



Economic Impact Analysis Virginia Department of Planning and Budget

4 VAC 25-20 – Board of Coal Mining Examiners Certification Requirements
Department of Mines, Minerals and Energy
December 20, 2012

Summary of the Proposed Amendments to Regulation

The Board of Coal Mining Examiners (Board) proposes two amendments to these regulations. First, the Board proposes to clarify that for ongoing advanced first aid certification, CPR recertification need only be done once every two years instead of annually. Second, for advanced first aid instructor certification, the Board proposes to accept CPR certification by other training programs in addition to the American Heart Association or the American Red Cross. Currently only CPR training by the American Heart Association and the American Red Cross are accepted.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

The Board issues numerous certifications, including advanced first aid. Required training for the advanced first aid certification includes cardiopulmonary resuscitation (CPR). Continuing education, including recertification in CPR, is required in order to remain certified in advanced first aid in good standing. The current regulations imply that recertification in CPR should be done annually; but certifications for CPR last for two years in practice. Thus, the Board proposes to amend the language in these regulations to make clear that the CPR recertification need only be done once every two years instead of annually. This proposed change will be beneficial in that it will eliminate confusion, but will not change what occurs and what is required in practice.

In addition to issuing certification in advanced first aid, the Board also certifies advanced first aid instructors. The current regulations state that applicants must be certified in CPR by either the American Heart Association or the American Red Cross. The Board proposes to also accept CPR certification by other training programs which are approved by the Virginia Office of Emergency Services and approved by the Chief of the Division of Mines. According to the Department of Mines, Minerals and Energy, one such organization under consideration is the American Safety and Health Institute.

This proposed change has the potential to moderately reduce costs for individuals seeking advanced first aid instructor certification. CPR training by the American Safety and Health Institute or another potentially approved organization may be offered at a closer location or a more convenient time for advanced first aid instructor certification applicants. So time and perhaps fuel may be saved. Also, these potentially approved organizations may charge lower fees than the American Heart Association or the American Red Cross. Assuming that the Virginia Office of Emergency Services and the Chief of the Division of Mines only approve organizations that provide competent training, the proposal to approve additional organizations for CPR training should not negatively affect the CPR providing/instructing competence of certified advanced first aid instructors. Thus this proposal should provide a net benefit.

Businesses and Entities Affected

The proposed amendments potentially affect the approximately 15 to 20 coal mining operators in the Commonwealth, as well as all the 826 individuals certified in advanced first aid and individuals certified as advanced first aid instructors by the Board.¹ Providers of CPR training such as entities affiliated with the American Heart Association, the American Red Cross, and the American Safety and Health Institute are also potentially affected.

Localities Particularly Affected

The proposed regulatory amendments particularly affect the counties where coal mining predominantly occurs, i.e., Buchanan, Dickenson, Lee, Russell, Scott, Tazewell, and Wise.²

¹ Figures provided by the Department of Mines, Minerals and Energy

² Source: Department of Mines, Minerals and Energy

Projected Impact on Employment

The proposal to accept CPR certification by other training programs (in addition to the American Heart Association or the American Red Cross) for advanced first aid instructor certification may shift a moderate amount of business from American Heart Association or the American Red Cross affiliated training establishments to other approved organizations. This proposed change will not likely have a large impact on employment though.

Effects on the Use and Value of Private Property

The proposal to accept CPR certification by other training programs (in addition to the American Heart Association or the American Red Cross) for advanced first aid instructor certification may enable advanced first aid instructor certification applicants to find approved training at a closer location and/or a location with lower fees or more conveniently timed classes. Thus, there may be a shift in a moderate amount of business from American Heart Association or the American Red Cross affiliated training establishments to other approved organizations.

Small Businesses: Costs and Other Effects

The proposed amendments will not increase costs for small businesses.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed amendments do not adversely affect small businesses.

Real Estate Development Costs

The proposed amendments are unlikely to significantly affect real estate development costs.

Legal Mandate

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.04 of the Administrative Process Act and Executive Order Number 14 (10). Section 2.2-4007.04 requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the

regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.04 requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.