The FAA NPRM: Adding the Salt

In October 2010 the Federal Aviation Administration (FAA) released a notice of proposed rule making (NPRM) that addressed helicopter operations, with a heavy emphasis on air ambulance operations. During the designated 3-month comment period, a multitude of industry groups, associations, organizations, programs, and individuals worked diligently on their responses, and of course the National EMS Pilots Association (NEMSPA) presented its own recommendations. The NPRM was one of NEMSPA's primary topics of discussion and focus at our annual board meeting at AMTC in Florida last October. The NEMSPA board members, as did many others, conducted numerous conference calls, sent hundreds of emails back and forth, and conducted multiple surveys to ensure that a quality response to the rule-making process took place.

Some may read my intro line above and believe that I am going to say something along the lines of rubbing salt into the wounds or something to that effect. On the contrary, in this particular case the analogy is positive. Salt has been used for thousands of years for two specific purposes, first to preserve and second to flavor. That is exactly what I saw take place, on the whole, by our industry in its response to the NPRM. The entire industry stepped up to the plate to preserve common sense and safety, while at the same time flavoring the rule-making process with individual experience, expertise, and history. I look back at those 3 months' worth of work on the NPRM responses conducted by the multitude of entities at every level and can only say one thing: Wow!

For NEMSPA some of the most telling results in the whole process came from recent surveys that our organization conducted among air medical pilots. One message that was heard loud and clear was that 63.5% of 580 pilots surveyed indicated that night vision goggles (NVGs) was the number-one most important item to enhance flight safety in the VFR HEMS environment. Conversely, a helicopter terrain awareness and warning system (HTAWS) was rated at 34.7% in the same survey. This is completely opposite of what the FAA suggested in their NPRM. NEMPSA believed that this message from the pilots in the industry was so strong and so important that we decided to adopt it as our priority statement in the opening remarks of our position paper on the NPRM.

From my perspective the unilateral sharing of information and ideas by all involved was the key element in many of the responses being so complete and well written. Few endeavors that I have witnessed or been involved in the air medical industry have had this much cross-pollination in regard to the sharing of ideas and strategies. The other component that I believe made a significant difference in this process compared to others was time. All too often we are in a reactionary mode, trying to respond to something in hours vs. weeks without the capability of performing due diligence and the necessary research on a project such as this. There are instances where we will never have the time we desire, but in many cases we are our own worst enemy as an industry in this regard. Going back to the salt analogy; if you don't let the stew simmer long enough, the intermingling of your ingredients will not take place, and you will not maximize the flavor.

It will definitely be interesting to see what the future holds. While it is too early to tell exactly what the FAA will do regarding the proposed rule making, I think that we gave them reason to pause and contemplate all of the alternatives. If we can work together in this same fashion down the road, adding a little salt here and there along the way, we will make the appropriate common-sense decisions at the correct time and, in the end, enhance safety for everyone.

Rex J Alexander, President