

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 536

By: Rosino of the Senate

and

Hill of the House

8
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. "Ambulance" means any ground, air or water vehicle which is
or should be approved by the State Commissioner of Health, designed

1 and equipped to transport a patient or patients and to provide
2 appropriate on-scene and en route patient stabilization and care as
3 required. Vehicles used as ambulances shall meet such standards as
4 may be required by the Commissioner for approval, and shall display
5 evidence of such approval at all times;

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

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

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

21 5. "Ambulance service district" means any county, group of
22 counties or parts of counties formed together to provide, operate
23 and finance emergency medical services as provided by Section 9C of
24

1 Article X of the Oklahoma Constitution or Sections 1201 through 1221
2 of Title 19 of the Oklahoma Statutes;

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

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

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

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

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

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

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

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

8 Community paramedic services:

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

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

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

1 ~~13.~~ 15. "Critical care paramedic" or "CCP" means a licensed
2 paramedic who has successfully completed critical care training and
3 testing requirements in accordance with the Oklahoma Emergency
4 Response Systems Development Act and in accordance with the rules
5 and standards promulgated by the Commissioner;

6 ~~14.~~ 16. "Department" means the State Department of Health;

7 ~~15.~~ 17. "Emergency medical services system" means a system
8 which provides for the organization and appropriate designation of
9 personnel, facilities and equipment for the effective and
10 coordinated local, regional and statewide delivery of health care
11 services primarily under emergency conditions;

12 ~~16.~~ 18. "Letter of review" means the official designation from
13 CoAEMSP to a paramedic program that is in the "becoming accredited"
14 process;

15 ~~17.~~ 19. "Licensed emergency medical personnel" means an
16 emergency medical technician (EMT), an intermediate emergency
17 medical technician (IEMT), an advanced emergency medical technician
18 (AEMT), or a paramedic licensed by the Department to perform
19 emergency medical services in accordance with the Oklahoma Emergency
20 Response Systems Development Act and the rules and standards
21 promulgated by the Commissioner;

22 ~~18.~~ 20. "Licensure" means the licensing of emergency medical
23 care providers and ambulance services pursuant to rules and
24

1 standards promulgated by the Commissioner at one or more of the
2 following levels:

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

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

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

22 ~~19.~~ 21. "Medical control" means local, regional or statewide
23 medical direction and quality assurance of health care delivery in
24 an emergency medical service system. Online medical control is the

1 medical direction given to licensed emergency medical personnel,
2 certified emergency medical responders and stretcher van personnel
3 by a physician via radio or telephone. Off-line medical control is
4 the establishment and monitoring of all medical components of an
5 emergency medical service system, which is to include stretcher van
6 service including, but not limited to, protocols, standing orders,
7 educational programs, and the quality and delivery of online
8 control;

9 ~~20.~~ 22. "Medical director" means a physician, fully licensed
10 without restriction, who acts as a paid or volunteer medical advisor
11 to a licensed ambulance service and who monitors and directs the
12 care so provided. Such physicians shall meet such qualifications
13 and requirements as may be promulgated by the Commissioner;

14 ~~21.~~ 23. "Region" or "emergency medical service region" means
15 two or more municipalities, counties, ambulance districts or other
16 political subdivisions exercising joint control over one or more
17 providers of emergency medical services and stretcher van service
18 through common ordinances, authorities, boards or other means;

19 ~~22.~~ 24. "Regional emergency medical services system" means a
20 network of organizations, individuals, facilities and equipment
21 which serves a region, subject to a unified set of regional rules
22 and standards which may exceed, but may not be in contravention of,
23 those required by the state, which is under the medical direction of
24

1 a single regional medical director, and which participates directly
2 in the delivery of the following services:

- 3 a. medical call-taking and emergency medical services
4 dispatching, emergency and routine including priority
5 dispatching of first response agencies, stretcher van
6 and ambulances,
- 7 b. emergency medical responder services provided by
8 emergency medical response agencies,
- 9 c. ambulance services, both emergency, routine and
10 stretcher van including, but not limited to, the
11 transport of patients in accordance with transport
12 protocols approved by the regional medical director,
13 and
- 14 d. directions given by physicians directly via radio or
15 telephone, or by written protocol, to emergency
16 medical response agencies, stretcher van or ambulance
17 personnel at the scene of an emergency or while en
18 route to a hospital;

19 ~~23.~~ 25. "Regional medical director" means a licensed physician,
20 who meets or exceeds the qualifications of a medical director as
21 defined by the Oklahoma Emergency Response Systems Development Act,
22 chosen by an emergency medical service region to provide external
23 medical oversight, quality control and related services to that
24 region;

1 ~~24.~~ 26. "Registration" means the listing of an ambulance
2 service in a registry maintained by the Department; provided,
3 however, registration shall not be deemed to be a license;

4 ~~25.~~ 27. "Stretcher van" means any ground vehicle which ~~is or~~
5 ~~should~~ shall be approved by the State Commissioner of Health, which
6 is designed and equipped to transport individuals on a stretcher or
7 gurney type apparatus. Vehicles used as stretcher vans shall meet
8 such standards as may be required by the Commissioner for approval
9 and shall display evidence of licensure at all times. The
10 Commissioner shall not establish Federal Specification KKK-A-1822
11 ambulance standards for stretcher vans; provided, a stretcher van
12 shall meet Ambulance Manufacturers Division (AMD) Standards 004, 012
13 and 013, and shall pass corresponding safety tests. Stretcher van
14 services shall only be permitted and approved by the Commissioner in
15 emergency medical service regions, ambulance service districts, or
16 counties with populations in excess of five hundred thousand
17 (500,000) people. Notwithstanding the provisions of this paragraph,
18 stretcher van transports may be made to and from any federal or
19 state veterans facility. Stretcher vans may carry and provide
20 oxygen and may carry and utilize any equipment necessary for the
21 provision of oxygen;

22 ~~26.~~ 28. "Stretcher van passenger" means any person who is or
23 will be transported in a reclining position on a stretcher or
24 gurney, who is medically stable, nonemergent and does not require

1 any medical monitoring equipment or assistance during transport
2 except oxygen. Passengers must be authorized as qualified to be
3 transported by stretcher van. Passengers shall be authorized
4 through screening provided by a certified medical dispatching
5 protocol ~~approved~~ made available for review by the Department during
6 inspection. All patients being transported to or from any medically
7 licensed facility shall be screened before transport. Any patient
8 transported without screening shall be a violation ~~of Commissioner~~
9 ~~rule by the transporting company~~ and subject to administrative
10 procedures of the Department; and

11 ~~27.~~ 29. "Transport protocol" means the written instructions
12 governing decision-making at the scene of a medical emergency by
13 ambulance personnel regarding the selection of the hospital to which
14 the patient shall be transported. Transport protocols shall be
15 developed by the regional medical director for a regional emergency
16 medical services system or by the Department if no regional
17 emergency medical services system has been established. Such
18 transport protocols shall adhere to, at a minimum, the following
19 guidelines:

- 20 a. nonemergency, routine transport shall be to the
21 facility of the patient's choice,
- 22 b. urgent or emergency transport not involving life-
23 threatening medical illness or injury shall be to the
24 nearest facility, or, subject to transport

1 availability and system area coverage, to the facility
2 of the patient's choice,

3 c. life-threatening medical illness or injury shall
4 require transport to the nearest health care facility
5 appropriate to the needs of the patient as established
6 by regional or state guidelines, and

7 d. emergency ambulance transportation is not required
8 when a patient's apparent clinical condition, as
9 defined by applicable medical treatment protocols,
10 does not warrant emergency ambulance transport, and
11 nontransport of patients is authorized pursuant to
12 applicable medical treatment protocols established by
13 the regional medical director.

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

16 SECTION 3. This act shall become effective November 1, 2023.
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18 COMMITTEE REPORT BY: COMMITTEE ON COUNTY AND MUNICIPAL GOVERNMENT,
19 dated 04/11/2023 - DO PASS, As Amended.
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