

AGENDA ITEM #2(J)  
July 14, 2009

Action

MEMORANDUM

July 10, 2009

TO: County Council

FROM: Minna K. Davidson, Legislative Analyst *MKD*

SUBJECT: **Action** – Resolution to extend time until December 31, 2009, for Council action on Executive Regulation 25-08, *Apparatus Staffing Policy*

The Council received Executive Regulation 25-08, *Apparatus Staffing Policy*, under Method 2 on May 19, 2009. If the Council does not approve or disapprove a Method 2 regulation within 60 days after the Council receives it, the regulation automatically takes effect unless the Council extends by resolution the deadline for Council action. The 60-day deadline for Council action on Regulation 25-08 is July 18, 2009.

The Public Safety Committee reviewed Regulation 25-08 on June 11 and requested certain amendments. The Committee recommended approval with the requested amendments. Executive staff will need additional time to complete the amendments and arrange for the Executive to issue an amended regulation.

A resolution to extend the time for Council action to December 31, 2009, is attached on © 1. Proposed Regulation 25-08 is on © 2-9, and the Executive's transmittal memorandum is on © 10.

Resolution No. \_\_\_\_\_  
Introduced: July 14, 2009  
Adopted: \_\_\_\_\_

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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By: County Council

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**SUBJECT:** Extension of time for action on proposed Executive Regulation 25-08, *Apparatus Staffing Policy*

**Background**

1. On May 19, 2009, the County Council received proposed Regulation 25-08, *Apparatus Staffing Policy*, from the Executive.
2. The Council must review the regulation under method (2) of Section 2A-15 of the County Code. Under method (2), if the Council does not approve or disapprove a regulation within 60 days after the Council receives it, the regulation automatically takes effect unless the Council, by resolution, extends the deadline for action. The 60-day deadline for Council action on proposed Regulation 25-08 is July 18, 2009.

**Action**

The County Council for Montgomery County, Maryland approves the following resolution:

The time for Council action on Regulation 25-08, *Apparatus Staffing Policy*, is extended to December 31, 2009.

This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject <b>APPARATUS STAFFING POLICY</b>	Number <b>25-08</b>
Originating Department <b>MONTGOMERY COUNTY FIRE AND RESCUE SERVICE</b>	Effective Date

## APPARATUS STAFFING POLICY

Issued by: County Executive  
Executive Regulation No. [14-90AM] 25-08  
Authority: Code Section 21-4B(e)(3)

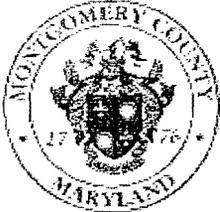
Supersedes: *Apparatus Staffing Policy*, Executive Regulation No. 14-90AM  
Council Review : Method (2) under Code Section 2A-15  
Register Vol. 25, No. 12  
Effective Date: [February 11, 1993]

**SUMMARY:** This Regulation [establishes staffing levels for fire and rescue apparatus to ensure personal] is being amended to enhance personnel safety and operational efficiency on all fire and rescue incidents. [The regulation has been amended to require that personnel must be at least 18 years of age and certified as a Maryland EMT-A to count towards minimum staffing on MICUs or ambulances.]

**DEADLINE:** **Montgomery County Register Comment: December 31, 2008**  
Please submit comments to Beth Feldman, Office of the Fire Chief, 12<sup>th</sup> Floor, 101 Monroe Street, Rockville, MD 20850. Comments may be emailed to [Beth.Feldman@montgomerycountymd.gov](mailto:Beth.Feldman@montgomerycountymd.gov)

**BACKGROUND:** Adequate staffing levels of qualified personnel on fire and rescue apparatus are necessary to ensure the safety of all personnel, and to facilitate the efficient delivery of fire and rescue services. [Levels of desirable as well as minimum staffing have been determined and are set forth in this regulation.]

**Section 1. Purpose.** [The purpose of this Regulation to establish appropriate staffing levels and qualifications of personnel for fire and rescue apparatus.] This Regulation is being amended to increase the number of personnel who staff MCFRS apparatus by adding qualified personnel to the minimum staffing levels on primary units, as determined by the Fire Chief. This staffing level is the minimum level, as recommended in fire and rescue industry standards, including National Fire Protection Association (NFPA) Standard 1500, Standard on Occupational Safety and Health Program, and



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NFPA Standard 1710, Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments.

The Fire Chief has implemented a new initiative to staff all primary units with four-person staffing, and has issued Fire Chief's General Orders designating certain apparatus to comply with this staffing plan. Implementing this requirement is also consistent with provisions in the Integrated Emergency Command Structure, Executive Regulation 16-05AM, and the Certification Standards for Training, Experience, and Credentialing Requirements Executive Regulation #21-06AM. This initiative will continue until all primary units have completed the four-person staffing requirement. [Adherence to this regulation will help to ensure the safety of all personnel and provide for the efficient delivery of fire, rescue, and emergency medical services.]

**Section 2. Applicability.** This Regulation applies to [the Corporations, the Department, and] all MCFRS fire, rescue, and emergency medical service personnel, both career and volunteer.

**Section 3. Definitions.**

[a. Apparatus. Engines, Ladder Trucks, Rescue Squads, Extrication Units, Brush Trucks, Mobile Intensive Care Units (MICUs), Ambulances, and special units.]

a. AFRA. Acronym for **Advanced Life Support First Responder Apparatus.**

[b. Certified. Certified by the Fire and Rescue Commission as eligible to serve at a specific rank in accordance with the Fire and Rescue Commission regulation on the Minimum Training Requirements and Certification Standards.]

b. ALS Provider. An individual who is Maryland-licensed and Montgomery County-credentialed to provide EMT-P or Cardiac Rescue Technician (CRT or CRT99) emergency medical services.

[c. Corporation. A fire and rescue Corporation established in the County, authorized to provide fire, rescue, or emergency medical services.]

c. Advanced Life Support Unit (ALS Unit). An ambulance staffed by at least one



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Montgomery County-credentialed and Maryland-licensed emergency medical services provider at the level of EMT-P, CRT or CRT99, and one EMT-B provider.

- [d. Department. Department of Fire and Rescue Services.]
- [a]d. **Apparatus.** Engines, Aerial Units, Rescue Squads, Brush Trucks, Advanced Life Support (ALS) Units, Basic Life Support (BLS) Units, and Special Units.
- [e. Desired Staffing Level. The desired minimum number of qualified personnel to staff a specific emergency vehicle.]
- e. **Basic Life Support (BLS) Provider.** An individual who is Maryland-licensed and County-credentialed to provide EMT-B level emergency medical service.
- [f. Emergency Incident. An incident requiring the dispatch of a fire or rescue unit by the Emergency Communications Center (ECC).]
- f. **Basic Life Support (BLS) Unit.** An ambulance staffed by at least two Maryland-Certified Emergency Medical Technicians (EMTs) who provide basic life support level emergency medical service.
- [g. Minimum Staffing Level. The least number of qualified personnel required to staff specified apparatus.]
- g. **Desired Staffing Level.** The desired minimum number of qualified personnel to staff a specific [emergency vehicle] apparatus.
- [h. MICU. Mobile Intensive Care Unit.]
- [f]h. **Emergency Incident.** Any event requiring the Emergency Communications Center (ECC) to dispatch a fire or rescue unit.
- [i. Personnel. Volunteer or career Firefighter/Rescuers, Rescuers, or Medical Attendants who are certified at the training level required for the position assigned.]
- i. **Integrated Emergency Command Structure (IECS).** The operational chain of



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command and rank structure that integrates all fire and rescue services personnel, both career and volunteer, who have met the applicable training, experience, certification, and credentialing requirements.

- [j] Primary Unit. Primary units are engines, ladder trucks, rescue squads and extrication units that have been dispatched, or are available to be dispatched to an emergency incident.]
- i. **IECS-Certified.** The status indicating an individual's eligibility to serve at a specific rank level, as noted in the IECS Executive Regulation, and the Certification Standards for Training, Experience, and Credentialing Requirements Executive Regulation.
- [k] Primary Unit Officer. Individual certified as a Firefighter/Rescuer III, Rescuer III, or higher level.]
- k. **Minimum Staffing Level.** The least number of qualified personnel required to staff specified apparatus.
- l. **Personnel.** For the purposes of this Regulation, all active IECS-certified firefighter/rescuer and emergency medical service providers, including volunteers and employees of the local fire and rescue departments and County Merit System employees of the MCFRS.
- m. **Primary Unit.** Engines, aerial units, and rescue squads that have been dispatched, or are available to be dispatched to an incident.
- n. **Primary Unit Officer.** [Individual certified as a Firefighter/Rescuer III, Rescuer III, or higher level.] An individual certified at the rank of Master Firefighter/Rescuer or higher rank, as specified in the Integrated Emergency Command Structure Executive Regulation. However, in extenuating circumstances, as determined by the Fire Chief, a Firefighter/Rescuer III may act as a Primary Unit Officer.
- o. **Undermanned Unit.** Apparatus responding to an incident that has IECS-certified personnel on board, but whose crew does not meet the minimum required number of qualified staffing.



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- p. Understaffed Unit. Apparatus responding to an incident whose crew does not meet the minimum required number of IECs-certified personnel.

**Section 4. Policy.** It is the policy of the Fire [and Rescue Commission] Chief to [ensure the safety of fire and rescue personnel and] enhance the efficient delivery of fire, rescue, and emergency medical services on all **emergency incidents** by establishing [minimum] **staffing levels** of qualified **personnel** for all **apparatus**. [The] Those required [minimum] **staffing levels** are specified in this Regulation [: will promote these objectives].

- a. Minimum Staffing Levels. The minimum staffing levels required for the following apparatus are:

- Engines- three **personnel**
- [Ladder Trucks] Aerial Units- three **personnel**
- Rescue Squads- three **personnel**
- [Extrication Units- three personnel]
- Brush Truck- one person
- [MICUs] ALS Units-[three] two **personnel**
- [Ambulance] BLS Units- two **personnel**
- Tankers – one **person**
- Special Units - one **person**

1. To determine whether **minimum staffing levels** have been achieved for a specific **apparatus**, the following standard applies:
  - A. **Personnel** must be at least [16] 17 years of age and IECS-certified at the Firefighter/Rescuer [I] II [or Rescuer I] level to count towards **minimum staffing levels** for Engines, [Ladder Trucks,] Aerial Units, Rescue Squads, [Extrication Units,] Brush Trucks, and Special Units.
  - B. **Personnel** must be at least 18 years of age and IECS-certified as a Maryland EMT-[A] B to count towards **minimum staffing** on [MICUs] ALS Units or [ambulances] BLS Units.
  - C. A **primary unit officer** must be included in the **minimum staffing**



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levels [in] of all primary units.

D. At least one Maryland [CRT] paramedic, and one CRT (or CRT99), or EMT-P or EMT-B must be included in the **minimum staffing levels** on all [MICUs] **ALS Units** and **AFRAs**.

2. **Personnel** who are **IECS-certified** at the Firefighter/Rescuer I [or Rescuer] level[s] may be used as supplemental staffing on all apparatus, but [do] will not count toward **minimum staffing levels**.

3. **Apparatus** responding with less than the **minimum staffing level** must notify the Emergency Communications Center (ECC) that [it] the unit is responding **understaffed/undermanned**, and state the number of qualified **personnel**, including the officer, on the **apparatus**.

A. The ECC must dispatch an additional unit to supplement each **understaffed/undermanned unit** [only after consulting with the Incident Commander].

B. If the additional unit responds with less than the **minimum staffing level**, but with enough qualified **personnel** to complete the **minimum staffing level** of the original **understaffed/undermanned unit**, it will not be necessary for ECC to dispatch an additional unit.

4. [MICUs] **ALS Units** and [ambulances] **BLS Units** [should] must not respond if staffed with fewer than two **personnel**.

b. **Desired Staffing Levels.** When sufficient **personnel** are available, the **desired staffing levels** for apparatus are [at least]:

- Engines- four **personnel**
- [Ladder Trucks] **Aerial Units**- four **personnel**
- Rescue Squads- four **personnel**
- [Extrication Units- four **personnel**]
- Brush Trucks- two **personnel**
- [MICUs] **ALS Units**- three **personnel**
- [Ambulances] **BLS Units**- three **personnel**



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Tankers – two personnel  
Special Units- two personnel

- c. If a primary unit responds with the assigned four-person staffing, but because of the nature of the incident the staffing is reduced (i.e., ALS provider, EMT-B, etc.) to three qualified personnel, the primary unit will remain in service as a minimum-staffed unit, in accordance with this Regulation.
- d. The desired staffing level for [MICUs] ALS Units is at least [one] two Maryland Certified EMT-[A] Bs, [one CRT,] and one [EMT-P] ALS Provider.

### Section 5. Responsibilities.

- a. The [Corporations, with the assistance of the Department,] Fire Chief must [attempt to] ensure that minimum staffing levels are available for [all] apparatus, in accordance with this Regulation.
- b. All MCFRS personnel must [ensure compliance] comply with this [policy] Regulation by reporting to the ECC any apparatus responding with less than the minimum staffing level as "responding understaffed/undermanned."

**Section 6. Implementation and Enforcement.** The Fire Chief is the implementation and enforcement authority for all policies and regulations of the Montgomery County Fire and Rescue Service.

**Section [6] 7. Severability.** If a court of final appeal holds that any part of this Regulation is invalid, that ruling does not affect the validity of other parts of the Regulation.

**Section [7] 8. Effective Date.** This Regulation is effective on the date the County Council adopts a resolution approving it.

[Attest: George Giebel, Chairman, Fire and Rescue Commission]



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Recommended:

Richard R. Bowers, Interim Fire Chief  
Montgomery County Fire and Rescue Service

3/18/09

Date

Approved:

Isiah Leggett, County Executive  
Montgomery County, Maryland

3/18/09

Date

Apparatus Staffing Policy ER wp BF 11/13/08

APPROVED AS TO FORM AND LEGALITY  
OFFICE OF COUNTY ATTORNEY  
BY Richard H. Melnick  
DATE 3-18-09

Exec Reg



042514

Handwritten notes: MD, CC, SBF, LL, CB, and a bracketed list.

OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
County Executive

MEMORANDUM

May 18, 2009

Method 2

2009 MAY 19 AM 11:02

TO: Phil Andrews, President  
Montgomery County Council

FROM: Isiah Leggett, County Executive

SUBJECT: Adoption of Executive Regulation #25-08, *Apparatus Staffing Policy*

At the request of Fire Chief Richard Bowers, I am transmitting for the Council's review and adoption Executive Regulation #25-08, *Apparatus Staffing Policy*, as required by Section 21-4B(e)(3) of the Montgomery County Code, under Method 2 requirements. This Regulation was amended to increase the number of personnel who staff Montgomery County Fire and Rescue Service (MCFRS) apparatus by adding qualified personnel to the minimum staffing levels on primary units, as determined by the Fire Chief. This staffing level is recommended in fire and rescue industry standards, including National Fire Protection Association (NFPA) Standard 1500, *Standard on Occupational Safety and Health Program*, and NFPA Standard 1710, *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments*.

The Fire Chief has implemented an initiative to staff all primary units with four-person staffing, and has issued *Fire Chief's General Orders* designating certain apparatus to comply with this staffing plan. Implementing this requirement is consistent with provisions in the *Integrated Emergency Command Structure*, ER#16-05AM, and both the current *Certification Standards for Training, Experience, and Credentialing Requirements* ER #21-06, and the amended Executive Regulation of the same title, ER #36-08, submitted to you under separate cover.

Chief Bowers recommends that this Executive Regulation be approved, and my signature indicates my concurrence. With the Council's adoption, *Apparatus Staffing Policy* ER #25-08 will supersede ER #14-90AM of the same title. If additional information is needed, please call Chief Bowers on Extension 7-2435.

IL:bf

Attachment