

FIRST REGULAR SESSION

HOUSE BILL NO. 427

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PERKINS.

1012H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 67.145, 70.631, 170.310, 190.091, 650.320, 650.330, and 650.340, RSMo, and to enact in lieu thereof seven new sections relating to telecommunicator first responders.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 67.145, 70.631, 170.310, 190.091, 650.320, 650.330, and
2 650.340, RSMo, are repealed and seven new sections enacted in lieu thereof, to be known as
3 sections 67.145, 70.631, 170.310, 190.091, 650.320, 650.330, and 650.340, to read as
4 follows:

67.145. 1. No political subdivision of this state shall prohibit any first responder from
2 engaging in any political activity while off duty and not in uniform, being a candidate for
3 elected or appointed public office, or holding such office unless such political activity or
4 candidacy is otherwise prohibited by state or federal law.

2. As used in this section, "first responder" means any person trained and authorized
6 by law or rule to render emergency medical assistance or treatment. Such persons may
7 include, but shall not be limited to, emergency first responders, **telecommunicator first**
8 **responders**, police officers, sheriffs, deputy sheriffs, firefighters, ambulance attendants and
9 attendant drivers, emergency medical technicians, mobile emergency medical technicians,
10 emergency medical technician-paramedics, registered nurses, or physicians.

70.631. 1. Each political subdivision may, by majority vote of its governing body,
2 elect to cover [~~emergency telecommunicators~~] **telecommunicator first responders**, jailors,
3 and emergency medical service personnel as public safety personnel members of the system.
4 The clerk or secretary of the political subdivision shall certify an election concerning the

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

5 coverage of [~~emergency telecommunicators~~] **telecommunicator first responders**, jailors,
6 and emergency medical service personnel as public safety personnel members of the system
7 to the board within ten days after such vote. The date in which the political subdivision's
8 election becomes effective shall be the first day of the calendar month specified by such
9 governing body, the first day of the calendar month next following receipt by the board of the
10 certification of the election, or the effective date of the political subdivision's becoming an
11 employer, whichever is the latest date. Such election shall not be changed after the effective
12 date. If the election is made, the coverage provisions shall be applicable to all past and future
13 employment with the employer by present and future employees. If a political subdivision
14 makes no election under this section, no [~~emergency~~] telecommunicator **first responder**,
15 jailor, or emergency medical service personnel of the political subdivision shall be considered
16 public safety personnel for purposes determining a minimum service retirement age as
17 defined in section 70.600.

18 2. If an employer elects to cover [~~emergency telecommunicators~~] **telecommunicator**
19 **first responders**, jailors, and emergency medical service personnel as public safety personnel
20 members of the system, the employer's contributions shall be correspondingly changed
21 effective the same date as the effective date of the political subdivision's election.

22 3. The limitation on increases in an employer's contributions provided by subsection
23 6 of section 70.730 shall not apply to any contribution increase resulting from an employer
24 making an election under the provisions of this section.

170.310. 1. For school year 2017-18 and each school year thereafter, upon
2 graduation from high school, pupils in public schools and charter schools shall have received
3 thirty minutes of cardiopulmonary resuscitation instruction and training in the proper
4 performance of the Heimlich maneuver or other first aid for choking given any time during a
5 pupil's four years of high school.

6 2. Beginning in school year 2017-18, any public school or charter school serving
7 grades nine through twelve shall provide enrolled students instruction in cardiopulmonary
8 resuscitation. Students with disabilities may participate to the extent appropriate as
9 determined by the provisions of the Individuals with Disabilities Education Act or Section
10 504 of the Rehabilitation Act. Instruction shall be included in the district's existing health or
11 physical education curriculum. Instruction shall be based on a program established by the
12 American Heart Association or the American Red Cross, or through a nationally recognized
13 program based on the most current national evidence-based emergency cardiovascular care
14 guidelines, and psychomotor skills development shall be incorporated into the instruction.
15 For purposes of this section, "psychomotor skills" means the use of hands-on practicing and
16 skills testing to support cognitive learning.

17 3. The teacher of the cardiopulmonary resuscitation course or unit shall not be
18 required to be a certified trainer of cardiopulmonary resuscitation if the instruction is not
19 designed to result in certification of students. Instruction that is designed to result in
20 certification being earned shall be required to be taught by an authorized cardiopulmonary
21 instructor. Schools may develop agreements with any local chapter of a voluntary
22 organization of first responders to provide the required hands-on practice and skills testing.
23 **For purposes of this subsection, first responders shall include telecommunicator first**
24 **responders as defined in section 650.320.**

25 4. The department of elementary and secondary education may promulgate rules to
26 implement this section. Any rule or portion of a rule, as that term is defined in section
27 536.010, that is created under the authority delegated in this section shall become effective
28 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
29 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
30 vested with the general assembly pursuant to chapter 536 to review, to delay the effective
31 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant
32 of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be
33 invalid and void.

190.091. 1. As used in this section, the following terms mean:

2 (1) "Bioterrorism", the intentional use of any microorganism, virus, infectious
3 substance, or biological product that may be engineered as a result of biotechnology or any
4 naturally occurring or bioengineered component of any microorganism, virus, infectious
5 substance, or biological product to cause death, disease, or other biological malfunction in a
6 human, an animal, a plant, or any other living organism to influence the conduct of
7 government or to intimidate or coerce a civilian population;

8 (2) "Department", the Missouri department of health and senior services;

9 (3) "Director", the director of the department of health and senior services;

10 (4) "Disaster locations", any geographical location where a bioterrorism attack,
11 terrorist attack, catastrophic or natural disaster, or emergency occurs;

12 (5) "First responders", state and local law enforcement personnel, **telecommunicator**
13 **first responders**, fire department personnel, and emergency medical personnel who will be
14 deployed to bioterrorism attacks, terrorist attacks, catastrophic or natural disasters, and
15 emergencies

16 (6) "**Missouri state highway patrol telecommunicator**", any authorized Missouri
17 **state highway patrol communications division personnel whose primary responsibility**
18 **includes directly responding to emergency communications and who meets the training**
19 **requirements under section 650.340.**

20 2. The department shall offer a vaccination program for first responders **and**
21 **Missouri state highway patrol telecommunicators** who may be exposed to infectious
22 diseases when deployed to disaster locations as a result of a bioterrorism event or a suspected
23 bioterrorism event. The vaccinations shall include, but are not limited to, smallpox, anthrax,
24 and other vaccinations when recommended by the federal Centers for Disease Control and
25 Prevention's Advisory Committee on Immunization Practices.

26 3. Participation in the vaccination program shall be voluntary by the first responders
27 **and Missouri state highway patrol telecommunicators**, except for first responders **or**
28 **Missouri state highway patrol telecommunicators** who, as determined by their employer,
29 cannot safely perform emergency responsibilities when responding to a bioterrorism event or
30 suspected bioterrorism event without being vaccinated. The recommendations of the Centers
31 for Disease Control and Prevention's Advisory Committee on Immunization Practices shall be
32 followed when providing appropriate screening for contraindications to vaccination for first
33 responders **and Missouri state highway patrol telecommunicators**. A first responder **or**
34 **Missouri state highway patrol telecommunicator** shall be exempt from vaccinations when
35 a written statement from a licensed physician is presented to their employer indicating that a
36 vaccine is medically contraindicated for such person.

37 4. If a shortage of the vaccines referred to in subsection 2 of this section exists
38 following a bioterrorism event or suspected bioterrorism event, the director, in consultation
39 with the governor and the federal Centers for Disease Control and Prevention, shall give
40 priority for such vaccinations to persons exposed to the disease and to first responders **or**
41 **Missouri state highway patrol telecommunicators** who are deployed to the disaster
42 location.

43 5. The department shall notify first responders **and Missouri state highway patrol**
44 **telecommunicators** concerning the availability of the vaccination program described in
45 subsection 2 of this section and shall provide education to such first responders [~~and~~], their
46 employers, **and Missouri state highway patrol telecommunicators** concerning the
47 vaccinations offered and the associated diseases.

48 6. The department may contract for the administration of the vaccination program
49 described in subsection 2 of this section with health care providers, including but not limited
50 to local public health agencies, hospitals, federally qualified health centers, and physicians.

51 7. The provisions of this section shall become effective upon receipt of federal
52 funding or federal grants which designate that the funding is required to implement
53 vaccinations for first responders **and Missouri state highway patrol telecommunicators** in
54 accordance with the recommendations of the federal Centers for Disease Control and
55 Prevention's Advisory Committee on Immunization Practices. Upon receipt of such funding,

56 the department shall make available the vaccines to first responders **and Missouri state**
57 **highway patrol telecommunicators** as provided in this section.

650.320. For the purposes of sections 650.320 to 650.340, the following terms mean:

- 2 (1) "Board", the Missouri 911 service board established in section 650.325;
- 3 (2) "Public safety answering point", the location at which 911 calls are answered;
- 4 (3) "Telecommunicator **first responder**", any person employed as an emergency
5 ~~[telephone worker]~~ call taker or public safety dispatcher whose duties include receiving,
6 processing or transmitting public safety information received through a 911 public safety
7 answering point.

650.330. 1. The board shall consist of fifteen members, one of which shall be chosen
2 from the department of public safety, and the other members shall be selected as follows:

- 3 (1) One member chosen to represent an association domiciled in this state whose
4 primary interest relates to municipalities;
- 5 (2) One member chosen to represent the Missouri 911 Directors Association;
- 6 (3) One member chosen to represent emergency medical services and physicians;
- 7 (4) One member chosen to represent an association with a chapter domiciled in this
8 state whose primary interest relates to a national emergency number;
- 9 (5) One member chosen to represent an association whose primary interest relates to
10 issues pertaining to fire chiefs;
- 11 (6) One member chosen to represent an association with a chapter domiciled in this
12 state whose primary interest relates to issues pertaining to public safety communications
13 officers;
- 14 (7) One member chosen to represent an association whose primary interest relates to
15 issues pertaining to police chiefs;
- 16 (8) One member chosen to represent an association domiciled in this state whose
17 primary interest relates to issues pertaining to sheriffs;
- 18 (9) One member chosen to represent counties of the second, third, and fourth
19 classification;
- 20 (10) One member chosen to represent counties of the first classification, counties with
21 a charter form of government, and cities not within a county;
- 22 (11) One member chosen to represent telecommunications service providers;
- 23 (12) One member chosen to represent wireless telecommunications service providers;
- 24 (13) One member chosen to represent voice over internet protocol service providers;
- 25 and
- 26 (14) One member chosen to represent the governor's council on disability established
27 under section 37.735.

28 2. Each of the members of the board shall be appointed by the governor with the
29 advice and consent of the senate for a term of four years. Members of the committee may
30 serve multiple terms. No corporation or its affiliate shall have more than one officer,
31 employee, assign, agent, or other representative serving as a member of the board.
32 Notwithstanding subsection 1 of this section to the contrary, all members appointed as of
33 August 28, 2017, shall continue to serve the remainder of their terms.

34 3. The board shall meet at least quarterly at a place and time specified by the
35 chairperson of the board and it shall keep and maintain records of such meetings, as well as
36 the other activities of the board. Members shall not be compensated but shall receive actual
37 and necessary expenses for attending meetings of the board.

38 4. The board shall:

39 (1) Organize and adopt standards governing the board's formal and informal
40 procedures;

41 (2) Provide recommendations for primary answering points and secondary answering
42 points on technical and operational standards for 911 services;

43 (3) Provide recommendations to public agencies concerning model systems to be
44 considered in preparing a 911 service plan;

45 (4) Provide requested mediation services to political subdivisions involved in
46 jurisdictional disputes regarding the provision of 911 services, except that the board shall not
47 supersede decision-making authority of local political subdivisions in regard to 911 services;

48 (5) Provide assistance to the governor and the general assembly regarding 911
49 services;

50 (6) Review existing and proposed legislation and make recommendations as to
51 changes that would improve such legislation;

52 (7) Aid and assist in the timely collection and dissemination of information relating to
53 the use of a universal emergency telephone number;

54 (8) Perform other duties as necessary to promote successful development,
55 implementation and operation of 911 systems across the state, including monitoring federal
56 and industry standards being developed for next-generation 911 systems;

57 (9) Designate a state 911 coordinator who shall be responsible for overseeing
58 statewide 911 operations and ensuring compliance with federal grants for 911 funding;

59 (10) Elect the chair from its membership;

60 (11) Apply for and receive grants from federal, private, and other sources;

61 (12) Report to the governor and the general assembly at least every three years on the
62 status of 911 services statewide, as well as specific efforts to improve efficiency, cost-
63 effectiveness, and levels of service;

64 (13) Conduct and review an annual survey of public safety answering points in
65 Missouri to evaluate potential for improved services, coordination, and feasibility of
66 consolidation;

67 (14) Make and execute contracts or any other instruments and agreements necessary
68 or convenient for the exercise of its powers and functions, including for the development and
69 implementation of an emergency services internet protocol network that can be shared by all
70 public safety agencies;

71 (15) Develop a plan and timeline of target dates for the testing, implementation, and
72 operation of a next-generation 911 system throughout Missouri. The next-generation 911
73 system shall allow for the processing of electronic messages including, but not limited to,
74 electronic messages containing text, images, video, or data;

75 (16) Administer and authorize grants and loans under section 650.335 to those
76 counties and any home rule city with more than fifteen thousand but fewer than seventeen
77 thousand inhabitants and partially located in any county of the third classification without a
78 township form of government and with more than thirty-seven thousand but fewer than forty-
79 one thousand inhabitants that can demonstrate a financial commitment to improving 911
80 services by providing at least a fifty percent match and demonstrate the ability to operate and
81 maintain ongoing 911 services. The purpose of grants and loans from the 911 service trust
82 fund shall include:

83 (a) Implementation of 911 services in counties of the state where services do not exist
84 or to improve existing 911 systems;

85 (b) Promotion of consolidation where appropriate;

86 (c) Mapping and addressing all county locations;

87 (d) Ensuring primary access and texting abilities to 911 services for disabled
88 residents;

89 (e) Implementation of initial emergency medical dispatch services, including
90 prearrival medical instructions in counties where those services are not offered as of July 1,
91 2019; and

92 (f) Development and implementation of an emergency services internet protocol
93 network that can be shared by all public safety agencies;

94 (17) Develop an application process including reporting and accountability
95 requirements, withholding a portion of the grant until completion of a project, and other
96 measures to ensure funds are used in accordance with the law and purpose of the grant, and
97 conduct audits as deemed necessary;

98 (18) Set the percentage rate of the prepaid wireless emergency telephone service
99 charges to be remitted to a county or city as provided under subdivision (5) of subsection 3 of
100 section 190.460;

101 (19) Retain in its records proposed county plans developed under subsection 11 of
102 section 190.455 and notify the department of revenue that the county has filed a plan that is
103 ready for implementation;

104 (20) Notify any communications service provider, as defined in section 190.400, that
105 has voluntarily submitted its contact information when any update is made to the centralized
106 database established under section 190.475 as a result of a county or city establishing or
107 modifying a tax or monthly fee no less than ninety days prior to the effective date of the
108 establishment or modification of the tax or monthly fee;

109 (21) Establish criteria for consolidation prioritization of public safety answering
110 points;

111 (22) In coordination with existing public safety answering points, by December 31,
112 2018, designate no more than eleven regional 911 coordination centers which shall coordinate
113 statewide interoperability among public safety answering points within their region through
114 the use of a statewide 911 emergency services network; ~~and~~

115 (23) Establish an annual budget, retain records of all revenue and expenditures made,
116 retain minutes of all meetings and subcommittees, post records, minutes, and reports on the
117 board's webpage on the department of public safety website; **and**

118 **(24) Promote and educate the public about the critical role of telecommunicator**
119 **first responders in protecting the public and ensuring public safety.**

120 5. The department of public safety shall provide staff assistance to the board as
121 necessary in order for the board to perform its duties pursuant to sections 650.320 to 650.340.
122 The board shall have the authority to hire consultants to administer the provisions of sections
123 650.320 to 650.340.

124 6. The board shall promulgate rules and regulations that are reasonable and necessary
125 to implement and administer the provisions of sections 190.455, 190.460, 190.465, 190.470,
126 190.475, and sections 650.320 to 650.340. Any rule or portion of a rule, as that term is
127 defined in section 536.010, shall become effective only if it has been promulgated pursuant to
128 the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the
129 powers vested with the general assembly pursuant to chapter 536 to review, to delay the
130 effective date or to disapprove and annul a rule are subsequently held unconstitutional, then
131 the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017,
132 shall be invalid and void.

650.340. 1. The provisions of this section may be cited and shall be known as the
2 "911 Training and Standards Act".

3 2. Initial training requirements for ~~telecommunicators~~ **telecommunicator first**
4 **responders** who answer 911 calls that come to public safety answering points shall be as
5 follows:

6 (1) Police telecommunicator **first responder**, 16 hours;

7 (2) Fire telecommunicator **first responder**, 16 hours;

8 (3) Emergency medical services telecommunicator **first responder**, 16 hours;

9 (4) Joint communication center telecommunicator **first responder**, 40 hours.

10 3. All persons employed as a telecommunicator **first responder** in this state shall be
11 required to complete ongoing training so long as such person engages in the occupation as a
12 telecommunicator **first responder**. Such persons shall complete at least twenty-four hours of
13 ongoing training every three years by such persons or organizations as provided in subsection
14 6 of this section.

15 4. Any person employed as a telecommunicator on August 28, 1999, shall not be
16 required to complete the training requirement as provided in subsection 2 of this section. Any
17 person hired as a telecommunicator **or a telecommunicator first responder** after August 28,
18 1999, shall complete the training requirements as provided in subsection 2 of this section
19 within twelve months of the date such person is employed as a telecommunicator **or**
20 **telecommunicator first responder**.

21 5. The training requirements as provided in subsection 2 of this section shall be
22 waived for any person who furnishes proof to the committee that such person has completed
23 training in another state which is at least as stringent as the training requirements of
24 subsection 2 of this section.

25 6. The board shall determine by administrative rule the persons or organizations
26 authorized to conduct the training as required by subsection 2 of this section.

27 7. This section shall not apply to an emergency medical dispatcher or **dispatch**
28 agency as defined in section 190.100, or a person trained by an entity accredited or certified
29 under section 190.131, or a person who provides prearrival medical instructions who works
30 for an agency which meets the requirements set forth in section 190.134.

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