

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 HOUSE BILL 2742

By: Cox

4
5
6 AS INTRODUCED

7 An Act relating to public health and safety; amending
8 63 O.S. 2011, Section 1-2503, as last amended by
9 Section 65, Chapter 229, O.S.L. 2013 (63 O.S. Supp.
10 2015, Section 1-2503), which relates to definitions;
11 modifying and adding certain definitions; amending 63
12 O.S. 2011, Section 1-2504, as amended by Section 2,
13 Chapter 23, O.S.L. 2013 (63 O.S. Supp. 2015, Section
14 1-2504), which relates to the utilization of
15 emergency medical personnel; adding certain personnel
16 that may be utilized; amending 63 O.S. 2011, Section
17 1-2505, as amended by Section 3, Chapter 23, O.S.L.
18 2013 (63 O.S. Supp. 2015, Section 1-2505), which
19 relates to levels of care; adding certain definition;
20 permitting State Board of Health to promulgate
21 certain rules; providing for codification; and
22 providing an effective date.
23
24

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-2503, as
last amended by Section 65, Chapter 229, O.S.L. 2013 (63 O.S. Supp.
2015, Section 1-2503), is amended to read as follows:

Section 1-2503. As used in the Oklahoma Emergency Response
Systems Development Act:

1 1. "Ambulance" means any ground, air or water vehicle which is
2 or should be approved by the Commissioner of Health, designed and
3 equipped to transport a patient or patients and to provide
4 appropriate on-scene and en route patient stabilization and care as
5 required. Vehicles used as ambulances shall meet such standards as
6 may be required by the State Board of Health for approval, and shall
7 display evidence of such approval at all times;

8 2. "Ambulance authority" means any public trust or nonprofit
9 corporation established by the state or any unit of local government
10 or combination of units of government for the express purpose of
11 providing, directly or by contract, emergency medical services in a
12 specified area of the state;

13 3. "Ambulance patient" or "patient" means any person who is or
14 will be transported in a reclining position to or from a health care
15 facility in an ambulance;

16 4. "Ambulance service" means any private firm or governmental
17 agency which is or should be licensed by the State Department of
18 Health to provide levels of medical care, including but not limited
19 to comprehensive integrated medical care in emergency and
20 nonemergency settings under the supervision of a physician, based on
21 certification standards promulgated by the Board;

22 5. "Ambulance service district" means any county, group of
23 counties or parts of counties formed together to provide, operate
24 and finance emergency medical services as provided by Section 9C of

1 Article X of the Oklahoma Constitution or Sections 1201 through 1221
2 of Title 19 of the Oklahoma Statutes;

3 6. "Board" means the State Board of Health;

4 7. "Certified emergency medical responder" means an individual
5 certified by the Department to perform emergency medical services in
6 accordance with the Oklahoma Emergency Response Systems Development
7 Act and in accordance with the rules and standards promulgated by
8 the Board;

9 8. "Certified emergency medical response agency" means an
10 organization of any type certified by the Department to provide
11 emergency medical care, but not transport. Certified emergency
12 medical response agencies may utilize certified emergency medical
13 responders or licensed emergency medical personnel; provided,
14 however, that all personnel so utilized shall function under the
15 direction of and consistent with guidelines for medical control;

16 9. "Classification" means an inclusive standardized
17 identification of stabilizing and definitive emergency services
18 provided by each hospital that treats emergency patients;

19 10. "CoAEMSP" means the Committee on Accreditation of
20 Educational Programs for the Emergency Medical Services Professions;

21 11. "Commissioner" means the State Commissioner of Health;

22 12. "Community paramedic" means a licensed paramedic who meets
23 the requirements of Section 1-2505 of this title;

24

1 13. "Council" means the Trauma and Emergency Response Advisory
2 Council created in Section 44 1-103a.1 of this ~~act~~ title;

3 ~~13.~~ 14. "Critical care paramedic" or "CCP" means a licensed
4 paramedic who has successfully completed critical care training and
5 testing requirements in accordance with the Oklahoma Emergency
6 Response Systems Development Act and in accordance with the rules
7 and standards promulgated by the Board;

8 ~~14.~~ 15. "Department" means the State Department of Health;

9 ~~15.~~ 16. "Emergency medical services system" means a system
10 which provides for the organization and appropriate designation of
11 personnel, facilities and equipment for the effective and
12 coordinated local, regional and statewide delivery of health care
13 services primarily under emergency conditions;

14 ~~16.~~ 17. "Letter of review" means the official designation from
15 CoAEMSP to a paramedic program that is in the "becoming accredited"
16 process;

17 ~~17.~~ 18. "Licensed emergency medical personnel" means an
18 emergency medical technician (EMT), an intermediate, an advanced
19 emergency medical technician (AEMT), or a paramedic licensed by the
20 Department to perform emergency medical services in accordance with
21 the Oklahoma Emergency Response Systems Development Act and the
22 rules and standards promulgated by the Board;

23 ~~18.~~ 19. "Licensure" means the licensing of emergency medical
24 care providers and ambulance services pursuant to rules and

1 standards promulgated by the Board at one or more of the following
2 levels:

- 3 a. basic life support,
- 4 b. intermediate life support,
- 5 c. paramedic life support,
- 6 d. advanced life support,
- 7 e. stretcher aid van, and
- 8 f. specialty care, which shall be used solely for
9 interhospital transport of patients requiring
10 specialized en route medical monitoring and advanced
11 life support which exceed the capabilities of the
12 equipment and personnel provided by paramedic life
13 support.

14 Requirements for each level of care shall be established by the
15 Board. Licensure at any level of care includes a license to operate
16 at any lower level, with the exception of licensure for specialty
17 care; provided, however, that the highest level of care offered by
18 an ambulance service shall be available twenty-four (24) hours each
19 day, three hundred sixty-five (365) days per year.

20 Licensure shall be granted or renewed for such periods and under
21 such terms and conditions as may be promulgated by the Board;

22 ~~19.~~ 20. "Medical control" means local, regional or statewide
23 medical direction and quality assurance of health care delivery in
24 an emergency medical service system. Online medical control is the

1 medical direction given to licensed emergency medical personnel,
2 certified emergency medical responders and stretcher aid van
3 personnel by a physician via radio or telephone. Off-line medical
4 control is the establishment and monitoring of all medical
5 components of an emergency medical service system, which is to
6 include stretcher aid van service including, but not limited to,
7 protocols, standing orders, educational programs, and the quality
8 and delivery of on-line control;

9 ~~20.~~ 21. "Medical director" means a physician, fully licensed
10 without restriction, who acts as a paid or volunteer medical advisor
11 to a licensed ambulance service and who monitors and directs the
12 care so provided. Such physicians shall meet such qualifications
13 and requirements as may be promulgated by the Board;

14 ~~21.~~ 22. "Region" or "emergency medical service region" means
15 two or more municipalities, counties, ambulance districts or other
16 political subdivisions exercising joint control over one or more
17 providers of emergency medical services and stretcher aid van
18 service through common ordinances, authorities, boards or other
19 means;

20 ~~22.~~ 23. "Regional emergency medical services system" means a
21 network of organizations, individuals, facilities and equipment
22 which serves a region, subject to a unified set of regional rules
23 and standards which may exceed, but may not be in contravention of,
24 those required by the state, which is under the medical direction of

1 a single regional medical director, and which participates directly
2 in the delivery of the following services:

- 3 a. medical call-taking and emergency medical services
4 dispatching, emergency and routine, including priority
5 dispatching of first response agencies, stretcher aid
6 van and ambulances,
- 7 b. emergency medical responder services provided by
8 emergency medical response agencies,
- 9 c. ambulance services, both emergency, routine and
10 stretcher aid van including, but not limited to, the
11 transport of patients in accordance with transport
12 protocols approved by the regional medical director,
13 and
- 14 d. directions given by physicians directly via radio or
15 telephone, or by written protocol, to emergency
16 medical response agencies, stretcher aid van or
17 ambulance personnel at the scene of an emergency or
18 while en route to a hospital;

19 ~~23.~~ 24. "Regional medical director" means a licensed physician,
20 who meets or exceeds the qualifications of a medical director as
21 defined by the Oklahoma Emergency Response Systems Development Act,
22 chosen by an emergency medical service region to provide external
23 medical oversight, quality control and related services to that
24 region;

1 ~~24.~~ 25. "Registration" means the listing of an ambulance
2 service in a registry maintained by the Department; provided,
3 however, registration shall not be deemed to be a license;

4 ~~25.~~ 26. "Stretcher aid van" means any ground vehicle which is
5 or should be approved by the State Commissioner of Health, which is
6 designed and equipped to transport individuals on a stretcher or
7 gurney type apparatus. Vehicles used as stretcher aid vans shall
8 meet such standards as may be required by the State Board of Health
9 for approval and shall display evidence of such approval at all
10 times. Stretcher aid van services shall only be permitted and
11 approved by the Commissioner in emergency medical service regions,
12 ambulance service districts, or counties with populations in excess
13 of three hundred thousand (300,000) people. Notwithstanding the
14 provisions of this paragraph, stretcher aid van transports may be
15 made to and from any federal or state veterans facility;

16 ~~26.~~ 27. "Stretcher aid van patient" means any person who is or
17 will be transported in a reclining position on a stretcher or
18 gurney, who is medically stable, nonemergent and does not require
19 any medical monitoring equipment or assistance during transport; and

20 ~~27.~~ 28. "Transport protocol" means the written instructions
21 governing decision-making at the scene of a medical emergency by
22 ambulance personnel regarding the selection of the hospital to which
23 the patient shall be transported. Transport protocols shall be
24 developed by the regional medical director for a regional emergency

1 medical services system or by the Department if no regional
2 emergency medical services system has been established. Such
3 transport protocols shall adhere to, at a minimum, the following
4 guidelines:

- 5 a. nonemergency, routine transport shall be to the
6 facility of the patient's choice,
- 7 b. urgent or emergency transport not involving life-
8 threatening medical illness or injury shall be to the
9 nearest facility, or, subject to transport
10 availability and system area coverage, to the facility
11 of the patient's choice, and
- 12 c. life-threatening medical illness or injury shall
13 require transport to the nearest health care facility
14 appropriate to the needs of the patient as established
15 by regional or state guidelines.

16 SECTION 2. AMENDATORY 63 O.S. 2011, Section 1-2504, as
17 amended by Section 2, Chapter 23, O.S.L. 2013 (63 O.S. Supp. 2015,
18 Section 1-2504), is amended to read as follows:

19 Section 1-2504. A. Any hospital or health care facility
20 operating within the state may utilize Emergency Medical Technician,
21 Intermediate, Advanced Emergency Medical Technician or Paramedic ~~or~~,
22 Community Paramedic or Critical Care Paramedic personnel for the
23 delivery of emergency medical patient care within the hospital or
24 health care facility. All licensed ambulance services shall use

1 Emergency Medical Technician, Intermediate, Advanced Emergency
2 Medical Technician or Paramedic personnel for on-scene patient care
3 and stabilization and the delivery of prehospital and en route
4 emergency medical care.

5 B. While participating in an Emergency Medical Technician,
6 Intermediate, Advanced Emergency Medical Technician ~~or~~, Community
7 Paramedic or Paramedic training course approved by the Department,
8 the student shall be allowed to perform in the hospital, clinic or
9 prehospital setting, while under the direct supervision of a
10 physician, registered nurse, or licensed emergency medical personnel
11 who are licensed at a level equal to or above the level of training
12 of the student, or other allied health preceptor, any of the skills
13 determined to be appropriate for the training level of the student
14 by the Department.

15 C. A registered nurse or licensed practical nurse may be used
16 in the back of an ambulance during an interhospital transfer to
17 supplement the skills of licensed emergency medical personnel. A
18 registered nurse or licensed practical nurse functioning in this
19 fashion must be following written orders of a physician or be in
20 direct radio or telephone contact with a physician.

21 SECTION 3. AMENDATORY 63 O.S. 2011, Section 1-2505, as
22 amended by Section 3, Chapter 23, O.S.L. 2013 (63 O.S. Supp. 2015,
23 Section 1-2505), is amended to read as follows:

24

1 Section 1-2505. Personnel licensed in the following levels of
2 care may perform as designated under their classification:

3 1. "Emergency Medical Technician (EMT)" means an individual
4 licensed by the Department of Health following completion of a
5 standard Basic Emergency Medical Technician training program
6 approved by the Department, who has met such other standards of
7 competence and character as may be required, and who has passed a
8 standard licensing examination of knowledge and skill, administered
9 by the Department or other entity designated by the Department. The
10 licensed Emergency Medical Technician is allowed to perform such
11 skills as may be designated by the Department;

12 2. "Intermediate" means an individual licensed as an EMT, who
13 has completed an intermediate training program approved by the
14 Department, who has met such other standards of competence and
15 character as may be required, and who has passed a standard
16 licensing examination of knowledge and skill administered by the
17 Department or other entity designated by the Department. The
18 Intermediate is allowed to perform such skills as may be designated
19 by the Department;

20 3. "Advanced Emergency Medical Technician (AEMT)" means an
21 individual licensed as an Emergency Medical Technician or
22 Intermediate who has completed an AEMT training program approved by
23 the Department, who has met such other standards of competence and
24 character as may be required, and who has passed a standard

1 licensing examination of knowledge and skills administered by the
2 Department or other entity designated by the Department. The
3 Advanced Emergency Medical Technician is allowed to perform such
4 skills as may be designated by the Department; and

5 4. "Community Paramedic" means an individual who meets the
6 provisions of paragraph 5 of this section and:

7 a. possesses two (2) years of full-time service as a
8 paramedic, or its part-time equivalent, and

9 b. completes a training program from an entity approved
10 by the Department. Such training shall require, at a
11 minimum, three hundred (300) hours of classroom and
12 clinical experience provided under the supervision of
13 a medical director, advanced practice registered
14 nurse, physician assistant or registered nurse; and

15 5. "Paramedic", including "Community Paramedic", means an
16 individual licensed as an EMT, Intermediate or AEMT, who has
17 completed a standard Paramedic training program, who has met such
18 other standards of competence and character as may be required, and
19 who has passed a standard licensing examination of knowledge and
20 skill administered by the Department or other entity designated by
21 the Department. The Paramedic is allowed to perform such skills as
22 may be designated by the Department.

23
24

1 SECTION 4. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1-2509.1 of Title 63, unless
3 there is created a duplication in numbering, reads as follows:

4 The State Board of Health shall promulgate rules to implement
5 the provisions of this act.

6 SECTION 5. This act shall become effective November 1, 2016.

7

8 55-2-7916 AM 01/20/16

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24