

1 HB397  
2 175517-1  
3 By Representative Weaver  
4 RFD: Health  
5 First Read: 15-MAR-16

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8 SYNOPSIS: Under existing law, the EMS Advisory Board  
9 advises the Board of Health on emergency medical  
10 services. Also the State Emergency Medical Control  
11 Committee assists the Board of Health in  
12 formulating rules and policies concerning emergency  
13 medical services.

14 This bill would abolish the EMS Advisory  
15 Board and would add eight additional members to the  
16 State Emergency Medical Control Committee. One of  
17 the additional members would be a physician  
18 appointed by the Alabama Hospital Association and  
19 the others would be licensed paramedics appointed  
20 by various groups involved in emergency medical  
21 services. The bill would also specify that each  
22 member of the State Emergency Medical Control  
23 Committee would have voting privileges.

24  
25 A BILL  
26 TO BE ENTITLED  
27 AN ACT

1  
2 Relating to emergency medical services; to amend  
3 Sections 22-18-3 and 22-18-40 of the Code of Alabama 1975, to  
4 delete references to the EMS Advisory Board and to add eight  
5 members to the State Emergency Medical Control Committee; to  
6 specify that each member of the State Medical Emergency  
7 Control Committee would have voting privileges; and to repeal  
8 Section 22-18-5, Code of Alabama 1975, providing for the EMS  
9 Advisory Board.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Sections 22-18-3 and 28-18-40 of the Code  
12 of Alabama 1975, are amended to read as follows:

13 "§22-18-3.

14 "(a) In the manner provided in this section, the  
15 Board of Health, ~~with advice and recommendation of the~~  
16 ~~advisory board,~~ shall establish and publish reasonable rules  
17 and regulations for the training, qualification, scope of  
18 privilege, and licensing of EMSP, and provider services, and  
19 for the operation, design, equipment, and licensing of air and  
20 ground ambulances. In adopting rules and regulations, the  
21 Board of Health shall follow the provisions of the Alabama  
22 Administrative Procedure Act, and shall, in all cases, hold  
23 one or more public hearings prior to adoption, amendment, or  
24 rescission of any rule or regulation. At such hearing, any  
25 interested person, firm, or corporation or any member of the  
26 public may be heard. Any person, firm, or corporation affected  
27 by any regulation, amendment, or rescission hereof may appeal

1 consideration thereof to the Circuit Court of Montgomery  
2 County pursuant to the provisions of the Administrative  
3 Procedure Act.

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

9 "§22-18-40.

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

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

21 "(1) The medical directors of each EMS region  
22 designated by the board as ex officio members ~~with voting~~  
23 ~~privileges.~~

24 "(2) One member who shall be a physician appointed  
25 by the Alabama Chapter of the American College of Emergency  
26 Physicians.

1           "(3) One member who shall be a physician appointed  
2 by the State Committee on Trauma of the American College of  
3 Surgeons.

4           "(4) One member who shall be a physician appointed  
5 by the Alabama Chapter of the American Academy of Pediatrics.

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

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

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

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

18           "~~(9)~~ (8) One member who shall be a physician  
19 appointed by the Alabama Hospital Association.

20           "(9) One member who shall be a paramedic licensed in  
21 this state appointed by the Alabama Ambulance Association.

22           "(10) One member who shall be a paramedic licensed  
23 in this state appointed by the Alabama Association of Rescue  
24 Squads.

25           "(11) One member who shall be a paramedic licensed  
26 in this state appointed by the Alabama Emergency Medical  
27 Services Association.

1           "(12) One member who shall be a paramedic licensed  
2 in this state appointed by the Alabama Chapter of the  
3 Association of Air Medical Services.

4           "(13) One member who shall be a paramedic licensed  
5 in this state appointed by the Professional Firefighters of  
6 Alabama.

7           "(14) One member who shall be a paramedic licensed  
8 in this state appointed by the Alabama Association of  
9 Volunteer Fire Departments.

10          "(15) One member who shall be a paramedic licensed  
11 in this state appointed by the Alabama Association of Fire  
12 Chiefs.

13          "(16) One member who shall be a paramedic licensed  
14 in this state appointed by the Alabama Firefighters  
15 Association.

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

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

22          "(e) Each ex officio member's term is indefinite.

23          "(f) With the consent of a majority of the members,  
24 the chair shall set requirements for proxy representation,  
25 voting, and the establishment of a quorum.

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

4                   Section 2. Section 22-18-5, Code of Alabama 1975, is  
5 repealed.

6                   Section 3. This act shall become effective  
7 immediately following its passage and approval by the  
8 Governor, or its otherwise becoming law.