

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 536

By: Rosino of the Senate

and

Hill of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to emergency medical services;
11 amending 63 O.S. 2021, Section 1-2503, as amended by
12 Section 1, Chapter 276, O.S.L. 2022 (63 O.S. Supp.
13 2022, Section 1-2503), which relates to definitions
14 used in the Oklahoma Emergency Response Systems
15 Development Act; adding and modifying definitions;
16 repealing 63 O.S. 2021, Section 1-2503, as amended by
17 Section 1, Chapter 246, O.S.L. 2016, which relates to
18 definitions used in the Oklahoma Emergency Response
19 Systems Development Act; and providing an effective
20 date.

21 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

22 SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-2503, as
23 amended by Section 1, Chapter 276, O.S.L. 2022 (63 O.S. Supp. 2022,
24 Section 1-2503), is amended to read as follows:

Section 1-2503. As used in the Oklahoma Emergency Response
Systems Development Act:

1 1. "Ambulance" means any ground, air or water vehicle which is
2 or should be approved by the State Commissioner of Health, designed
3 and equipped to transport a patient or patients and to provide
4 appropriate on-scene and en route patient stabilization and care as
5 required. Vehicles used as ambulances shall meet such standards as
6 may be required by the Commissioner for approval, and shall display
7 evidence of such approval at all times;

8 2. "Ambulance authority" means any public trust or nonprofit
9 corporation established by the state or any unit of local government
10 or combination of units of government for the express purpose of
11 providing, directly or by contract, emergency medical services in a
12 specified area of the state;

13 3. "Ambulance patient" or "patient" means any person who is or
14 will be transported in a reclining position to or from a health care
15 facility in an ambulance;

16 4. "Ambulance service" means any private firm or governmental
17 agency that owns or operates ambulances and which is or should shall
18 be licensed by the State Department of Health to provide levels of
19 medical care, including but not limited to, comprehensive integrated
20 medical care in emergency and nonemergency settings under the
21 supervision of a physician based on certification standards
22 promulgated by the Commissioner;

23 5. "Ambulance service district" means any county, group of
24 counties or parts of counties formed together to provide, operate

1 and finance emergency medical services as provided by Section 9C of
2 Article X of the Oklahoma Constitution or Sections 1201 through 1221
3 of Title 19 of the Oklahoma Statutes;

4 6. "Board" means the State Board of Health;

5 7. "Certified emergency medical responder" means an individual
6 certified by the Department to perform emergency medical services in
7 accordance with the Oklahoma Emergency Response Systems Development
8 Act and in accordance with the rules and standards promulgated by
9 the Commissioner;

10 8. "Certified emergency medical response agency" means an
11 organization of any type certified by the Department to provide
12 emergency medical care and limited transport in an emergency vehicle
13 as defined in Section 1-103 of Title 47 of the Oklahoma Statutes. A
14 certified emergency medical response agency shall only provide
15 transport upon approval by the appropriate online medical control at
16 the time of transport. Certified emergency medical response
17 agencies may utilize certified emergency medical responders or
18 licensed emergency medical personnel; provided, however, that all
19 personnel so utilized shall function under the direction of and
20 consistent with guidelines for medical control;

21 9. "Classification" means an inclusive standardized
22 identification of stabilizing and definitive emergency services
23 provided by each hospital that treats emergency patients;

24

1 10. "CoAEMSP" means the Committee on Accreditation of
2 Educational Programs for the Emergency Medical Services Professions;

3 11. "Commissioner" means the State Commissioner of Health;

4 12. "Community paramedic" means a licensed paramedic who meets
5 the requirements of Section 1-2505 of this title;

6 13. "Community paramedic services" means services that include
7 interventions intended to prevent unnecessary ambulance
8 transportation or hospital emergency department use, or are provided
9 as part of in-home inpatient or outpatient hospital services.

10 Community paramedic services:

11 a. must be part of a care plan ordered by a primary
12 health care provider or hospital provider in
13 consultation with the medical director of an ambulance
14 service. Such care plan must ensure that the services
15 provided by a community paramedic do not duplicate
16 services already provided to the patient, including
17 home health and waiver services, and

18 b. shall include health assessment, chronic disease
19 monitoring and education, medication compliance,
20 immunizations and vaccinations, laboratory specimen
21 collection, hospital discharge follow-up care, and
22 minor medical procedures compliant with the community
23 paramedic's scope of practice and approved by the
24 ambulance medical director;

1 14. "Council" means the Trauma and Emergency Response Advisory
2 Council created in Section 1-103a.1 of this title;

3 ~~13.~~ 15. "Critical care paramedic" or "CCP" means a licensed
4 paramedic who has successfully completed critical care training and
5 testing requirements in accordance with the Oklahoma Emergency
6 Response Systems Development Act and in accordance with the rules
7 and standards promulgated by the Commissioner;

8 ~~14.~~ 16. "Department" means the State Department of Health;

9 ~~15.~~ 17. "Emergency medical services system" means a system
10 which provides for the organization and appropriate designation of
11 personnel, facilities and equipment for the effective and
12 coordinated local, regional and statewide delivery of health care
13 services primarily under emergency conditions;

14 ~~16.~~ 18. "Letter of review" means the official designation from
15 CoAEMSP to a paramedic program that is in the "becoming accredited"
16 process;

17 ~~17.~~ 19. "Licensed emergency medical personnel" means an
18 emergency medical technician (EMT), an intermediate emergency
19 medical technician (IEMT), an advanced emergency medical technician
20 (AEMT), or a paramedic licensed by the Department to perform
21 emergency medical services in accordance with the Oklahoma Emergency
22 Response Systems Development Act and the rules and standards
23 promulgated by the Commissioner;

24

1 ~~18.~~ 20. "Licensure" means the licensing of emergency medical
2 care providers and ambulance services pursuant to rules and
3 standards promulgated by the Commissioner at one or more of the
4 following levels:

- 5 a. basic life support,
- 6 b. intermediate life support,
- 7 c. paramedic life support,
- 8 d. advanced life support,
- 9 e. stretcher van, and
- 10 f. specialty care, which shall be used solely for
11 interhospital transport of patients requiring
12 specialized en route medical monitoring and advanced
13 life support which exceed the capabilities of the
14 equipment and personnel provided by paramedic life
15 support.

16 Requirements for each level of care shall be established by the
17 Commissioner. Licensure at any level of care includes a license to
18 operate at any lower level, with the exception of licensure for
19 specialty care; provided, however, that the highest level of care
20 offered by an ambulance service shall be available twenty-four (24)
21 hours each day, three hundred sixty-five (365) days per year.

22 Licensure shall be granted or renewed for such periods and under
23 such terms and conditions as may be promulgated by the Commissioner;

1 ~~19.~~ 21. "Medical control" means local, regional or statewide
2 medical direction and quality assurance of health care delivery in
3 an emergency medical service system. Online medical control is the
4 medical direction given to licensed emergency medical personnel,
5 certified emergency medical responders and stretcher van personnel
6 by a physician via radio or telephone. Off-line medical control is
7 the establishment and monitoring of all medical components of an
8 emergency medical service system, which is to include stretcher van
9 service including, but not limited to, protocols, standing orders,
10 educational programs, and the quality and delivery of online
11 control;

12 ~~20.~~ 22. "Medical director" means a physician, fully licensed
13 without restriction, who acts as a paid or volunteer medical advisor
14 to a licensed ambulance service and who monitors and directs the
15 care so provided. Such physicians shall meet such qualifications
16 and requirements as may be promulgated by the Commissioner;

17 ~~21.~~ 23. "Region" or "emergency medical service region" means
18 two or more municipalities, counties, ambulance districts or other
19 political subdivisions exercising joint control over one or more
20 providers of emergency medical services and stretcher van service
21 through common ordinances, authorities, boards or other means;

22 ~~22.~~ 24. "Regional emergency medical services system" means a
23 network of organizations, individuals, facilities and equipment
24 which serves a region, subject to a unified set of regional rules

1 and standards which may exceed, but may not be in contravention of,
2 those required by the state, which is under the medical direction of
3 a single regional medical director, and which participates directly
4 in the delivery of the following services:

5 a. medical call-taking and emergency medical services
6 dispatching, emergency and routine including priority
7 dispatching of first response agencies, stretcher van
8 and ambulances,

9 b. emergency medical responder services provided by
10 emergency medical response agencies,

11 c. ambulance services, both emergency, routine and
12 stretcher van including, but not limited to, the
13 transport of patients in accordance with transport
14 protocols approved by the regional medical director,
15 and

16 d. directions given by physicians directly via radio or
17 telephone, or by written protocol, to emergency
18 medical response agencies, stretcher van or ambulance
19 personnel at the scene of an emergency or while en
20 route to a hospital;

21 ~~23.~~ 25. "Regional medical director" means a licensed physician,
22 who meets or exceeds the qualifications of a medical director as
23 defined by the Oklahoma Emergency Response Systems Development Act,
24 chosen by an emergency medical service region to provide external

1 medical oversight, quality control and related services to that
2 region;

3 ~~24.~~ 26. "Registration" means the listing of an ambulance
4 service in a registry maintained by the Department; provided,
5 however, registration shall not be deemed to be a license;

6 ~~25.~~ 27. "Stretcher van" means any ground vehicle which ~~is or~~
7 ~~should~~ shall be approved by the State Commissioner of Health, which
8 is designed and equipped to transport individuals on a stretcher or
9 gurney type apparatus. Vehicles used as stretcher vans shall meet
10 such standards as may be required by the Commissioner for approval
11 and shall display evidence of licensure at all times. The
12 Commissioner shall not establish Federal Specification KKK-A-1822
13 ambulance standards for stretcher vans; provided, a stretcher van
14 shall meet Ambulance Manufacturers Division (AMD) Standards 004, 012
15 and 013, and shall pass corresponding safety tests. Stretcher van
16 services shall only be permitted and approved by the Commissioner in
17 emergency medical service regions, ambulance service districts, or
18 counties with populations in excess of five hundred thousand
19 (500,000) people. Notwithstanding the provisions of this paragraph,
20 stretcher van transports may be made to and from any federal or
21 state veterans facility. Stretcher vans may carry and provide
22 oxygen and may carry and utilize any equipment necessary for the
23 provision of oxygen;

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1 ~~26.~~ 28. "Stretcher van passenger" means any person who is or
2 will be transported in a reclining position on a stretcher or
3 gurney, who is medically stable, nonemergent and does not require
4 any medical monitoring equipment or assistance during transport
5 except oxygen. Passengers must be authorized as qualified to be
6 transported by stretcher van. Passengers shall be authorized
7 through screening provided by a certified medical dispatching
8 protocol ~~approved~~ made available for review by the Department during
9 inspection. All patients being transported to or from any medically
10 licensed facility shall be screened before transport. Any patient
11 transported without screening shall be a violation ~~of Commissioner~~
12 ~~rule by the transporting company~~ and subject to administrative
13 procedures of the Department; and

14 ~~27.~~ 29. "Transport protocol" means the written instructions
15 governing decision-making at the scene of a medical emergency by
16 ambulance personnel regarding the selection of the hospital to which
17 the patient shall be transported. Transport protocols shall be
18 developed by the regional medical director for a regional emergency
19 medical services system or by the Department if no regional
20 emergency medical services system has been established. Such
21 transport protocols shall adhere to, at a minimum, the following
22 guidelines:

- 23 a. nonemergency, routine transport shall be to the
24 facility of the patient's choice,

- 1 b. urgent or emergency transport not involving life-
2 threatening medical illness or injury shall be to the
3 nearest facility, or, subject to transport
4 availability and system area coverage, to the facility
5 of the patient's choice,
6 c. life-threatening medical illness or injury shall
7 require transport to the nearest health care facility
8 appropriate to the needs of the patient as established
9 by regional or state guidelines, and
10 d. emergency ambulance transportation is not required
11 when a patient's apparent clinical condition, as
12 defined by applicable medical treatment protocols,
13 does not warrant emergency ambulance transport, and
14 nontransport of patients is authorized pursuant to
15 applicable medical treatment protocols established by
16 the regional medical director.

17 SECTION 2. REPEALER 63 O.S. 2021, Section 1-2503, as
18 amended by Section 1, Chapter 246, O.S.L. 2016, is hereby repealed.

19 SECTION 3. This act shall become effective November 1, 2023.
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