

# ACT No. 935

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.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_