

**BEFORE THE FIRE PREVENTION COMMISSION  
FOR THE STATE OF DELAWARE**

**ORDER**

**NATURE OF THE PROCEEDINGS**

The State Fire Prevention Commission (“the Commission”) held a properly noticed, public hearing on November 20, 2007 to receive comment on proposed additions, revisions, deletions, modifications and reservations to the Commission Regulations specifically Part X, Ambulance Regulations. (The regulations as adopted by the Commission are attached to this Order as “Exhibit A”). The attendance sheets and transcribed minutes of this hearing are attached to this Order as Exhibit “B” to supplement the brief summary of evidence below. Similarly, the written comment received by the Commission and introduced into evidence at the hearing is attached to this Order as Exhibit “C”.

**SUMMARY OF THE EVIDENCE**

1. The Commission received a brief overview of the proposed updates to the Ambulance Regulations from Fire School Director Robert Newnam. The proposed changes are to the following sections of Part X:

- Part X, Chapter III (Definitions) – revised Ambulance Attendant for the purpose of clarity.
- Part X, Chapter IX has been rewritten for better clarity.
- Part X, Chapter XIV modified to address the reinstatement procedures for Delaware EMT-B/Ambulance Attendant.
- Part X, Chapter XV modified to address requirements to the Criminal History Background Checks.
- Part X, Chapter XVI modified to address requirements to the First Responder.

2. The Commission received one written comment via e-mail from Scott Cooper, EMS21, of the Mill Creek Fire Company (*See Exhibit C*). The Commission reviewed each of the comments proposed by Mr. Cooper and voted to accept or reject those comments as indicated in the minutes (*See Exhibit B*).

3. The Commission received no public comment at the hearing in opposition to the proposed changes. Sandy Hypes and Diane Hainsworth of the Office of EMS were present and offered some clarification regarding Mr. Cooper's written comment, specifically, they pointed out that many of the changes suggested by Mr. Cooper in his written comment are already covered in Title 16 of the Delaware Code, Chapter 98.

### **FINDINGS OF FACT**

Based upon the evidence received, the Commission finds the following facts to be supported by the evidence.

1. There was no public comment presented in opposition to the proposed regulations at the public hearing.

2. In written correspondence, Scott Cooper raised a number of issues. Many of the issues are already defined and/or addressed in Title 16 of the Delaware Code, Chapter 98. In addition, Mr. Cooper suggested a number of revisions outside of those proposed by the Commission. The Commission determined that it would take those suggestions under advisement for future revisions to additional sections of the regulations but does not find that it is in the best interest to delay implementation of the current proposals. The Commission minutes reflect those changes that were accepted or declined by the Commission (See Exhibit B).

### **THE LAW**

The State Fire Prevention Commission's rulemaking authority is provided by 16 *Del. C.* § 6711(b)(2) and § 6717(a) that state:

§ 6711. Establishment of operational standards.

(a) . . .

(b) Emergency ambulance licensing and certification

(b)(1) . . .

(b)(2) The Commission shall adopt regulations specifying operational standards for ambulances. Regulations so adopted shall also require that the interior of the ambulance and the equipment within the ambulance be sanitary and maintained in good working order and sufficient quantities at all times.

§ 6717. Establishment of State Fire Prevention Commission ambulance service responsibility and authority; ambulance service districts; operational and administrative requirements; ambulance service permits.

(a) As the responsible agency for the regulation of ambulance services within the State, the Commission shall adopt regulations applicable to ambulance service providers including but not limited to the establishment of ambulance service districts, establishment of operational and administrative requirements and requirements for certification of ambulance service providers. The Commission shall also have the authority to establish a process for certification renewal and shall have the authority to decertify any agency for noncompliance with its regulations.

### **DECISION**

The Commission hereby adopts the Ambulance Regulations as proposed with the alterations and clarifications noted in this Order and a copy of the Regulations as adopted is attached to this Order as Exhibit A. The Commission relies upon its expertise in this area and the evidence presented in the testimony and documents submitted.

It is so Ordered this 18<sup>th</sup> day of January, 2008.

**STATE FIRE PREVENTION COMMISSION**



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Marvin C. Sharp, Chairman



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Bob Ricker, Vice Chairman

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Kenneth H. McMahon

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W. (Bill) Betts Jr.



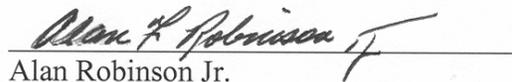
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Douglas S. Murray



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David J. Roberts



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Alan Robinson Jr.