

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

SENATE BILL 95

By: Senator J. Key
By: Representative Linck

For An Act To Be Entitled

AN ACT TO CERTIFY EMERGENCY MEDICAL RESPONDERS; TO
DEFINE SCOPE OF PRACTICE; TO PROVIDE FOR CONTINUING
EDUCATION; TO PROVIDE FOR FEES; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT TO CERTIFY EMERGENCY MEDICAL
RESPONDERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 20-13-202 is amended to read as follows:
20-13-202. Definitions.

As used in this subchapter:

(1) "Air ambulance" means an aircraft, fixed or rotary wing, utilized for on-scene responses or transports deemed necessary by a physician and licensed by the Department of Health;

(2) "Air ambulance services" means those services authorized and licensed by the department to provide care and air transportation of patients;

(3) "Ambulance" means a vehicle used for transporting any person by stretcher or gurney upon the streets or highways of Arkansas, excluding vehicles intended solely for personal use by immediate family members;

(4) "Ambulance services" means those services authorized and licensed by the department to provide care and transportation of patients upon the streets and highways of Arkansas;



~~(5) "Board" means the State Board of Health;~~

~~(6) "Council" means the Emergency Medical Services Advisory Council;~~

(5) "Emergency medical responder" means an individual who possesses the basic knowledge and skills necessary to initiate immediate lifesaving care to critical patients who access the emergency medical system;

~~(7)~~(6) "Emergency medical services" means:

(A) The transportation and medical care provided the ill or injured before arrival at a medical facility by a licensed emergency medical services personnel or other health care provider; and

(B) Continuation of the initial emergency care within a medical facility subject to the approval of the medical staff and governing board of that facility;

~~(8)~~(7)(A) "Emergency medical services personnel" means ~~an individual~~ individuals licensed by the department at any level established by the rules adopted by the board under this subchapter and authorized to perform those services set forth in the rules.

(B) ~~These~~ "Emergency medical services personnel" shall include without limitation includes, but is not limited to, "EMT", Advanced EMT, Paramedic, Emergency Medical Services Instructor, or Emergency Medical Services Instructor Trainer;

~~(9)~~(8) "Licensure" means official acknowledgment by the department that an individual has demonstrated competence to perform the emergency medical services required for licensure under the rules, ~~regulations, and standards~~ adopted by the ~~board~~ State Board of Health upon recommendation by the Emergency Medical Services Advisory Council; and

~~(10)~~(9) "Medical facility" means any hospital, medical clinic, physician's office, nursing home, or other health care facility.

SECTION 2. Arkansas Code § 20-13-209 is amended to read as follows:

20-13-209. ~~Division of Health of the Department of Health and Human Services~~ Department of Health – Powers and duties.

The ~~Division of Health of the Department of Health and Human Services~~ Department of Health shall have the responsibility and authority to:

- (1) Administer this subchapter;
- (2) Enforce the rules, ~~regulations, and standards promulgated~~

adopted by the State Board of Health for the administration and enforcement of this subchapter;

(3) Employ and prescribe the duties of employees as may be necessary to administer this subchapter;

(4) Certify emergency medical technicians, emergency medical services personnel, and emergency medical responders as defined in § 20-13-202 through use of a national competency examination by qualified examiners upon the completion of required curriculum;

(5)(A) Issue and renew operational permits for each ambulance or advanced life support rescue or air ambulance service.

(B) However, ~~no~~ a permit shall not be issued unless each ambulance, advanced life support rescue unit, or air ambulance, when in use as such, conforms with the ~~standards, requirements, and regulations as set forth by~~ rules of the board;

(6) Issue initial and renewal licenses to any qualified applicant that provides emergency medical services or advanced life support rescue services, whether the applicant is an individual, partnership, corporation, or other legal entity, as well as a municipality or other unit of government;

(7) Assist area health planning in the establishment and operation of local, municipal, county, or district emergency medical services;

(8) In addition to collecting fees ~~pursuant to~~ under § 20-13-211, accept public and private gifts, grants, and donations for the purpose of administering this subchapter; and

(9)(A) Engage in the development of dispatching capabilities for emergency ambulance services in this state.

(B) The emergency medical services provider shall make a reasonable effort to see that a patient is taken to a physician or hospital of the patient's choice, if within a reasonable distance.

SECTION 3. Arkansas Code Title 20, Chapter 13, Subchapter 2 is amended to add two additional sections to read as follows:

20-13-215. Emergency Medical Responders Advisory Board -- Creation -- Members -- Powers and duties.

(a) The Emergency Medical Responders Advisory Board is created and

shall consist of seven (7) members with a demonstrated interest in emergency medical responders appointed by the Governor.

(b) Members shall be appointed for terms of three (3) years.

(c) Vacancies on the board shall be filled by appointment by the Governor for the unexpired portion of the term in the same manner as for initial appointments.

(d) Members except those employed by the state may receive expense reimbursement and stipends in accordance with § 25-16-901 et seq.

(e) Members may be removed by the Governor for neglect of duty or malfeasance in office.

(f) The board shall advise the Director of the Department of Health on matters concerning emergency medical responders.

20-13-216. Emergency medical responder certification.

(a) The Department of Health shall issue a certificate as an emergency medical responder to an individual who:

(1) Completes a course in emergency services for emergency medical responders approved by the department; or

(2) On the effective date of this act holds a:

(A) Certificate from the Arkansas Fire Training Academy;

(B) Letter from a county office of emergency services stating that the individual completed the required curriculum for an emergency medical responder before January 1, 2013; or

(C) Certificate as a first responder under the National Standard Curriculum of the United States Department of Transportation, as it existed on January 1, 2013.

(b) A certificate issued under this section is valid for two (2) years.

(c) The Department of Health shall cooperate with the Arkansas Fire Training Academy to design and administer a course of certification under this section.

(d) An emergency medical responder shall participate in at least eight (8) hours of continuing education annually.

(e)(1) The State Board of Health shall adopt rules to implement this section.

(2) In adopting rules under this section, the board shall

consider the National Standard Curriculum of the United States Department of Transportation, as it existed on January 1, 2013, and the National EMS Scope of Practice Model of the National Highway Traffic and Safety Administration of the United States Department of Transportation, as it existed on January 1, 2013.

(f) Rules adopted under this section may include a requirement that an applicant pay a fee not to exceed twenty dollars (\$20.00) for certification and renewal of certification under this section.