

**CHAPTER 1009. MEDICAL COMMAND FACILITIES**

Sec.

- 1009.1. Operational criteria.
- 1009.2. Recognition process.
- 1009.3. [Reserved].
- 1009.4. Withdrawal of medical command facility recognition.
- 1009.5. Review of medical command facilities.
- 1009.6. Discontinuation of service.

**Authority**

The provisions of this Chapter 1009 issued under the act of July 3, 1985 (P. L. 164, No. 45) (35 P. S. §§ 6921—6938), unless otherwise noted.

**Source**

The provisions of this Chapter 1009 adopted June 30, 1989, effective July 1, 1989, 19 Pa.B. 2843, unless otherwise noted.

**§ 1009.1. Operational criteria.**

To qualify as a medical command facility, an institution shall comply with the following criteria:

- (1) Employ a medical command facility medical director who meets the requirements specified in § 1003.3(b) (relating to medical command facility medical director).
- (2) Employ sufficient staff to ensure that at least one approved medical command physician, meeting the requirements specified in § 1003.4(b) (relating to medical command physician), is present in the facility 24 hours-a-day, 7 days-a-week.
- (3) Satisfy the following communication and recordkeeping requirements:
  - (i) Compatibility with regional telecommunication systems plans, if in place.
  - (ii) Communication by way of telecommunications equipment/radios with BLS and ALS units within the area in which medical command is exercised.
  - (iii) Tape recording of medical command communications.
  - (iv) Maintenance of a medical command record, containing appropriate information on patients for whom medical command is sought.
  - (v) An appropriate program for training emergency department staff in the effective use of telecommunication equipment.
  - (vi) Protocols to provide for prompt response to requests from prehospital personnel for radio or telephone medical guidance, assistance or advice.
- (4) Accurately and promptly relay information regarding patients to the appropriate receiving facility.

(5) Adhere to transfer and medical treatment protocols established by the regional EMS council, or, when dealing with an air ambulance service, as approved by the Department.

(6) Establish a program of regular case audit conferences involving the medical command facility medical director or the director's designee and pre-hospital personnel for purposes of problem identification, and a process to correct identified problems.

(7) Obtain a contingency agreement with at least one other medical command facility to assure availability of medical command.

(8) Establish internal procedures that comply with regional EMS transfer and medical treatment protocols.

(9) Notify PSAPs, through which it routinely receives requests for medical command, when it will not have a medical command physician available to provide medical command.

(10) Establish a plan to ensure that medical command is available at all times during mass casualty situations, natural disasters and declared states of emergency.

(11) Participate in the regional EMS council's quality improvement program for monitoring the delivery of EMS.

(12) Adopt procedures for maintaining medical command communication records and tapes under § 117.43 (relating to medical records), and maintain tapes of medical command communications for at least 180 days.

(13) Employ sufficient administrative support staff to enable the institution to carry out its essential duties which include, but are not limited to: audits, equipment maintenance and processing and responding to complaints.

(14) Establish a program of training for medical command physicians, pre-hospital personnel and emergency department staff.

(15) Provide medical command to prehospital personnel whenever they seek direction.

#### Source

The provisions of this § 1009.1 amended October 13, 2000, effective October 14, 2000, 30 Pa.B. 5363. Immediately preceding text appears at serial pages (247559) to (247560).

#### Cross References

This section cited in 28 Pa. Code § 1003.4 (relating to medical command physician); 28 Pa. Code § 1009.4 (relating to suspension/revocation of accreditation); and 28 Pa. Code § 1009.5 (relating to biennial review of accredited facilities).

### § 1009.2. Recognition process.

(a) To qualify for the civil immunity protection afforded by section 11(j)(4) of the act (35 P. S. § 6931(j)(4)), a facility shall secure recognition as a medical command facility from the Department. To secure recognition as a medical command facility, a facility shall submit an application to the Department through a

regional EMS council exercising responsibility for an EMS region in which the applicant intends to provide medical command through medical command physicians who function under its auspices. Application for medical command facility recognition shall be made on forms prescribed by the Department.

(b) The regional EMS council will review the application for completeness.

(c) If the application is complete, the regional EMS council shall conduct an onsite inspection of the applying facility to verify information contained within the application and to complete a physical inspection of the medical command area.

(d) After completing its review, the regional EMS council shall forward a copy of its recommendation to the Department and to the applying facility. If the applying facility disagrees with the recommendation of the regional EMS council, it may submit a written rebuttal to the Department.

(e) The Department will review the application, information and recommendation submitted by the regional EMS council, and the rebuttal statement, if any, submitted by the applying facility, and will make a decision within 60 days from the time of its receipt of the regional EMS council's recommendation to grant or deny recognition.

(f) The Department may review and inspect facilities to aid it in making medical command facility recognition decisions.

(g) If the applying facility disagrees with the decision by the Department, it may appeal the decision under 1 Pa. Code § 35.20 (relating to appeals from actions of the staff) if the decision was not issued by the agency head as defined in 1 Pa. Code § 31.3 (relating to definitions) and, if it disagrees with the decision of the agency head, it may file an appeal under 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law).

(h) Recognition as a medical command facility shall be valid for 3 years. A facility shall file an application for renewal of its recognition as a medical command facility 60 days prior to expiration of the medical command facility's recognition from the Department. Failure to apply for renewal of recognition in a timely manner may result in the facility having a lapse in the civil immunity protection afforded by section 11(j)(4) of the act.

#### Source

The provisions of this § 1009.2 amended October 13, 2000, effective October 14, 2000, 30 Pa.B. 5363. Immediately preceding text appears at serial page (247560).

#### Cross References

This section cited in 28 Pa. Code § 1003.4 (relating to medical command physician).

1009-3

(269403) No. 313 Dec. 00

**§ 1009.3. [Reserved].****Source**

The provisions of this § 1009.3 reserved October 13, 2000, effective October 14, 2000, 30 Pa.B. 5363. Immediately preceding text appears at serial page (247561).

**§ 1009.4. Withdrawal of medical command facility recognition.**

(a) The Department may withdraw medical command facility recognition if the facility fails to continue to meet the standards for a medical command facility in § 1009.1 (relating to operational criteria).

(b) The Department will conduct inspections of a medical command facility from time to time, as deemed appropriate and necessary, including when necessary to investigate a complaint or a reasonable belief that violations of this part may exist.

(c) If the facility fails to continue to meet the standards for a medical command facility in § 1009.1, as an alternative to rescinding medical command facility recognition, the Department may request the facility to submit a plan of correction to correct the deficiencies. The procedures are as follows:

(1) The Department will give written notice to the facility and the regional EMS council of the deficiencies.

(2) The facility shall have 30 days in which to respond to the Department with a plan to correct the deficiencies.

(3) The Department will review the plan of correction and, if the plan is found to be acceptable, the Department may make an onsite reinspection in accordance with the time frame given in the plan of correction.

(4) Within 30 days after the review of the plan of correction, as well as 30 days after the reinspection, the Department will give written notice to the facility and the regional EMS council of the results of the Department's review of the plan of correction and reinspection.

(d) Upon receipt of a written complaint describing conduct for which the Department may withdraw medical command facility recognition, the Department will:

(1) Initiate an investigation of the specific charges.

(2) Provide the medical command facility with a copy of the complaint and request a response unless the Department determines that disclosure to the medical command facility of the complaint will compromise the investigation or would be inappropriate for some other reason.

(3) Develop a written report of the investigation.

(4) Notify the complainant of the results of the investigation of the complaint, as well as the medical command facility if the medical command facility has been officially apprised of the complaint or investigation. This notification does not include providing a copy of the written report developed under paragraph (3).

**Source**

The provisions of this § 1009.4 amended October 13, 2000, effective October 14, 2000, 30 Pa.B. 5363. Immediately preceding text appears at serial page (247561).

**§ 1009.5. Review of medical command facilities.**

The regional EMS councils shall conduct a review of medical command facilities as requested by the Department, and at other times may inspect medical command facilities. These reviews and inspections shall be conducted to audit for continued compliance with, at a minimum, the criteria in § 1009.1 (relating to operational criteria) as directed by the Department.

**Source**

The provisions of this § 1009.5 amended October 13, 2000, effective October 14, 2000, 30 Pa.B. 5363. Immediately preceding text appears at serial page (247561).

**§ 1009.6. Discontinuation of service.**

A medical command facility may not discontinue medical command operations without providing 90 days advance written notice to the Department, regional EMS councils responsible for regions in which the medical command facility routinely provides medical command and providers of EMS for which it routinely provides medical command.

**Source**

The provisions of this § 1009.6 adopted October 13, 2000, effective October 14, 2000, 30 Pa.B. 5363.

[Next page is 1011-1.]

1009-6

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