

1 SB272  
2 116557-1  
3 By Senator Butler  
4 RFD: Health  
5 First Read: 19-JAN-10

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8 SYNOPSIS: This bill would amend language related to  
9 the regulation and provision of emergency medical  
10 services to be consistent with national performance  
11 standards and guidelines; would add an advanced  
12 level of licensure for Emergency Medical  
13 Technicians; would add members to the State  
14 Emergency Medical Control Committee; would allow  
15 advisory groups to meet by electronic means; and  
16 would provide for participation in meetings by  
17 designees of members.

18  
19 A BILL  
20 TO BE ENTITLED  
21 AN ACT

22  
23 Relating to the regulation of emergency medical  
24 services by the Department of Public Health; to amend Sections  
25 22-18-1, 22-18-2, 22-18-3, 22-18-4, 22-18-6, 22-18-8,  
26 22-18-40, 22-18-41, and 22-18-42, Code of Alabama 1975; to  
27 update language to be consistent with national standards and

1 guidelines; to add a new category of licensure for advanced  
2 emergency medical technicians; to define and regulate air  
3 ambulances; to add members to the State Emergency Medical  
4 Control Committee; and to establish the terms of the members  
5 and allow for meetings by electronic means and participation  
6 in meetings by designees of members.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Sections 22-18-1, 22-18-2, 22-18-3,  
9 22-18-4, 22-18-6, and 22-18-8, Code of Alabama 1975, are  
10 amended to read as follows:

11 "§22-18-1.

12 "For the purposes of this article, the following  
13 terms shall have the meanings respectively ascribed to them by  
14 this section:

15 "(1) ADVANCED EMERGENCY MEDICAL TECHNICIAN. Any  
16 person 18 years of age or older who:

17 "a. has successfully completed the advanced  
18 emergency medical technician course of instruction, or its  
19 equivalent, as approved by the State Board of Health;

20 "b. has passed the state Advanced EMT examination,  
21 as well as having met the requirements for becoming a licensed  
22 emergency medical technician; and

23 "c. has been granted a license by the State Board of  
24 Health.

25 "~~(7)~~ (2) ADVANCED LIFE SUPPORT (ALS). The treatment  
26 of potentially life-threatening medical emergencies through  
27 the use of invasive medical techniques specified as advanced

1 life support techniques by the Board of Health, which  
2 ordinarily would be performed or provided by licensed  
3 physicians, but which may be performed by ~~emergency medical~~  
4 ~~technicians~~ emergency medical service personnel during  
5 emergencies under constraints specified by rule of the board.

6 "(3) AIR AMBULANCE. An aircraft that is intended to  
7 be used for and is maintained or operated for transportation  
8 to a medical care facility of persons who are sick or injured.  
9 For the purposes of this chapter, fixed-wing aircraft that do  
10 not conduct scene flights shall not be considered air  
11 ambulances.

12 ~~"(8)(4) BOARD or BOARD OF HEALTH. The State Board of~~  
13 ~~Health. BASIC LIFE SUPPORT (BLS). Pre-hospital care involving~~  
14 ~~non-invasive life support measures as specified by the board.~~

15 "(5) BOARD or BOARD OF HEALTH. The State Board of  
16 Health.

17 "(6) DEPARTMENT. The Alabama Department of Public  
18 Health.

19 "(7) EMERGENCY MEDICAL SERVICES (EMS). A system of  
20 coordinated response to provide pre-hospital emergency aid and  
21 medical assistance from primary response to definitive care,  
22 involving personnel trained in the rescue, stabilization,  
23 transportation, and treatment of sick or injured persons.

24 "(8) EMERGENCY MEDICAL SERVICES PERSONNEL (EMSP).  
25 The collective term used to refer to licensed Emergency  
26 Medical Technicians, Emergency Medical Technicians  
27 Intermediate, Advanced Emergency Medical Technicians,

1 Paramedics, and/or any level of licensure as recognized by the  
2 National Highway Traffic Safety Administration for individuals  
3 who provide emergency medical services or who initiate  
4 immediate lifesaving care.

5 ~~"(4) LICENSED~~ (9) EMERGENCY MEDICAL TECHNICIAN-BASIC  
6 (EMT). Any person 18 years of age or older who:

7 "a. has successfully completed the basic emergency  
8 medical technician course of instruction, or its equivalent,  
9 as approved by the Board of Health,~~and;~~

10 "b. has passed the state EMT-~~basic~~ examination,~~;~~ and  
11 ~~who~~

12 "c. has been granted a ~~current, valid~~ license by the  
13 Board of Health.

14 ~~"(1) (10)~~ (10) GROUND AMBULANCE. A motor vehicle including  
15 a convalescent ambulance that is intended to be used for and  
16 is maintained or operated for transportation to a medical care  
17 facility of persons who are sick or injured.

18 ~~"(5) (11)~~ LICENSED EMERGENCY MEDICAL  
19 TECHNICIAN-INTERMEDIATE. Any person 18 years of age or older  
20 who ~~has~~ prior to December 31, 2002:

21 "a. has successfully completed the intermediate  
22 emergency medical technician course of instruction, or its  
23 equivalent, as approved by the Board of Health,~~;~~

24 "b. has ~~and~~ passed the state EMT-~~intermediate~~  
25 Intermediate examination, as well as having met the  
26 requirements for becoming a licensed emergency medical  
27 technician-~~basic,~~ and

1           "c. who has been granted a ~~current, valid~~ license by  
2 the Board of Health.

3           "(12) NON-TRANSPORT VEHICLE. A vehicle operated with  
4 the intent to provide BLS or ALS stabilization on scene, but  
5 not intended to transport a patient to a medical care  
6 facility.

7           "~~(6) (13) LICENSED EMERGENCY MEDICAL~~  
8 ~~TECHNICIAN-PARAMEDIC.~~ Any person 18 years of age or older who  
9 has successfully completed the ~~EMT-paramedic~~ course of  
10 instruction, or its equivalent, as approved by the Board of  
11 Health, and passed the state EMT-paramedic examination, ~~as~~  
12 ~~well as having met the requirements for becoming a licensed~~  
13 ~~emergency medical technician-intermediate,~~ and who has been  
14 granted a ~~current, valid~~ license by the Board of Health.

15           "~~(9) (14) PATIENT.~~ An individual who receives or  
16 requests medical care, or for whom medical care is requested,  
17 because the individual is sick or injured.

18           "~~(10) (15) PHYSICIAN.~~ An individual licensed to  
19 practice medicine by the Medical Licensure Commission of  
20 Alabama.

21           "(16) PROVIDER SERVICE. An organization, whether  
22 public or private, which provides transport or non-transport  
23 emergency medical services.

24           "~~(2) AMBULANCE SERVICE OPERATOR.~~ Any person, firm or  
25 corporation engaged in the business of operating a ground  
26 ambulance or convalescent ambulance.

1           ~~"(3) LICENSED AMBULANCE DRIVER. Any individual who~~  
2 ~~successfully completes the course of instruction for emergency~~  
3 ~~vehicle operation prescribed by the Board of Health, and who~~  
4 ~~has been granted a current, valid license by the Board of~~  
5 ~~Health.~~

6           "(17) SCENE FLIGHT. The flight of an air ambulance  
7 to the physical location of a sick or injured person.

8           ~~"(11) CONVALESCENT AMBULANCE. A vehicle that is~~  
9 ~~intended to be used for and is maintained or operated for~~  
10 ~~making non-emergency calls for patients in a recumbent~~  
11 ~~position who require transportation to or from a physician's~~  
12 ~~office, hospital, other health care facility, or residence,~~  
13 ~~provided a convalescent ambulance shall not include a hospital~~  
14 ~~operated vehicle used exclusively for intra hospital facility~~  
15 ~~transfers.~~

16           "(18) TRANSPORT VEHICLE. An air or ground ambulance.

17           "\$22-18-2.

18           "The provisions of this article shall not apply to  
19 volunteer rescue squads that are members of the Alabama  
20 Association of Rescue Squads, Inc. and which furnish BLS  
21 ambulance service to the public; nor shall the provisions of  
22 this chapter apply to businesses or companies which only  
23 provide free ambulance service to their employees who require  
24 medical attention on business or company grounds; nor shall  
25 the provisions of this chapter apply to or govern ambulances  
26 owned by ~~the~~ a county, a municipality or any other political  
27 subdivision of the state., nor to the drivers of or attendants

1 on such ambulances in Marengo County. The governing body of  
2 such county is hereby authorized to prescribe rules and  
3 regulations governing ambulance drivers and ambulance  
4 attendants, including rules and regulations for their training  
5 and qualifications.

6 "§22-18-3.

7 "(a) In the manner provided in this section, the  
8 ~~State~~ Board of Health, with advice and recommendation of the  
9 advisory board, shall establish and publish reasonable rules  
10 and regulations for the training, qualification, scope of  
11 privilege, and licensing of ~~ambulance drivers, emergency~~  
12 ~~medical technicians~~ EMSP, and ~~ambulance service operators~~  
13 provider services, and for the operation, design, equipment  
14 and licensing of air and ground ambulances ~~and convalescent~~  
15 ~~ambulances~~. In adopting rules and regulations, the Board of  
16 Health shall follow the provisions of the Alabama  
17 Administrative Procedure Act, ~~provided, that the board and~~ and  
18 shall, in all cases, hold one or more public hearings prior to  
19 adoption, amendment, or rescission of any rule or regulation.  
20 ~~All hearings shall be joint hearings set by the Board of~~  
21 ~~Health and the advisory board established in Section 22-18-5.~~  
22 At such hearing, any interested person, firm or corporation or  
23 any member of the public may be heard. Any person, firm or  
24 corporation affected by any regulation, amendment or  
25 rescission hereof may appeal consideration thereof to the  
26 circuit court of Montgomery County pursuant to the provisions  
27 of the Administrative Procedure Act.

1           "(b) Regulations adopted under this section shall  
2 become effective as provided in the Administrative Procedure  
3 Act. From any judgment of the circuit court in any case  
4 appealed to it, an appeal shall be made pursuant to the  
5 Administrative Procedure Act.

6           "§22-18-4.

7           "(a) In addition to all other licenses or fees now  
8 payable, the Board of Health shall, as prerequisite for  
9 issuing a license under the provisions of this article and  
10 rules and regulations promulgated pursuant thereto, charge a  
11 fee of \$10.00 for each license valid for a period of 24 months  
12 issued to ~~an ambulance driver, emergency medical technician~~  
13 ~~(EMT)-basic, EMT-intermediate or EMT-paramedic~~ EMSP, a fee of  
14 \$25.00 for each license issued to ~~a ground ambulance service~~  
15 ~~operator, and a fee of \$25.00 for each license issued to a~~  
16 ~~convalescent service ambulance operator. Licenses in effect on~~  
17 ~~June 29, 1995, shall remain in effect until the expiration~~  
18 ~~date set forth thereon~~ any provider service operating an air  
19 or ground ambulance. Each license issued to ~~an ambulance~~  
20 ~~service operator~~ a provider service shall be valid for a  
21 period not to exceed 12 calendar months. The same fee shall be  
22 charged for renewal of a license as is fixed in this  
23 subsection for the original license. No additional fee shall  
24 be collected when an ~~EMT~~ EMSP becomes eligible for  
25 reclassification of his or her license to a higher level.

26           "(b) All fees collected under this chapter shall be  
27 retained in a separate fund by the Board of Health for the

1 purpose of enforcing this chapter and shall be disbursed as  
2 other funds of the state are disbursed; provided, that no fee  
3 or permit charge authorized under this chapter shall be  
4 charged or collected for the issuing of a permit to a  
5 volunteer rescue squad, as defined in Section 32-11-1, for  
6 providing ambulance service on a gratuitous basis, or any  
7 member who volunteers his service, unless licensure is  
8 requested by the squad, company or individual, whereupon, with  
9 ~~the exception of the issuance of a license for the EMT~~  
10 ~~reclassifications,~~ a fee will be charged. ~~An EMT may hold a~~  
11 ~~dual license as an ambulance driver and an EMT at any level~~  
12 ~~for which he or she is eligible for licensure, and there shall~~  
13 ~~be no license fee imposed other than that imposed for an EMT~~  
14 ~~license.~~

15           ~~"(b)(c)~~ Any person desiring EMSP licensure ~~as an EMT~~  
16 shall complete an approved ~~EMT course~~ EMSP course as defined  
17 by regulations of the Board of Health, successfully pass the  
18 appropriate level licensure examination as determined by the  
19 Board of Health, and submit an application to the board. An  
20 approved ~~EMT~~ EMSP course for any level shall be a course  
21 conforming to the curriculum for that level approved by the  
22 United States Department of Transportation, or approved by any  
23 other federal agency as may, in the future, take jurisdiction  
24 over ~~EMT~~ EMSP training curriculum development. A curriculum  
25 may be required to be supplemented with additional modules if:

26           ~~"(1) The~~ the modules are optional modules approved  
27 by the United States Department of Transportation, or its

1 successor as specified above, and the optional modules are  
2 prescribed by rule by the board pursuant to the Alabama  
3 Administrative Procedure Act.

4 ~~"(2) The modules, though not included in the~~  
5 ~~federally approved curriculum for a particular level of~~  
6 ~~training, have been required in Alabama for emergency medical~~  
7 ~~technician training at that level on or before January 1,~~  
8 ~~1995.~~

9 ~~"(3) The modules are necessary to train EMTs in the~~  
10 ~~use of new procedures, devices, techniques, or drugs which may~~  
11 ~~be approved by the board for use by EMTs.~~

12 ~~"(c)(d) No air or ground ambulance and no~~  
13 ~~convalescent ambulance shall be operated for ambulance~~  
14 ~~purposes and no individual shall fly, drive, operate, attend~~  
15 ~~or permit same to be operated for the purpose of transporting~~  
16 ~~a patient from any point within the State of Alabama to any~~  
17 ~~other point within the State of Alabama unless such ambulance~~  
18 ~~or convalescent ambulance is duly licensed by the Board of~~  
19 ~~Health and unless it shall be under the immediate supervision~~  
20 ~~and direction of a person who is holding a currently valid~~  
21 ~~license as an emergency medical technician or as a physician.~~  
22 The Board of Health may prescribe exceptions to this  
23 requirement consistent with the interests of public health.  
24 Any ground ambulance ~~or convalescent ambulance~~ shall at all  
25 times be driven by a person holding a ~~current,~~ valid driver's  
26 license as an ambulance driver and who has passed the  
27 Emergency Vehicle Operator Course approved by the Board of

1 Health, or the Apparatus Operator's Course taught by the  
2 Alabama Fire College.

3 "§22-18-6.

4 "(a) It shall be a Class A misdemeanor for any  
5 person, firm, company, corporation, organization, facility, or  
6 agency to do any of the following:

7 "(1) Deliberately hinder, obstruct, or interfere  
8 with an officer, inspector, or duly authorized agent of the  
9 board while in the performance of official duties.

10 "(2) Deliberately hinder, obstruct, or interfere  
11 with any physician, licensed nurse, licensed ~~emergency~~  
12 ~~personnel~~ EMSP, or emergency personnel exempt from licensure  
13 under the provisions of this article while that person is  
14 providing emergency care to a third person or while that  
15 person is assisting at the scene of an emergency, directing  
16 traffic at the scene of an emergency, or managing or helping  
17 to manage the scene of an emergency.

18 "(3) Violate subsections (c) or (d) of this section.

19 "(4) Offer, provide, or perform, without a ~~valid,~~  
20 ~~current~~ license or certificate to do so, an emergency medical  
21 service or other function which, under the provisions of this  
22 article or the rules adopted pursuant thereto, may not be  
23 performed without a license or certificate issued by the Board  
24 of Health. No person shall be subject to criminal liability  
25 pursuant to this section in the event he or she renders first  
26 aid or emergency care at the scene of an injury caused by a

1 motor vehicle crash or by some other incident, or at the scene  
2 of a mass casualty or disaster if:

3 "a. The first aid or emergency care is rendered  
4 gratuitously and in good faith; and

5 "b. The first aid or emergency care is not rendered  
6 in the course of a business, program, or system which  
7 regularly engages in the provision of emergency medical care.

8 "(b) Nothing in this subsection shall be construed  
9 to repeal, abridge, or modify Section 6-5-332 or any other  
10 good Samaritan statute.

11 "(c) No person shall regularly engage in providing  
12 emergency medical care at the scene of emergencies unless he  
13 or she is ~~a licensed emergency medical technician~~ as EMSP as  
14 defined in this article, or unless he or she is exempted from  
15 licensure pursuant to the provisions of this article.

16 Notwithstanding the foregoing, nothing in this article shall  
17 be construed to prohibit any physician or nurse licensed in  
18 Alabama from performing any act within his or her scope of  
19 practice. No person shall hold himself or herself out to be ~~an~~  
20 ~~emergency medical technician~~ EMSP, unless he or she is ~~a~~  
21 licensed ~~emergency medical technician~~ as such as defined in  
22 this chapter. ~~Provided, that emergency medical technicians~~  
23 EMSP licensed in other jurisdictions may identify themselves  
24 as holding such licensure.

25 "(d) The board shall by rule establish the scope of  
26 privilege for each level of ~~emergency medical technician~~ EMSP

1 licensure. No person shall exceed the scope of privilege  
2 granted to his or her level of licensure.

3 "(e) Control of an emergency scene may be taken by  
4 ~~an emergency medical technician or other emergency personnel~~  
5 EMSP if the personnel arrive at the scene of an emergency  
6 prior to the arrival of law enforcement personnel, and if  
7 managing the emergency scene will not interfere with other  
8 emergency medical care duties. Emergency scene control shall  
9 include the authority to direct traffic. A driver of a motor  
10 vehicle entering an emergency scene or entering a roadway  
11 adjacent to an emergency scene shall use caution, shall  
12 maintain proper control of the motor vehicle, and shall obey  
13 the directions of law enforcement personnel and emergency  
14 personnel at the scene. Any person violating this subsection  
15 shall be guilty of a violation.

16 "(f) The board may, following the contested case  
17 provisions of the Administrative Procedure Act, suspend or  
18 revoke the license or certificate of ~~an ambulance driver, an~~  
19 ~~emergency medical technician~~ EMSP at any level, or ~~an~~  
20 ~~ambulance service operator~~ a provider service, or it may  
21 refuse to grant a license or certificate to any person or  
22 entity at any time that any of the following is determined  
23 with respect to the holder or applicant:

24 "(1) Does not meet or no longer meets the prescribed  
25 qualifications.

1           "(2) Is guilty of misconduct as defined by the  
2 board's rules or otherwise commits a violation of this act or  
3 any rules promulgated thereunder.

4           "(3) Has failed to maintain the required level of  
5 continuing education units or any equivalent therefor defined  
6 in the board's rules.

7           "(4) Has provided care to a patient or patients  
8 under his or her care which falls short of the standard of  
9 care which ordinarily would be expected to be provided by  
10 similarly situated ~~EMS personnel~~ EMSP in Alabama, and has  
11 thereby jeopardized the life, health, or safety of a patient  
12 or patients.

13           "(5) Has sexually or physically abused a patient  
14 under his or her care.

15           "(6) Has submitted a license or test application, a  
16 report of continuing education requirements, a run report, a  
17 patient care record, ~~EMT~~ EMSP student record, clinical  
18 rotation record, intent to train form, self-study document,  
19 fluid and drug application, physician medication order form,  
20 or any other document which is material to the duties and  
21 qualifications of ~~EMS personnel~~ EMSP or those of a student in  
22 an ~~EMT~~ EMSP training program and which is fraudulent or  
23 knowingly false in any respect.

24           "(7) Has committed fraud in the performance of his  
25 or her duties or in connection with any matter related to  
26 emergency medical services.

1           "(8) Has been convicted of a crime involving moral  
2           turpitude, or a crime in which the victim is an ~~EMS~~ EMSP  
3           provider ~~organization~~ service or an EMS patient, unless the  
4           board determines that the fact of the conviction would not ~~be~~  
5           likely ~~to~~ interfere with the performance of EMS duties.

6           "(9) Has performed any act requiring licensure or  
7           certification under state EMS statutes, without possession of  
8           the requisite licensure or certification.

9           "(10) Has performed any act which exceeds the scope  
10          of license or privilege granted to the holder.

11          "§22-18-8.

12          "~~In those instances in which an ambulance service~~  
13          ~~operator, ambulance driver, ambulance attendant, ambulance~~  
14          ~~driver-attendant, or emergency medical technician~~ EMSP of any  
15          municipality, county, fire district, or the state ~~is~~ are  
16          employed by the State of Alabama, any county, fire district,  
17          or another municipality, within 24 months after completing the  
18          training requirements mandated by this chapter, or by rules  
19          adopted by the ~~Alabama Committee on Public Health~~ board, the  
20          total expense of the training, including, but not limited to,  
21          salary paid during training, transportation costs paid to the  
22          trainee for travel to and from the training facility, room,  
23          board, tuition, ~~overtime paid to other employees who fill in~~  
24          ~~for the trainee during his or her absence~~, and any other  
25          related training expenses, shall be reimbursed to the  
26          municipality, county, fire district, or the state which paid  
27          for the training. The municipality, county, fire district, or

1 the state which paid for the training shall submit an itemized  
2 sworn statement to the new employer of the ambulance service  
3 operator, ambulance driver, ambulance attendant, ambulance  
4 driver-attendant, or emergency medical technician, as the case  
5 may be, shall demand payment thereof, and may enforce  
6 collection of the obligation through civil remedies and  
7 procedures. The ~~terms "ambulance service operator," "ambulance~~  
8 ~~driver," "ambulance attendant," "ambulance driver-attendant,"~~  
9 ~~and "emergency medical technician,"~~ "EMSP" shall have the same  
10 meanings meaning as in Section 22-18-1."

11 Section 2. Sections 22-18-40, 22-18-41, and  
12 22-18-42, Code of Alabama 1975, are amended to read as  
13 follows:

14 "\$22-18-40.

15 "(a) The board shall be assisted in formulating  
16 rules and policy pertaining to emergency medical services by  
17 the State Emergency Medical Control Committee (SEMCC). Members  
18 of the SEMCC shall serve without compensation but shall be  
19 entitled to reimbursement for expenses incurred in the  
20 performance of the duties of their office at the same rate  
21 paid state employees. The chair of SEMCC may establish  
22 subcommittees of SEMCC comprised of representatives from  
23 ambulance, fire, rescue, and other EMS groups, as needed.

24 "(b) The SEMCC shall be composed as follows:

25 "(1) The medical directors of each ~~regional~~ EMS  
26 ~~agency~~ region designated by the board as ex officio members  
27 with voting privileges.

1           "(2) One member who shall be appointed by the  
2 Alabama Chapter of the American College of Emergency  
3 Physicians.

4           "(3) One member who shall be appointed by the State  
5 Committee on Trauma of the American College of Surgeons.

6           "(4) One member who shall be appointed by the  
7 Alabama Chapter of the American Academy of Pediatrics.

8           "(5) The State EMS Medical Director, as an ex  
9 officio member with voting privileges, who shall serve as its  
10 chair.

11           "(6) The State Trauma Consultant if a physician is  
12 designated as such by the Board of Health or pursuant to other  
13 procedure established by law as an ex officio member with  
14 voting privileges.

15           "(7) One member who shall be an Alabama physician  
16 appointed by the Alabama Chapter of the Association of Air  
17 Medical Services.

18           "(8) The Chair of the State EMS Advisory Board, as  
19 ex officio member with no voting privileges.

20           "(9) One member who shall be appointed by the  
21 Alabama Hospital Association.

22           "(c) Each representative shall serve for a period of  
23 four years or until his or her successor is appointed,  
24 whichever is sooner.

25           "(d) Any vacancy shall be filled by the organization  
26 selecting the vacating member. In case of a vacancy, the new  
27 appointee shall serve the remainder of the unexpired term.

1                   "(e) Each ex officio member's term will be  
2                   indefinite.

3                   "(f) The SEMCC may meet and vote by electronic means  
4                   and votes may be taken by proxy. Those members participating  
5                   by electronic means shall be counted toward a quorum. A quorum  
6                   is established by attending in person or by electronic means.  
7                   A quorum shall consist of a majority of the membership.

8                   "(g) The membership of the SEMCC shall be inclusive  
9                   and reflect the racial, gender, geographic, urban/rural, and  
10                   economic diversity of the state.

11                   "\$22-18-41.

12                   "(a) The board may by rule designate certain  
13                   procedures as "advanced life support techniques," which may be  
14                   performed by ~~EMTs~~ EMSP during emergencies, such as situations  
15                   where the life, health, or safety of a prehospital patient is  
16                   in immediate jeopardy. The board may prescribe by rule the  
17                   qualifications and certification necessary for personnel  
18                   performing advanced life support techniques, and the specific  
19                   conditions under which the techniques may be performed by  
20                   ~~emergency medical technicians~~ EMSP. Notwithstanding any  
21                   statutory provision to the contrary, ~~emergency medical~~  
22                   ~~services personnel~~ EMSP who possess the necessary  
23                   qualifications and certification prescribed by the board shall  
24                   not be deemed to have engaged in the unlawful practice of  
25                   medicine when performing advanced life support techniques in  
26                   accordance with the constraints established by the board.

1           " (b) ~~Emergency vehicles manned by licensed emergency~~  
2 ~~medical technicians who are trained to provide advanced life~~  
3 ~~support and who possess current board licensure, may carry a~~  
4 ~~drug kit containing limited quantities of drugs, including~~  
5 ~~controlled substances, which have been approved by the board~~  
6 ~~for administration to patients during the regular course of~~  
7 ~~duties of prehospital personnel, provided, that these drugs~~  
8 ~~may be administered only pursuant to the order of a physician~~  
9 ~~who possesses a valid license to practice medicine within this~~  
10 ~~state, and who is, at the time the order is given, functioning~~  
11 ~~in accordance with the applicable regional medical control~~  
12 ~~plan approved by the board. Fluids and drugs may not be~~  
13 ~~carried only by any ambulance a properly licensed provider~~  
14 ~~service operator or other emergency medical services provider~~  
15 ~~without a certificate of fluid and drug authorization from the~~  
16 ~~board. The board may offer a certificate of fluid and drug~~  
17 ~~authorization to a non-transport service which is not licensed~~  
18 ~~if the unlicensed non-transport service meets all requirements~~  
19 ~~in the board's rules for issuance of a certificate to a~~  
20 ~~licensed ambulance operator. A licensed emergency medical~~  
21 ~~services provider service may purchase necessary drugs and~~  
22 ~~fluids pursuant to proper authorization from any reliable~~  
23 ~~source, including wholesalers, distributors, and hospitals.~~  
24 ~~Emergency medical services providers Provider services shall~~  
25 ~~purchase, maintain, and administer fluids and drugs in~~  
26 ~~accordance with regulations promulgated by the board.~~

1           "~~(c) Emergency medical technicians~~ EMSP may not  
2 perform services only pursuant to ~~standing orders from~~  
3 ~~physicians without prior approval of the board~~ the protocols  
4 approved by the board. ~~Emergency medical technicians~~ EMSP may  
5 accept orders to perform advanced life support techniques only  
6 from medical ~~control~~ direction physicians who have completed  
7 medical ~~control~~ direction training prescribed by the board ~~on~~  
8 ~~the recommendation of the SEMCC and the State Health Officer~~  
9 and holds a current medical direction number.

10           "§22-18-42.

11           "This chapter shall govern and it shall authorize  
12 the Board of Health to regulate only emergency medical care  
13 provided outside of hospitals, ~~emergency medical technicians~~  
14 EMSP who provide care outside of hospitals, ~~ambulance drivers,~~  
15 ~~ambulance service operators,~~ provider services ground  
16 ambulances, ~~convalescent~~ air ambulances, ALS non-transport  
17 services, the training of ~~ambulance drivers and emergency~~  
18 ~~medical technicians~~ EMSP who provide care outside of  
19 hospitals, and orders given for emergency medical care to be  
20 provided outside of hospitals. Notwithstanding any provision  
21 of law to the contrary, authorized drugs and fluids for  
22 emergency medical care and services may be purchased from any  
23 reliable source, including wholesalers, distributors, and  
24 hospitals. To the extent medical care and nursing care  
25 provided within hospitals is governed by other provisions of  
26 law, ~~these~~ those provisions of law shall not be construed to

1 have been repealed, amended, abridged, or otherwise altered by  
2 this chapter."

3 Section 3. This act shall become effective on the  
4 first day of the third month following its passage and  
5 approval by the Governor, or its otherwise becoming law.