

560 CMR: STATE 911 DEPARTMENT

560 CMR 5.00: REGULATIONS ESTABLISHING CERTIFICATION REQUIREMENTS FOR ENHANCED 911 TELECOMMUNICATORS, GOVERNING EMERGENCY MEDICAL DISPATCH, AND ESTABLISHING 911 CALL HANDLING PROCEDURES

5.01: Purpose

The purpose of 560 CMR 5.00 is to establish regulations to carry out the provisions of M.G.L. c. 6A, §18B by establishing certification requirements for enhanced 911 telecommunicators, providing for standards governing emergency medical dispatch, and establishing 911 call handling procedures to maximize 911 telecommunicator proficiency and to provide enhanced public safety benefits to the citizens of the Commonwealth.

5.02: Scope and Applicability

560 CMR 5.00 applies to enhanced 911 telecommunicators in the Commonwealth, the provision of emergency medical dispatch and quality assurance of emergency medical dispatch programs in the Commonwealth, and 911 call handling procedures in the Commonwealth.

5.03: Definitions

Abandoned call means a call placed to 911 in which the caller disconnects before the call can be answered by the enhanced 911 telecommunicator.

Americans with Disabilities Act or ADA means the Americans with Disabilities Act of 1990, as amended.

Automatic location identification or ALI means an enhanced 911 service capability that allows for the automatic display of information relating to the geographical location of the communication device used to place a 911 call.

Automatic number identification or ANI means an enhanced 911 service capability that allows for the automatic display of a telephone number used to route or place a 911 call.

Cardiopulmonary resuscitation or CPR certification means a certification demonstrating successful completion of an American Red Cross, American Heart Association, or other cardiopulmonary resuscitation training and certification program that is approved by the Department.

Certified emergency medical dispatcher means a certified enhanced 911 telecommunicator who meets the certification requirements to provide EMD services and to act as a certified emergency medical dispatcher for a PSAP or RECC.

Certified emergency medical dispatch resource or certified EMD resource means a limited secondary PSAP, primary PSAP, regional PSAP, regional secondary PSAP, secondary PSAP, RECC, wireless state police PSAP, or private safety department that is equipped to provide ANI and ALI displays and that is approved by the Department to provide emergency medical dispatch services for a PSAP or RECC through emergency medical dispatchers.

Certified enhanced 911 telecommunicator means a person certified by the Department as an enhanced 911 telecommunicator.

Commonwealth means the Commonwealth of Massachusetts.

Communication service provider means an entity that provides communication services, as defined in Massachusetts General Laws c. 6A, § 18A, to a subscriber or end user.

Deaf means a severe to profound hearing loss resulting in the majority of circumstances, in an inability to effectively use a conventional telephone without the assistance of a text telephone or other nonvoice terminal device

Department means the state 911 Department.

Dispatch life support means the knowledge, procedures, and skills used by emergency medical dispatchers in providing care and advice through pre-arrival instructions and post-dispatch instructions to callers requesting emergency medical services.

EMD medical director means the qualified physician designated to oversee matters of medical control for the PSAP, RECC, or certified EMD resource.

Emergency medical dispatch or EMD means the management of requests for emergency medical assistance by utilizing a system of: (a) tiered response or priority dispatching of emergency medical resources based on the level of medical assistance needed by the victim; and (b) pre-arrival first aid or other medical instructions given by trained personnel responsible for receiving 911 calls and directly dispatching emergency response services.

Emergency medical dispatch protocol reference system or EMDPRS means a system approved by the Department that meets National Highway Traffic Safety Administration standards and that includes a protocol for emergency medical dispatcher response to calls, including structured caller questioning for patient condition, incident facts, and scene safety, pre-arrival instructions, post-dispatch instructions, selection of appropriate field resources to dispatch (such as first responder, basic life support, and/or advanced life support), and a continuous quality assurance program that measures compliance with the protocol through ongoing random case review of each emergency medical dispatcher.

Enhanced 911 equipment means 911 call processing equipment located at a PSAP.

Enhanced 911 service means a service consisting of communication network, database and equipment features provided for subscribers or end users of communication services enabling such subscribers or end users to reach a PSAP by dialing the digits 911, or by other means approved by the department, that directs calls to appropriate PSAPs based on selective routing and provides the capability for automatic number identification and automatic location identification.

Enhanced 911 service provider means an entity that provides one or more of the following 911 elements: network, database, or PSAP customer premises equipment.

Enhanced 911 telecommunicator means an individual who acts in the capacity of a 911 call taker.

Hang up call means a call placed to 911 in which the caller disconnects when the call is answered by the enhanced 911 telecommunicator.

Hard of hearing means a hearing loss resulting, in the majority of circumstances, in an inability to effectively use a telephone without the assistance of sound amplification control or a telephone without the use of a hearing aid and a hearing aid compatible handset.

Limited secondary PSAP means a PSAP equipped, at a minimum, with automatic number identification and automatic location identification display or printout capability. It receives 911 calls only when they are transferred from the primary PSAP. Data sent to a limited secondary PSAP cannot be re-routed to another location and may not necessarily be transmitted simultaneously with the voice call.

Medical control means the clinical oversight by a qualified physician of all components of the emergency medical dispatch system, including, without limitation, treatment protocols, medical direction, training of personnel, quality assurance and continuous quality improvement.

National Highway Traffic Safety Administration or NHTSA standards means the EMD curriculum of The United States Department of Transportation, National Highway Traffic Safety Administration.

Office of Emergency Medical Services or OEMS means the Office of Emergency Medical Services within the Department of Public Health.

Post-dispatch instructions means case-specific advice, warnings, and treatments given by an emergency medical dispatcher whenever possible and appropriate after dispatching field responders in accordance with a Department-approved EMDPRS.

Pre-arrival instructions means scripted medical instructions given whenever possible and appropriate to provide necessary assistance and control of the situation, including without

limitation, potential life-saving instructions and post-dispatch instructions, prior to arrival of emergency medical services personnel in accordance with a Department-approved EMDPRS.

Primary public safety answering point or primary PSAP means a facility equipped with automatic number identification and automatic location identification displays, and is the first point of reception of a 911 call. It serves the municipality in which it is located.

Private safety department means an entity, except for a municipality or a public safety department, that provides emergency police, fire, ambulance or medical services.

Public safety answering point or PSAP means a facility assigned the responsibility of receiving 911 calls and, as appropriate, directly dispatching emergency response services or transferring or relaying emergency 911 calls to other public or private safety agencies or other PSAPs.

Public safety department means a functional division of a municipality or a state that provides fire fighting, law enforcement, ambulance, medical, or other emergency medical services.

Quality assurance means a systematic program and services consisting of medical control, medical review, call review, call tracking, deficiency identification, and remediation of emergency medical dispatch personnel, policies, and procedures.

Regional emergency communications center or RECC means a facility operated by or on behalf of two or more municipalities or governmental bodies, or combination thereof, as approved by the department, that enter into an agreement for the establishment and provision of regional dispatch and coordination of emergency services for all such municipalities or governmental bodies, including but not limited to, a regional PSAP that provides enhanced 911 service and police, fire protection, and emergency medical services dispatch, including services provided by a private safety department.

Regional PSAP means a PSAP that is operated by or on behalf of two or more municipalities or governmental bodies, or combination thereof, approved by the department, for the operation of enhanced 911 call taking and call transfer activities. A regional PSAP may also be engaged in, by agreement, the dispatching or control of public safety resources serving some or all of the municipalities or governmental bodies that comprise the regional PSAP, including where services are provided by a private safety department. If the regional PSAP serves all such municipalities or governmental bodies for the operation of enhanced 911 call taking and call transfer activities and dispatch services, including where such dispatch services are provided by a public safety department, it shall be considered a regional emergency communications center for purposes of Massachusetts General Law Chapter 6A, §18B. The regional PSAP shall be equipped with automatic number identification and automatic location identification displays, as approved by the department, and is the first point of reception of a 911 call.

Regional Secondary PSAP means a facility operated by or on behalf of three or more municipalities or governmental bodies, or a combination thereof, approved by the department, that enter into an agreement for the establishment and provision of regional dispatch and coordination of either police, fire protection or emergency medical services, or any combination thereof. A regional secondary PSAP is equipped with automatic number identification and automatic location identification displays. It receives 911 calls only when transferred from a primary or regional PSAP or on an alternative routing basis when calls cannot be completed to the primary or regional PSAP.

Ringin PSAP means a PSAP equipped for receipt of voice communications only, and may not operate 24 hours each day. It receives 911 calls only when they are transferred from the primary PSAP.

Secondary PSAP means a PSAP equipped with automatic number identification and automatic location identification displays. It receives 911 calls only when they are transferred from the primary PSAP or on an alternative routing basis when calls cannot be completed to the primary PSAP.

Silent call means a 911 call received at a PSAP in which no audible voice or tone is received and the caller does not disconnect.

Silent call procedure means the enhanced 911 service feature, as prescribed by the Department, that allows an enhanced 911 telecommunicator to respond to silent calls so that a 911 caller who is unable to verbally communicate the emergency over the telephone may receive the appropriate response.

Text telephone or TTY means a machine that employs graphic communication in the transmission of coded signals through a wire or radio communications system.

Wireless state police PSAP means a state police facility assigned the responsibility of primarily or entirely receiving wireless 911 calls and, as appropriate, dispatching emergency response services or transferring or relaying emergency 911 calls to other public or private safety departments or other PSAPs.

5.04: Certification of Enhanced 911 Telecommunicators

In order to act as an enhanced 911 telecommunicator, an individual shall be certified in accordance with these regulations. These certification requirements shall apply to all individuals who act as an enhanced 911 telecommunicator, whether on a full-time or part-time basis, at a primary PSAP, regional PSAP, regional secondary PSAP (except a regional secondary PSAP that is operated by a private safety department), secondary PSAP (except a secondary PSAP that is operated by a private safety department), RECC, or wireless state police PSAP.

(1) Enhanced 911 Telecommunicators Certified On or Before Effective Date of Regulations

An enhanced 911 telecommunicator who is employed by a PSAP as a certified enhanced 911 telecommunicator on or before the effective date of these regulations shall, in order to maintain certification as an enhanced 911 telecommunicator, successfully complete a minimum of sixteen hours of Department-approved continuing education annually commencing July 1, 2012, or the equivalent thereof as approved by the Department.

(2) Enhanced 911 Telecommunicators Not Certified On or Before Effective Date of Regulations

An individual who is not employed by a PSAP as a certified enhanced 911 telecommunicator on or before the effective date of these regulations shall obtain certification by the Department as an enhanced 911 telecommunicator by meeting the following qualifications:

- (a) successful completion of a minimum of two days of 911 equipment and basic telecommunicator training offered by the Department; and
- (b) successful completion of a minimum of forty hours of Department-approved basic telecommunicator training, or the equivalent thereof as approved by the Department.

In order to maintain certification as an enhanced 911 telecommunicator, such person shall successfully complete thereafter a minimum of sixteen hours of Department-approved continuing education annually, or the equivalent thereof as approved by the Department.

5.05: Requirements for PSAPs to Provide Emergency Medical Dispatch Services

By July 1, 2012, and thereafter, each primary PSAP, regional PSAP, and RECC shall either: 1) provide EMD through certified emergency medical dispatchers at such PSAP or RECC; or 2) arrange for EMD to be provided through a certified EMD resource.

By July 1, 2012, and thereafter, each primary PSAP, regional PSAP, and RECC that provides EMD through certified emergency medical dispatchers at such PSAP or RECC and each certified EMD resource that provides EMD shall:

- (1) use a single Department-approved Emergency Medical Dispatch Protocol Reference System on every request for medical assistance, unless exigent circumstances prohibit such use;
- (2) have in place policies and procedures for the safe and effective use of the Department-approved EMDPRS;
- (3) provide pre-arrival instructions; and
- (4) provide dispatch life support in compliance with the written text of scripts and other processes within a Department-approved EMDPRS.

In recognition of the unique responsibilities of wireless state police PSAPs to receive wireless 911 calls, wireless state police PSAPs shall be permitted to meet the requirements of this section as follows:

- (1) Wireless state police PSAPs shall, whenever possible, immediately transfer or relay wireless 911 calls requesting emergency medical assistance to the appropriate PSAP, RECC, or private safety department in order for such entity to provide EMD through certified emergency medical dispatchers or through a certified EMD resource.
- (2) For wireless 911 calls that are not able to be transferred or relayed to the appropriate PSAP, RECC, or private safety department in order for such entity to provide EMD through certified emergency medical dispatchers or through a certified EMD resource, and for calls that are within the jurisdiction of the wireless state police PSAP, the wireless state police PSAP shall either: 1) provide EMD through certified emergency medical dispatchers; or arrange for EMD to be provided through a certified EMD resource.

5.06: Quality Assurance of Emergency Medical Dispatch Services

By July 1, 2012, and thereafter, each primary PSAP, regional PSAP, RECC, and wireless state police PSAP that provides EMD through certified emergency medical dispatchers and each certified EMD resource shall establish a continuous quality assurance, improvement, and management program that shall include, at a minimum, the following:

- (1) documentation of the quality assurance case review process utilized to identify EMD compliance with the EMDPRS;
- (2) written approval of the EMD medical director;
- (3) ongoing random case review in accordance with the guidelines of the EMDPRS; and
- (4) regular feedback of performance results to emergency medical dispatchers.

5.07: Certified Emergency Medical Dispatchers

In order to act as a certified emergency medical dispatcher for a PSAP or RECC, an individual shall:

- (1) obtain and maintain certification as an enhanced 911 telecommunicator in accordance with section 5.04 of these regulations;
- (2) obtain and maintain CPR certification; and
- (3) obtain and maintain certification in EMD through an EMD certification organization approved by the Department.

5.08: Approval as Certified Emergency Medical Dispatch Resource

A limited secondary PSAP, primary PSAP, regional PSAP, regional secondary PSAP, secondary PSAP, RECC, wireless state police PSAP, or private safety department that intends to provide emergency medical dispatch services for a PSAP or RECC as a certified EMD resource shall

submit to the Department, on a form specified by the Department or in such other manner specified by the Department, a request for approval as a certified EMD resource.

(A) The request for approval from a limited secondary PSAP, private safety department, a secondary PSAP operated by a private safety department, or a regional secondary PSAP operated by a private safety department shall include the following:

- (1) the EMDPRS that will be used;
- (2) the enhanced 911 equipment that will be used;
- (3) documentation that each emergency medical dispatcher that will provide EMD:
 - (a) will successfully complete 911 equipment and basic telecommunicator training equivalent to the training required of enhanced 911 telecommunicators under section 5.04 of these regulations, as determined by the Department;
 - (b) will obtain certification in EMD through an EMD certification organization approved by the Department; and
 - (c) will successfully complete continuing education equivalent to the continuing education required of enhanced 911 telecommunicators under section 5.04 of these regulations, as determined by the Department;
- (4) documentation of current licensure by OEMS, if applicable; and
- (5) any other documentation required by the Department.

(B) The request for approval from a primary PSAP, regional PSAP, regional secondary PSAP (except a regional secondary PSAP operated by a private safety department), secondary PSAP (except a secondary PSAP operated by a private safety department), RECC, or wireless state police PSAP shall include:

- (1) the EMDPRS that will be used;
- (2) documentation that each emergency medical dispatcher is a certified emergency medical dispatcher in accordance with section 5.07 of these regulations; and
- (3) any other documentation required by the Department.

The Department will evaluate and approve as a certified EMD resource such entities as the Department determines appropriate in its sole discretion.

5.09: Approval of Emergency Medical Dispatch Protocol Reference System

An organization that provides and maintains a comprehensive EMDPRS may submit to the Department, on a form specified by the Department or in such other manner specified by the Department, a request for program recognition as a Department-approved EMDPRS. The request for approval shall include documentation of the EMD protocol that is used, the curriculum, training system, including training requirements for instructors, a description of the scientific methods-based standards methodology, certification examination, and any other

documentation required by the Department. The Department will evaluate and approve for recognition as a Department-approved EMDPRS such programs as the Department determines appropriate in its sole discretion.

5.10: Call Handling Procedures

The following call handling procedures shall apply to all 911 calls in the Commonwealth.

- (1) Call Answering. When answering a 911 call that is delivered on a 911 line, the enhanced 911 telecommunicator shall answer the call with the following or a similar greeting: “911, this line is recorded, Where is Your Emergency?” The enhanced 911 telecommunicator shall not identify the PSAP as a particular agency.

When answering a call that is delivered on the two-way emergency line or the one-way inter-PSAP line, the enhanced 911 telecommunicator shall answer the call by identifying the PSAP by name.

The enhanced 911 telecommunicator shall verify with each 911 caller the ALI data and shall determine the exact location to which the caller needs emergency personnel dispatched. The need for assistance may not necessarily be at the location of the 911 caller.

- (2) Call Transfer. Each primary PSAP, regional PSAP, RECC, and wireless state police PSAP shall be permitted to transfer 911 calls to a secondary PSAP, limited secondary PSAP, regional secondary PSAP, ringing PSAP, public safety department, or private safety department.

No caller shall be procedurally required to speak with more than three enhanced 911 telecommunicators. The three enhanced 911 telecommunicators may consist of an enhanced 911 telecommunicator at a wireless state police PSAP, an enhanced 911 telecommunicator at a primary PSAP, regional PSAP, or RECC, and an enhanced 911 telecommunicator at a secondary PSAP, limited secondary PSAP, regional secondary PSAP, ringing PSAP, public safety department or private safety department. Notwithstanding the foregoing, if a 911 call is inadvertently transferred or misrouted to the wrong agency, the receiving agency shall gather the necessary information and transfer the call or relay the information to the proper agency.

In all instances, the transferring enhanced 911 telecommunicator shall advise the caller to stay on the line and not hang up while the call is being transferred. In all instances the transferring enhanced 911 telecommunicator shall verify the location of the emergency prior to transferring the call and shall stay on the line until the receiving enhanced 911 telecommunicator acknowledges receipt of the call to verify that the transfer was successful.

A PSAP, RECC, public safety department, or private safety department that receives a request for emergency service outside of its jurisdiction shall immediately forward the request to the appropriate PSAP or public safety department responsible for the geographical area.

(3) Special Circumstances.

TTY Calls. Primary and regional PSAPs, RECCs, wireless state police PSAPs, and secondary PSAPs shall establish procedures to handle 911 calls from deaf and hard of hearing individuals via TTY or any other feature that is part of the enhanced 911 equipment that allows calls from individuals who are deaf and hard of hearing and individuals who have a speech disability. All PSAPs with the capability of receiving a TTY call or other modes of communication from individuals who are deaf and hard of hearing and individuals who have a speech disability shall test the TTY feature or other mode of communication, as technology allows, of the enhanced 911 equipment on a regular basis and shall comply with the ADA.

A PSAP that receives TTY test calls from the Department or its designee shall investigate all failures internally and shall provide user refresher training for failed calls that are a result of user error by the enhanced 911 telecommunicator. All TTY equipment problems shall be immediately reported to the enhanced 911 service provider. The Department may request from a PSAP that experiences continued high failure rates a report that explains the corrective measures that are being taken to address such failures.

(a) Silent Calls. Upon receiving a silent call, the enhanced 911 telecommunicator shall first confirm that the call is not coming from a TTY device. The enhanced 911 telecommunicator shall advise the caller to stay on the line and not hang up. The enhanced 911 telecommunicator shall then test the call to determine whether the call is a TTY call. If it is determined that the call is a TTY call, the enhanced 911 telecommunicator shall follow established TTY call handling procedures. If it is determined that the call is not a TTY call, the enhanced 911 telecommunicator shall use the ALI information to dispatch the appropriate emergency personnel in accordance with local procedures. The enhanced 911 telecommunicator shall then use the silent call procedure to attempt to communicate with the caller. All silent calls placed to 911 from a wireline require emergency response, unless the location information is not sufficient to allow for location of the caller. All other silent calls require emergency response in accordance with local procedures, unless the location information is not sufficient to allow for location of the caller.

(b) Abandoned Calls and Hangup Calls. Upon receiving an abandoned call or a hangup call, the enhanced 911 telecommunicator shall make a return call to the caller using the ANI associated with the call. If the caller does not answer, if a messaging system is received, if there is a busy signal, or if the caller answers and gives a vague or confusing response, the enhanced 911 telecommunicator shall follow local procedures

and dispatch emergency personnel, unless the location information is not sufficient to allow for location of the caller.

(c) Operator Assisted Emergency Calls. All communication service providers shall transfer operator dialed emergency calls to the 911 trunks in the correct primary or regional PSAP territory. The ANI shall display a code identifying an operator assisted call to the PSAP. The operator shall also announce to the PSAP an operator assisted call and provide the ANI.

(d) No ALI Record Found Assistance. The enhanced 911 service provider shall provide a manual or electronic ALI record look up service that can be accessed by PSAP personnel seven days a week, twenty-four hours a day, three hundred sixty-five days a year for use when a 911 call is received with no ALI record found. The PSAP shall maintain documentation of reports to the enhanced 911 service provider of no ALI record found.

5.11: Recordkeeping

Each primary PSAP, regional PSAP, regional secondary PSAP (except a regional secondary PSAP operated by a private safety department), secondary PSAP (except a secondary PSAP operated by a private safety department), RECC, and wireless state police PSAP shall require that each enhanced 911 telecommunicator be certified by the Department in accordance with section 5.04 of these regulations. Each primary PSAP, regional PSAP, regional secondary PSAP, secondary PSAP (except a secondary PSAP operated by a private safety department), RECC, and wireless state police PSAP shall annually submit to the Department documentation in a form satisfactory to the Department that each enhanced 911 telecommunicator meets the certification requirements of these regulations.

Each primary PSAP, regional PSAP, and RECC shall annually certify to the Department, on a form specified by the Department or in such other manner specified by the Department, that it meets the requirements of sections 5.05 and 5.06 of these regulations. Such annual certification shall state whether the PSAP or RECC either: 1) provides EMD through certified emergency medical dispatchers, and if so, documentation that each person that acts as an emergency medical dispatcher meets the certification requirements of section 5.07 of these regulations; or 2) arranges for EMD to be provided through a certified EMD resource, and if so, the name of the certified EMD resource. Such annual certification shall also state that the PSAP or RECC has notified the local emergency medical services provider of the EMDPRS that is used for the PSAP and that the local emergency medical services provider has acknowledged receipt of such notification.

Each certified EMD resource shall annually certify to the Department, on a form specified by the Department or in such other manner specified by the Department, that it meets the requirements of these regulations. Such annual certification shall provide documentation that each person that acts as an emergency medical dispatcher has maintained certification in EMD through an EMD certification organization approved by the Department.

Each PSAP and each certified EMD resource shall provide to the Department such additional information as may be reasonably requested by the Department. The Department may inspect any PSAP to determine if it meets the requirements of these regulations. Each PSAP shall maintain, and shall make available to the Department for inspection, its books and records in a manner that will permit the department to determine whether the PSAP has complied with or is complying with the provisions of these regulations.

5.12 Enforcement

The Department reserves the right to withhold grant funding, including without limitation, funding under the State 911 Department Support and Incentive Grant, from a PSAP that fails to comply with the requirements of these regulations, and the Department further reserves the right to notify state and/or local authorities or officials that funding is being withheld on such grounds.

Pursuant to Massachusetts General Laws c. 6A, §18E, the Attorney General may, at the request of the Department or on the Attorney General's own initiative, institute civil proceedings to enforce the provisions of 560 CMR 5.00.

5.13: Severability

If any provision of 560 CMR 5.00, or the application thereof, is held, adjudged, or deemed invalid, such finding of invalidity shall not affect other provisions or application, and to that end the provision of 560 CMR 5.00 are severable.

REGULATORY AUTHORITY

M.G.L. c. 6A, § 18B, M.G.L. c. 30A.