

**Western Washington Medical Services Communications  
Aka ARES Medical Services Teams  
Policy Statement Concerning FCC Public Notice**

To: All Hospitals in Washington State, Dept. of Health PHEPR Program, Local Public Health, and other affected agencies

From: Marina Zuetell, President of W. WA. Medical Services Communications, and Communications Consultant to WA. State Dept. of Health

Re: Public Notice from Federal Communications Commission concerning Amateur Radio operators who are employees

Date: Nov. 1, 2009

The Federal Communications Commission (FCC) issued Public Notice **DA 09-2259** on October 20, 2009, which states: “The Commission’s Rules specifically prohibit amateur stations from transmitting communications “in which the station licensee or control operator has a pecuniary interest, *including communications on behalf of an employer.*” The notice goes on to say that during a disaster or emergency incident, where no other means of communications exists, employee operator may operate the employer’s amateur radio station for the purpose of responding to the emergency or disaster. However, operation of the radios by employees during drills, exercises, and tests is specifically prohibited, unless a waiver has been applied for and granted in advance through a government agency.

This is not a change in the existing rules, but rather an enforcement of an existing clause which had previously been relaxed in 1993, and again in 1997.

While this new ruling is detrimental to the operation of the Amateur Radio program supporting healthcare that we have built up over 20 years, we are required as FCC licensees to comply.

Efforts are being made to have this policy revised to allow training and exercise of our employee members, and a Petition has been filed with the FCC, but it will take some time to work through the issues and the ruling. We will do everything that we can to facilitate the continued support of our healthcare partners, and to continue to develop the training program.

To summarize the current conditions which can, and cannot, be performed:

1. Employee amateur radio operators may operate the radios during a disaster or emergency, where no other means of communication are available.
2. Employee amateur radio operators may operate the radios if a non-employee operator is present, and is functioning as the control operator, using their FCC call sign.
3. Employee amateur radio operators may operate the equipment for recreational purposes, such as a club, and to participate in drills or exercises that have nothing to do with the business of their employers, or not on behalf, or perceived to be on behalf, of their employer. They may participate in communications nets that do not pertain, or can be perceived to be related, to the business of their employer.
4. Employee operators may operate in drills and exercises on behalf of their employer IF a waiver has been requested by a government agency, and granted in advance, from the FCC.

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5. Employee amateur radio operators may NOT operate amateur radio equipment, on behalf of their employer, when other forms of communications are functional and available. Other forms of communication include HEAR, WHEERS, 800MHz, internet, cell phone, and satellite phones, etc.

W. WA. Medical Services Communications and ARES Medical Services will continue to support all of the healthcare facilities that we serve in whatever way that we can. We can conduct exercises and drills that do not pertain to the business of healthcare, utilizing healthcare employees; and we can provide volunteer operators who are not employees, to the best of our capabilities and available resources. We can provide operators to manage your public safety radios (HEAR, 800 MHz, WHEERS, etc).

We would appreciate any coordinated political support to help us get this ruling amended or changed, so that we can train all of our team members to the same standard.

Respectfully,

Marina Zuetell, N7LSL  
Asst. Section Emergency Coordinator, W. WA. ARES  
W. WA. Medical Services Communications