

Regular Session, 2010

HOUSE BILL NO. 1030

BY REPRESENTATIVES ST. GERMAIN, BOBBY BADON, BARROW, BILLIOT,
BURRELL, DIXON, DOERGE, GISCLAIR, GUILLORY, HILL, JOHNSON,
LAFONTA, MONToucET, NORTON, PUGH, GARY SMITH, PATRICIA
SMITH, AND STIAES AND SENATOR WALSWORTH

1 AN ACT

2 To amend and reenact R.S. 40:1232.1(A)(2) and (3) and 1232.3, relative to emergency
3 medical services; to set a maximum fee for an emergency medical technician-basic
4 certification and recertification for any individual who is an employee or volunteer
5 of the state of Louisiana or another public entity, a municipal fire department, a fire
6 protection district, a volunteer fire department, or a municipal law enforcement
7 agency; to exempt certain employees or volunteers of the state of Louisiana or
8 another public entity, a municipal fire department, a fire protection district, or a
9 volunteer fire department from the authority of the Louisiana Emergency Medical
10 Services Certification Commission to conduct disciplinary hearings, request
11 investigations, and initiate prosecution, with certain exceptions and conditions; and
12 to provide for related matters.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 40:1232.1(A)(2) and (3) and 1232.3 are hereby amended and
15 reenacted to read as follows:

16 §1232.1. Fee schedule; fees for certification prohibited

17 A.

18 * * *

19 (2) The bureau shall not set the fee for certification of an emergency medical
20 technician-basic to exceed fifteen dollars for any individual who is an employee or
21 volunteer of the state of Louisiana or another public entity, a municipal fire
22 department, a fire protection district, a volunteer fire department, or a municipal law

1 enforcement agency, ~~fire service, or fire protection district~~ who does not perform
2 emergency medical services outside of the individual's official governmental
3 responsibilities for any form of compensation.

4 (3) The bureau shall not set the fee for recertification of an emergency
5 medical technician-basic to exceed ten dollars for any individual who is an employee
6 or volunteer of the state of Louisiana or another public entity, a municipal fire
7 department, a fire protection district, a volunteer fire department, or a municipal law
8 enforcement agency, ~~fire service, or fire protection district~~ who does not perform
9 emergency medical services outside of the individual's official governmental
10 responsibilities for any form of compensation.

11 * * *

12 §1232.3. Powers and duties of the commission; exceptions

13 A. The commission shall:

14 (1) Recommend to the bureau requirements and standards of practice for
15 individuals seeking to be certified under this Subpart.

16 (2) Approve requirements and standards of practice submitted by the bureau
17 for emergency medical personnel consistent with this Subpart.

18 (3) Recommend continuing education requirements and standards to the
19 bureau in accordance with criteria established by the National Registry of
20 Emergency Medical Technicians for individuals seeking to renew a certificate.

21 (4) Conduct disciplinary hearings for emergency medical personnel.

22 (5) Request that the bureau conduct investigations as necessary.

23 (6) Cause the prosecution of any individual who violates any provision of
24 this Subpart.

25 (7) Maintain a record of all commission proceedings.

26 (8) Adopt rules and regulations to implement the provisions of this Subpart
27 in accordance with the Administrative Procedure Act, R.S. 49:950 et seq.

28 B. Except as they relate to scope of practice or patient care issues,
29 Paragraphs (A)(4), (5), and (6) of this Section shall not apply to anyone who is a
30 volunteer of or employed by the state of Louisiana or another public entity, a

1 municipal fire department, a fire protection district, or a volunteer fire department
2 who has successfully completed an emergency medical technician-basic, emergency
3 medical technician-intermediate, emergency medical technician-paramedic, or first
4 responder training program developed and promulgated by the United States
5 Department of Transportation and who possesses a current national and state
6 certification, until the commission has forwarded the nonmedical practice complaint
7 to the local governing body and received a response with investigative results and
8 any disciplinary disposition. In the event that the local governing body does not send
9 a response or request for extension to the commission within sixty days after receipt
10 of the complaint, the commission may proceed with the powers and duties as defined
11 in Subsection A of this Section. Notwithstanding any law to the contrary, in the
12 event the commission determines by a two-thirds vote of the membership of the
13 commission that public health and safety would be jeopardized by waiting for a
14 response from the local governing authority, the commission shall have the right to
15 exercise its powers and duties as provided in Subsection A of this Section without
16 receipt of an investigative report from the local governing authority or the expiration
17 of the sixty-day period as provided in this Subsection.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____