

House Bill 124

By: Representatives Bruce of the 61st, Bazemore of the 69th, Naghise of the 68th, Thomas of the 65th, Glaize of the 67th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to
2 emergency medical services, so as to provide that first responders of municipal fire
3 departments may engage in the emergency medical transportation of patients; to revise
4 findings and a declaration of policy concerning first responders in this state; to revise and
5 provide for definitions; to provide that first responders of a fire department of a municipality
6 shall be granted licenses for emergency medical transportation under certain circumstances;
7 to revise the Emergency Medical Systems Communications Program (EMSC Program); to
8 provide for rules and regulations; to provide for licensing; to provide for related matters; to
9 repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to emergency
13 medical services, is amended in Code Section 31-11-1, relating to findings and declaration
14 of policy, by revising paragraph (6) of subsection (a) as follows:

15 "(6) Any first responder falls under the department's rules and regulations governing
16 ambulances and can transport only in life-threatening situations or by orders of a licensed

17 ~~physician or when a licensed ambulance cannot respond~~ may engage in the emergency
18 medical transportation of patients as provided for in this chapter."

19 **SECTION 2.**

20 Said chapter is further amended in Code Section 31-11-2, relating to definitions, by revising
21 paragraphs (1.2) and (10) and by adding a new paragraph to read as follows:

22 "(1.2) 'Ambulance' means a motor vehicle that is specially constructed and equipped or
23 an air ambulance and is intended to be used for the emergency transportation of patients,
24 including emergency medical service motor vehicles of fire departments, dual purpose
25 police patrol cars and funeral coaches, or hearses which otherwise comply with the
26 provisions of this chapter."

27 "(9.1) 'Fire department' shall have the same meaning as provided for in Code Section
28 25-3-21.

29 (10) 'First responder' means any person or agency ~~who~~ that provides on-site care ~~until~~:
30 (A) Until the arrival of a duly licensed ambulance service; or
31 (B) Upon the emergency medical transportation of patients by such person or agency
32 acting as an ambulance service."

33 **SECTION 3.**

34 Said chapter is further amended by adding a new Code section to read as follows:

35 "31-11-2.1.

36 (a) The department shall grant a license for emergency medical transportation to a first
37 responder if such first responder:

38 (1) Is of a fire department of a municipality; and

39 (2) Meets the same applicable training and standards criteria established by the
40 department for the provision of ambulance services.

41 (b) When a first responder has obtained a license for emergency medical transportation as
42 provided for under subsection (a) of this Code section, such first responder shall administer
43 the emergency medical services system for the geographical area covering its jurisdiction
44 and may contract with licensed ambulance providers to supplement such first responder's
45 coverage of such geographical area.

46 (c) A first responder that obtains a license for emergency medical transportation shall be
47 authorized to bill patients and to recover fees, expenses, and administrative costs associated
48 with such emergency medical transportation conducted by the first responder."

49 **SECTION 4.**

50 Said chapter is further amended in Code Section 31-11-3, relating to recommendations by
51 local coordinating entity as to administration of EMSC Program and hearing and appeal, by
52 revising subsection (a) as follows:

53 "(a) The Board of Public Health shall have the authority on behalf of the state to designate
54 and contract with a public or nonprofit local entity to coordinate and administer the EMSC
55 Program for each health district, or the parts of each health district, designated by the
56 Department of Public Health that is not within the geographical area of a first responder
57 having a license for emergency medical transportation as provided for in Code Section
58 31-11-2.1. The local coordinating entity thus designated shall be responsible for
59 recommending to the board or its designee the manner in which the EMSC Program is to
60 be conducted. In making its recommendations, the local coordinating entity shall give
61 priority to making the EMSC Program function as efficiently and economically as possible.
62 Each licensed ambulance provider in the health district shall have the opportunity to
63 participate in the EMSC Program."

64 **SECTION 5.**

65 Said chapter is further amended in Code Section 31-11-5, relating to rules and regulations,
66 by revising subsection (a) as follows:

67 "(a) The department is authorized to adopt and promulgate rules and regulations for the
68 protection of the public health:

69 (1) Prescribing reasonable health, sanitation, and safety standards for transporting
70 patients in ambulances;

71 (2) Prescribing reasonable conditions under which ambulance attendants or first
72 responders are required;

73 (3) Establishing criteria for the training of ambulance attendants and first responders that
74 engage in the emergency medical transportation of patients; and

75 (4) Establishing that ~~The~~ emergency medical technician ~~course is~~ courses are to be
76 offered at area hospitals and area technical vocational schools in conjunction with their
77 emergency patient care and personnel training programs."

78 **SECTION 6.**

79 Said chapter is further amended by revising Code Section 31-11-6, relating to records, as
80 follows:

81 "31-11-6.

82 (a) Records of each ambulance trip shall be made by the ambulance service in a manner
83 and on such forms as may be prescribed by the department through regulations. Such
84 records shall be available for inspection by the department at any time, and a summary of
85 ambulance service activities shall be prepared on specific cases and furnished to the
86 department upon request.

87 (b) Records of each first responder trip wherein the emergency medical transportation of
88 a patient has occurred shall be made by the person or agency that provides on-site care in
89 a manner and on such forms as may be prescribed by the department through rules and

90 regulations. Such records shall be available for inspection by the department at any time,
91 and a summary of such emergency medical transportation activities shall be prepared in
92 specific cases and furnished to the department upon request."

93 **SECTION 7.**

94 Said chapter is further amended by adding a new Code section to read as follows:

95 "31-11-13.

96 No first responder shall engage in the emergency medical transportation of patients without
97 having a valid license issued by the license officer for such purpose. Such license shall
98 conform to the requirements and standards provided for an ambulance service pursuant to
99 this chapter."

100 **SECTION 8.**

101 Said chapter is further amended in Code Section 31-11-53.1, relating to automated external
102 defibrillator program, establishment, regulations, and liability, by revising paragraph (3) of
103 subsection (a) as follows:

104 "(3) 'First responder' means any person or agency ~~who~~ that provides on-site care ~~until~~:

105 (A) ~~Until~~ the arrival of a duly licensed ambulance service; ~~or~~

106 (B) Upon the emergency medical transportation of patients by such person or agency
107 acting as an ambulance service.

108 ~~This~~ Such term shall include, but not be limited to, persons ~~who~~ or agencies ~~that~~ routinely

109 respond to calls for assistance through an affiliation with law enforcement agencies, fire

110 suppression agencies, rescue agencies, and others."

111 **SECTION 9.**

112 All laws and parts of laws in conflict with this Act are repealed.