

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 952**

FINAL READING

Introduced by Watermeier, 1; Davis, 43; Kolterman, 24; Johnson, 23.

Read first time January 13, 2016

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to emergency medical services; to amend
- 2 section 38-1215, Revised Statutes Cumulative Supplement, 2014; to
- 3 change membership of the Board of Emergency Medical Services; and to
- 4 repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 38-1215, Revised Statutes Cumulative Supplement,  
2 2014, is amended to read:

3 38-1215 (1) The board shall have seventeen members appointed by the  
4 Governor with the approval of a majority of the Legislature. The  
5 appointees may begin to serve immediately following appointment and prior  
6 to approval by the Legislature.

7 (2)(a) Seven members of the board shall be active out-of-hospital  
8 emergency care providers at the time of and for the duration of their  
9 appointment, and each shall have at least five years of experience in his  
10 or her level of licensure at the time of his or her appointment or  
11 reappointment. Of the seven members who are out-of-hospital emergency  
12 care providers, two shall be ~~first responders~~ or emergency medical  
13 responders, two shall be emergency medical technicians, one shall be ~~an~~  
14 ~~emergency medical technician intermediate~~ or an advanced emergency  
15 medical technician, and two shall be ~~emergency medical technicians-~~  
16 ~~paramedic~~ or paramedics.

17 (b) Three of the members shall be qualified physicians actively  
18 involved in emergency medical care. At least one of the physician members  
19 shall be a board-certified emergency physician.

20 (c) Five members shall be appointed to include one member who is a  
21 representative of an approved training agency, one member who is a  
22 physician assistant with at least five years of experience and active in  
23 out-of-hospital emergency medical care education, one member who is a  
24 registered nurse with at least five years of experience and active in  
25 out-of-hospital emergency medical care education, and two public members  
26 who meet the requirements of section 38-165 and who have an expressed  
27 interest in the provision of out-of-hospital emergency medical care.

28 (d) The remaining two members shall have any of the qualifications  
29 listed in subdivision (a), (b), or (c) of this subsection.

30 (e) In addition to any other criteria for appointment, among the  
31 members of the board appointed after January 1, 2017, there shall be at

1 ~~least three members who are one member who is~~ a volunteer emergency  
2 medical care providers ~~provider~~, at least one member who is a paid  
3 emergency medical care provider, at least one member who is a  
4 firefighter, at least one member who is a law enforcement officer, and at  
5 least one member who is active in the Critical Incident Stress Management  
6 Program. If a person appointed to the board is qualified to serve as a  
7 member in more than one capacity, all qualifications of such person shall  
8 be taken into consideration to determine whether or not the diversity in  
9 qualifications required in this subsection has been met.

10 (f) At least five members of the board shall be appointed from each  
11 congressional district, and at least one of such members shall be a  
12 physician member described in subdivision (b) of this subsection.

13 (3) Members shall serve five-year terms beginning on December 1 and  
14 may serve for any number of such terms. The terms of the members of the  
15 board appointed prior to December 1, 2008, shall be extended by two years  
16 and until December 1 of such year. Each member shall hold office until  
17 the expiration of his or her term. Any vacancy in membership, other than  
18 by expiration of a term, shall be filled within ninety days by the  
19 Governor by appointment as provided in subsection (2) of this section.

20 (4) Special meetings of the board may be called by the department or  
21 upon the written request of any six members of the board explaining the  
22 reason for such meeting. The place of the meetings shall be set by the  
23 department.

24 (5) The Governor upon recommendation of the department shall have  
25 power to remove from office at any time any member of the board for  
26 physical or mental incapacity to carry out the duties of a board member,  
27 for continued neglect of duty, for incompetency, for acting beyond the  
28 individual member's scope of authority, for malfeasance in office, for  
29 any cause for which a professional credential may be suspended or revoked  
30 pursuant to the Uniform Credentialing Act, or for a lack of license  
31 required by the Emergency Medical Services Practice Act.

1           (6) Except as provided in subsection (5) of this section and  
2 notwithstanding subsection (2) of this section, a member of the board who  
3 changes his or her licensure classification after appointment or has a  
4 licensure classification which is terminated under section 38-1217 when  
5 such licensure classification was a qualification for appointment shall  
6 be permitted to continue to serve as a member of the board until the  
7 expiration of his or her term.

8           Sec. 2.   Original section 38-1215, Revised Statutes Cumulative  
9 Supplement, 2014, is repealed.