

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 HOUSE BILL 3428

By: Osburn

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5
6 AS INTRODUCED

7 An Act relating to emergency medical services;
8 amending 63 O.S. 2021, Section 1-2503, which relates
9 to definitions used in the Oklahoma Emergency
10 Response Systems Development Act; modifying
11 definitions; allowing certified emergency medical
12 response agency to provide limited transport under
13 certain conditions; modifying transport protocol; and
14 providing an effective date.

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

16 SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-2503, is
17 amended to read as follows:

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

20 1. "Ambulance" means any ground, air or water vehicle which is
21 or should be approved by the State Commissioner of Health, designed
22 and equipped to transport a patient or patients and to provide
23 appropriate on-scene and en route patient stabilization and care as
24 required. Vehicles used as ambulances shall meet such standards as

1 may be required by the Commissioner for approval, and shall display
2 evidence of such approval at all times;

3 2. "Ambulance authority" means any public trust or nonprofit
4 corporation established by the state or any unit of local government
5 or combination of units of government for the express purpose of
6 providing, directly or by contract, emergency medical services in a
7 specified area of the state;

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

11 4. "Ambulance service" means any private firm or governmental
12 agency which is or should be licensed by the State Department of
13 Health to provide levels of medical care based on certification
14 standards promulgated by the Commissioner;

15 5. "Ambulance service district" means any county, group of
16 counties or parts of counties formed together to provide, operate
17 and finance emergency medical services as provided by Section 9C of
18 Article X of the Oklahoma Constitution or Sections 1201 through 1221
19 of Title 19 of the Oklahoma Statutes;

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

21 7. "Certified emergency medical responder" means an individual
22 certified by the Department to perform emergency medical services in
23 accordance with the Oklahoma Emergency Response Systems Development
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1 Act and in accordance with the rules and standards promulgated by
2 the Commissioner;

3 8. "Certified emergency medical response agency" means an
4 organization of any type certified by the Department to provide
5 emergency medical care, ~~but not transport~~ and limited transport. A
6 certified emergency medical response agency shall only provide
7 transport upon approval by the appropriate medical control at the
8 time of transport. Certified emergency medical response agencies
9 may utilize certified emergency medical responders or licensed
10 emergency medical personnel; provided, however, that all personnel
11 so utilized shall function under the direction of and consistent
12 with guidelines for medical control;

13 9. "Classification" means an inclusive standardized
14 identification of stabilizing and definitive emergency services
15 provided by each hospital that treats emergency patients;

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

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

19 12. "Council" means the Trauma and Emergency Response Advisory
20 Council created in Section 1-103a.1 of this title;

21 13. "Critical care paramedic" or "CCP" means a licensed
22 paramedic who has successfully completed critical care training and
23 testing requirements in accordance with the Oklahoma Emergency
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1 Response Systems Development Act and in accordance with the rules
2 and standards promulgated by the Commissioner;

3 14. "Department" means the State Department of Health;

4 15. "Emergency medical services system" means a system which
5 provides for the organization and appropriate designation of
6 personnel, facilities and equipment for the effective and
7 coordinated local, regional and statewide delivery of health care
8 services primarily under emergency conditions;

9 16. "Letter of review" means the official designation from
10 CoAEMSP to a paramedic program that is in the "becoming accredited"
11 process;

12 17. "Licensed emergency medical personnel" means an emergency
13 medical technician (EMT), an intermediate, an advanced emergency
14 medical technician (AEMT), or a paramedic licensed by the Department
15 to perform emergency medical services in accordance with the
16 Oklahoma Emergency Response Systems Development Act and the rules
17 and standards promulgated by the Commissioner;

18 18. "Licensure" means the licensing of emergency medical care
19 providers and ambulance services pursuant to rules and standards
20 promulgated by the Commissioner at one or more of the following
21 levels:

- 22 a. ~~Basic~~ basic life support,
- 23 b. ~~Intermediate~~ intermediate life support,
- 24 c. ~~Paramedic~~ paramedic life support,

- 1 d. ~~Advanced~~ advanced life support,
- 2 e. ~~Stretcher~~ stretcher van, and
- 3 f. ~~Specialty~~ specialty care, which shall be used solely
- 4 for interhospital transport of patients requiring
- 5 specialized en route medical monitoring and advanced
- 6 life support which exceed the capabilities of the
- 7 equipment and personnel provided by paramedic life
- 8 support.

9 Requirements for each level of care shall be established by the

10 Commissioner. Licensure at any level of care includes a license to

11 operate at any lower level, with the exception of licensure for

12 specialty care; provided, however, that the highest level of care

13 offered by an ambulance service shall be available twenty-four (24)

14 hours each day, three hundred sixty-five (365) days per year.

15 Licensure shall be granted or renewed for such periods and under

16 such terms and conditions as may be promulgated by the Commissioner;

17 19. "Medical control" means local, regional or statewide

18 medical direction and quality assurance of health care delivery in

19 an emergency medical service system. On-line medical control is the

20 medical direction given to licensed emergency medical personnel,

21 certified emergency medical responders and stretcher van personnel

22 by a physician via radio or telephone. Off-line medical control is

23 the establishment and monitoring of all medical components of an

24 emergency medical service system, which is to include stretcher van

1 service including, but not limited to, protocols, standing orders,
2 educational programs, and the quality and delivery of on-line
3 control;

4 20. "Medical director" means a physician, fully licensed
5 without restriction, who acts as a paid or volunteer medical advisor
6 to a licensed ambulance service and who monitors and directs the
7 care so provided. Such physicians shall meet such qualifications
8 and requirements as may be promulgated by the Commissioner;

9 21. "Region" or "emergency medical service region" means two or
10 more municipalities, counties, ambulance districts or other
11 political subdivisions exercising joint control over one or more
12 providers of emergency medical services and stretcher van service
13 through common ordinances, authorities, boards or other means;

14 22. "Regional emergency medical services system" means a
15 network of organizations, individuals, facilities and equipment
16 which serves a region, subject to a unified set of regional rules
17 and standards which may exceed, but may not be in contravention of,
18 those required by the state, which is under the medical direction of
19 a single regional medical director, and which participates directly
20 in the delivery of the following services:

21 a. medical call-taking and emergency medical services
22 dispatching, emergency and routine, including priority
23 dispatching of first response agencies, stretcher van
24 and ambulances,

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

13 23. "Regional medical director" means a licensed physician, who
14 meets or exceeds the qualifications of a medical director as defined
15 by the Oklahoma Emergency Response Systems Development Act, chosen
16 by an emergency medical service region to provide external medical
17 oversight, quality control and related services to that region;

18 24. "Registration" means the listing of an ambulance service in
19 a registry maintained by the Department; provided, however,
20 registration shall not be deemed to be a license;

21 25. "Stretcher van" means any ground vehicle which is or should
22 be approved by the State Commissioner of Health, which is designed
23 and equipped to transport individuals on a stretcher or gurney type
24 apparatus. Vehicles used as stretcher vans shall meet such

1 standards as may be required by the Commissioner for approval and
2 shall display evidence of licensure at all times. The Commissioner
3 shall not establish Federal Specification KKK-A-1822 ambulance
4 standards for stretcher vans; provided, a stretcher van shall meet
5 Ambulance Manufacturers Division (AMD) Standards 004, 012 and 013,
6 and shall pass corresponding safety tests. Stretcher van services
7 shall only be permitted and approved by the Commissioner in
8 emergency medical service regions, ambulance service districts, or
9 counties with populations in excess of five hundred thousand
10 (500,000) people. Notwithstanding the provisions of this paragraph,
11 stretcher van transports may be made to and from any federal or
12 state veterans facility. Stretcher vans may carry and provide
13 oxygen and may carry and utilize any equipment necessary for the
14 provision of oxygen;

15 26. "Stretcher van passenger" means any person who is or will
16 be transported in a reclining position on a stretcher or gurney, who
17 is medically stable, nonemergent and does not require any medical
18 monitoring equipment or assistance during transport except oxygen.
19 Passengers must be authorized as qualified to be transported by
20 stretcher van. Passengers shall be authorized through screening
21 provided by a certified medical dispatching protocol approved by the
22 Department. All patients being transported to or from any medically
23 licensed facility shall be screened before transport. Any patient
24 transported without screening shall be a violation of Commissioner

1 rule by the transporting company and subject to administrative
2 procedures of the Department; and

3 27. "Transport protocol" means the written instructions
4 governing decision-making at the scene of a medical emergency by
5 ambulance personnel regarding the selection of the hospital to which
6 the patient shall be transported. Transport protocols shall be
7 developed by the regional medical director for a regional emergency
8 medical services system or by the Department if no regional
9 emergency medical services system has been established. Such
10 transport protocols shall adhere to, at a minimum, the following
11 guidelines:

12 a. nonemergency, routine transport shall be to the
13 facility of the patient's choice, except during an
14 event identified by the appropriate medical control as
15 a local, regional, or national emergency including,
16 but not limited to, a natural or manmade disaster, a
17 pandemic, or civil unrest, in which case the patient
18 shall be transported to the nearest appropriate
19 facility,

20 b. urgent or emergency transport not involving life-
21 threatening medical illness or injury shall be to the
22 nearest facility, or, subject to transport
23 availability and system area coverage, to the facility
24 of the patient's choice, ~~and~~

- 1 c. life-threatening medical illness or injury shall
2 require transport to the nearest health care facility
3 appropriate to the needs of the patient as established
4 by regional or state guidelines, and
5 d. emergency ambulance transportation is not required
6 when a patient's apparent clinical condition, as
7 defined by applicable medical treatment protocols,
8 does not warrant emergency ambulance transport, and
9 nontransport of patients is authorized pursuant to
10 applicable medical treatment protocols established by
11 the regional medical director.

12 SECTION 2. This act shall become effective November 1, 2022.

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14 58-2-8580 KN 01/16/22
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