. Does it make sense to put it in the refresher course & basic training course

everyone who has missed the bio-terrorism training would have to take the 4 hr module

Dept curriculum set by fire, EMS & law enforcement
→ state approved course

anyone who has taken class ^{has} and has the curriculum can teach the class

open in class/module available w/ all materials

do not have to go to tech school → can be taught in house.

→ misunderstanding of the rule!

- state pays for refresher & basic training when teach in house, dept also costs but materials would be provided for teaching purposes

May 28
30 days

June 3 was response from dept

Call this center
* outside
PR 03
* have this
* training
→

- requirements overlap
eg. CPR training → already need, why is
distortion

- pg 2 range of 110 to ~~140~~¹⁴⁰ hrs; why need to
lump it up to 144
→ why 4 more hours
- why

- what is actually required

description of rules & training requirement