



2024 South Dakota Legislature

Senate Bill 64

HOUSE HEALTH AND HUMAN SERVICES ENGROSSED

Introduced by: The Chair of the Committee on Health and Human Services at the request of the Department of Health

1 **An Act to revise provisions related to the regulation of emergency medical services**
 2 **and associated personnel.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That § 36-4B-1 be AMENDED:**

5 **36-4B-1.** Terms used in this chapter mean:

6 (1) "Advanced life support," a level of emergency care consisting of basic life support
 7 procedures and definitive therapy ~~including the use of invasive procedures and may~~
 8 ~~include the use of drugs and manual defibrillation;~~

9 (2) "Advanced life support personnel," ~~any person other than a physician who has~~
 10 ~~completed a department and board approved program and is licensed or holds a~~
 11 ~~privilege as an emergency medical technician-intermediate/85; emergency~~
 12 ~~medical technician-intermediate/99; emergency medical technician-advanced; or~~
 13 ~~emergency medical technician-paramedic as set forth in this chapter, or its~~
 14 ~~equivalent~~ a person licensed by the board as:

15 (a) An emergency medical technician-intermediate/85;

16 (b) An emergency medical technician-intermediate/99;

17 (c) An advanced emergency medical technician; or

18 (d) A paramedic;

19 (3) "Basic life support personnel," a person:

20 (a) Certified by the board as an ambulance driver;

21 (b) Licensed by the board as an emergency medical responder; or

22 (c) Licensed by the board as an emergency medical technician;

23 (4) ~~"Board," the South Dakota State Board of Medical and Osteopathic Examiners;~~

24 (4) ~~"Department," the South Dakota State Department of Health;~~

- 1 (5) "~~Direct medical control,~~ real-time communications during an ambulance run
2 between field emergency medical services personnel and a physician, physician
3 assistant, or nurse practitioner, licensed in this state ~~during an emergency run;~~
- 4 (6) "Emergency medical services," health care provided to ~~the~~ a patient by ~~advanced~~
5 life support emergency medical services personnel ~~licensed pursuant to this~~
6 ~~chapter;~~
- 7 ~~(7) "Emergency medical technician advanced," any person who has successfully~~
8 ~~completed a program of study approved by the department and the board in all~~
9 ~~areas of training and skills set forth in the advanced emergency medical technician~~
10 ~~instructional guidelines and standards, including placement of esophageal and~~
11 ~~supraglottic airways, intravenous cannulation, shock management, administration~~
12 ~~of specific medications, and other advanced skills approved by the board, and who~~
13 ~~is licensed by the board to perform such advanced skills;~~
- 14 ~~(8) "Emergency medical technician/EMT," any person trained in emergency medical~~
15 ~~care in accordance with standards prescribed by rules and regulations promulgated~~
16 ~~pursuant to § 34-11-6, who provides emergency medical services, including~~
17 ~~automated external defibrillation under indirect medical control, in accordance with~~
18 ~~the person's level of training;~~
- 19 ~~(9) "Emergency medical technician intermediate/85," any person who has successfully~~
20 ~~completed a department and board approved program of instruction in basic life~~
21 ~~support and advanced life support skills in shock and fluid therapy, placement of~~
22 ~~esophageal airways, and other advanced life support skills approved by board~~
23 ~~action, and who is licensed by the board to perform such skills, including automated~~
24 ~~external defibrillation;~~
- 25 ~~(10) "Emergency medical technician paramedic," any person who has successfully~~
26 ~~completed a program of study approved by the department and the board and is~~
27 ~~licensed as an emergency medical technician paramedic, which includes all training~~
28 ~~and skills set forth herein for emergency medical technician intermediate/85 and~~
29 ~~emergency medical technician intermediate/99, and other advanced skills~~
30 ~~programs approved by board action, and who is licensed by the board to perform~~
31 ~~such intermediate, special, and advanced skills;~~
- 32 ~~(11) "Emergency medical technician intermediate/99," any person who has successfully~~
33 ~~completed a department and board approved program of instruction in all areas~~
34 ~~of emergency medical technician intermediate/85 curriculum plus other specific~~
35 ~~areas of emergency medical care in the following areas: manual and automated~~

- 1 external defibrillation, telemetered electrocardiography, administration of cardiac
 2 drugs, administration of specific medications and solutions, use of adjunctive
 3 breathing devices, advanced trauma care, tracheotomy suction, esophageal
 4 airways and endotracheal intubation, intraosseous infusion, or other special skills
 5 programs approved by board action, and who is licensed by the board to perform
 6 intermediate skills plus such special skills;
- 7 ~~(12) "Epinephrine auto injector," a spring loaded needle and syringe with a single dose~~
 8 ~~of epinephrine that will automatically release and inject the medicine, any similar~~
 9 ~~automatic pre filled cartridge injector, or any similar automatic injectable~~
 10 ~~equipment;~~
- 11 ~~(13) "Good faith," honesty, in fact, in the conduct, or transaction concerned;~~
- 12 ~~(14) "Gross negligence," the intentional failure to perform a manifest duty in reckless~~
 13 ~~disregard of the consequences as affecting the life or health of another;~~
- 14 ~~(15) "Hour of advanced life support studies," fifty minutes of training;~~
- 15 ~~(16)(7) "Emergency medical services personnel," a person licensed by the board as:~~
 16 ~~(a) An emergency medical responder;~~
 17 ~~(b) An emergency medical technician;~~
 18 ~~(c) An emergency medical technician-intermediate/85;~~
 19 ~~(d) An emergency medical technician-intermediate/99;~~
 20 ~~(e) An advanced emergency medical technician; or~~
 21 ~~(f) A paramedic; and~~
- 22 ~~(8) "Indirect medical control," the establishment and implementation of system~~
 23 ~~guidelines, policies and procedures, such as medical treatment protocols, quality~~
 24 ~~assurance programs and case reviews, and protocols approved by a physician,~~
 25 ~~physician assistant, or nurse practitioner, licensed in South Dakota;~~
- 26 ~~(17) "Local government," any county, municipality, township, or village in this state;~~
- 27 ~~(18) "Medical community," the physicians and medical resources located and available~~
 28 ~~within a geographic area;~~
- 29 ~~(19) "Medical emergency," an event affecting an individual in such a manner that a need~~
 30 ~~for immediate medical care is created;~~
- 31 ~~(20) "Patient," an individual who, as a result of illness or injury, needs medical attention;~~
 32 ~~and~~
- 33 ~~(21) "Prehospital care," those emergency medical services rendered to patients in an~~
 34 ~~out of hospital setting, administered for analytic, stabilizing, or preventive~~
 35 ~~purposes this state.~~

1 **Section 2. That § 36-4B-2 be AMENDED:**

2 ~~36-4B-2. A state advanced life support~~ The board shall administer a program ~~is~~
3 ~~created. It shall be implemented by the department of health under the direction of the~~
4 ~~Board of Medical and Osteopathic Examiners~~ for emergency medical services personnel,
5 in accordance with this chapter.

6 **Section 3. That § 36-4B-3 be AMENDED:**

7 **36-4B-3.** It is a Class 2 misdemeanor for any person not licensed ~~under in~~
8 accordance with this chapter to ~~hold herself or himself out purport to be,~~ or practice as,
9 an emergency medical ~~technician intermediate/85,~~ emergency ~~medical~~
10 ~~technician intermediate/99,~~ or an emergency medical technician paramedic services
11 personnel. Each violation is a separate offense.

12 **Section 4. That § 36-4B-7 be AMENDED:**

13 **36-4B-7.** ~~An~~ The board shall approve educational program programs for the
14 instruction of ~~advanced life support~~ emergency medical services personnel ~~shall meet the~~
15 ~~following general requirements:~~

16 (1) ~~The educational program shall develop an evaluation mechanism satisfactory~~
17 ~~to the Board of Medical and Osteopathic Examiners to determine the effectiveness of its~~
18 ~~theoretical and clinical programs, the results of which shall be made available to the board~~
19 ~~annually;~~

20 (2) ~~Instructors in the theoretical and clinical training programs shall be competent~~
21 ~~and properly qualified in their respective fields of instruction and clinical training;~~

22 (3) ~~The educational program shall establish a method of definitive candidate~~
23 ~~selection satisfactory to the board; and~~

24 (4) ~~The number of students enrolled in the theoretical program may not exceed~~
25 ~~the number that can be clinically supervised and trained~~ provided the programs meet or
26 exceed the standards established for certification by the National Registry of Emergency
27 Medical Technicians, as of January 1, 2024.

28 A person may not offer a program for the instruction of emergency medical services
29 personnel without first receiving approval by the board, in accordance with this section.

30 **Section 5. That § 36-4B-12 be AMENDED:**

1 ~~**36-4B-12.** Failure of an educational program to comply with the general and~~
2 ~~specific curriculum requirements of this chapter shall result in withdrawal of the board's~~
3 ~~The board may withdraw or deny approval of any educational program if the program fails~~
4 ~~to comply with the provisions of § 36-4B-7.~~

5 **Section 6. That § 36-4B-13 be AMENDED:**

6 ~~**36-4B-13.** The board may issue an appropriate advanced life support license to~~
7 ~~any person who files a verified application upon a form prescribed by the board, pays the~~
8 ~~required fee, and furnishes evidence satisfactory to the board that the person has met the~~
9 ~~following qualifications:~~

10 ~~(1) Completes successfully an appropriate course of study approved by the board~~
11 ~~for the license sought; and~~

12 ~~(2) Completes successfully a written and practical examination testing the~~
13 ~~applicant's knowledge in theoretical and applied prehospital primary care as it applies to~~
14 ~~the practice of the advanced life support license sought board shall, by rule promulgated~~
15 ~~pursuant to chapter 1-26:~~

16 ~~(1) Establish the educational and practical criteria and requirements for licensure as:~~

17 ~~(a) An emergency medical responder;~~

18 ~~(b) An emergency medical technician;~~

19 ~~(c) An emergency medical technician-intermediate/85;~~

20 ~~(d) An emergency medical technician-intermediate/99;~~

21 ~~(e) An advanced emergency medical technician; and~~

22 ~~(f) A paramedic; and~~

23 ~~(2) Provide an application form for use in requesting licensure.~~

24 **Section 7. That § 36-4B-13.1 be AMENDED:**

25 ~~**36-4B-13.1.** In addition to the requirements of referenced in § 36-4B-13, each an~~
26 ~~applicant for licensure as an emergency medical technician or advanced life support~~
27 ~~personnel ~~must~~ shall submit to a state and federal criminal background check. The~~
28 ~~applicant ~~must submit~~ shall provide a full set of the applicant's fingerprints to the board~~
29 ~~in a the form and manner prescribed by the board. The board shall submit the applicant's~~
30 ~~fingerprints to the Division of Criminal Investigation ~~to conduct~~ for a criminal background~~
31 ~~check by the division and the Federal Bureau of Investigation. The applicant ~~must~~ shall~~
32 ~~sign a release of information to the board, and pay any fee charged for the ~~cost~~ of~~
33 ~~fingerprinting or ~~conducting~~ the background check.~~

1 Upon completion of the background check, the division ~~shall~~ must deliver ~~to the~~
 2 ~~board~~ at the applicant's criminal history ~~record~~ information ~~regarding the applicant, and~~
 3 ~~to the board.~~ The board shall consider this information in ~~its determination~~ determining
 4 whether to issue a license to the applicant. The board may not issue a license to an
 5 applicant before receiving this information. The board may ~~only~~ not disseminate ~~an~~
 6 ~~applicant's~~ any information obtained under this section to a person ~~on or~~ not employed by
 7 the board.

8 ~~The board may require any licensee who is the subject of a disciplinary~~
 9 ~~investigation to submit to a state and federal background check. The board may deny the~~
 10 ~~issuance of, suspend, or revoke a license for failure to submit to or cooperate with a~~
 11 ~~background check.~~

12 **Section 8. That a NEW SECTION be added:**

13 The board may require a licensee who is the subject of a disciplinary investigation
 14 to submit to a fingerprint-based state and federal criminal background check.

15 The board may suspend or revoke a license for the licensee's failure to submit to
 16 or cooperate with the background check.

17 **Section 9. That § 36-4B-14 be AMENDED:**

18 **36-4B-14.** ~~The board may issue a license advanced life support personnel in this~~
 19 ~~state, without examination, if the person has to an individual who:~~

20 (1) Has passed the national registry written and practical National Registry of
 21 Emergency Medical Technicians examination and meets;

22 (2) Meets all other requirements of this chapter. ~~Applicants shall hold for the license~~
 23 sought; and

24 (3) Holds current licensure in another state or current certification by the ~~national~~
 25 registry National Registry of Emergency Medical Technicians for the license sought.

26 **Section 10. That § 36-4B-15 be AMENDED:**

27 **36-4B-15.** ~~Advanced life support~~ Except as otherwise provided in this section,
 28 emergency medical services personnel shall must, through the use of direct and indirect
 29 control, be supervised by a ~~physician who directs~~ physician licensed in accordance with
 30 chapter 36-4.

1 If emergency medical services personnel are affiliated with an ambulance service
 2 that has been granted a hardship exemption in accordance with chapter 36-11, the
 3 personnel must, through the use of direct and indirect control, be supervised by a:

- 4 (1) Physician licensed in accordance with chapter 36-4;
 5 (2) Physician assistant licensed in accordance with chapter 36-4A; or
 6 (3) Nurse practitioner licensed in accordance with chapter 36-9A.

7 A physician, or a physician assistant or nurse practitioner if the ambulance service
 8 has been granted a hardship exemption, must oversee the practice and ~~reviews~~ review
 9 the work records and practice permitted by ~~§§ 36-4B-16 and 36-4B-17~~, to ensure that
 10 the patient is given proper treatment patient care reports of the emergency medical
 11 services personnel.

12 **Section 11. That § 36-4B-16 be AMENDED:**

13 **36-4B-16.** ~~An emergency medical technician-intermediate/99 may perform basic~~
 14 ~~life support techniques and while under proper medical supervision intermediate skills,~~
 15 ~~special skills techniques, and:~~

- 16 (1) Respond to, assess, and triage non-urgent, urgent, and emergent requests for
 17 medical care;
 18 (2) Apply basic and focused advanced knowledge and skills necessary to provide
 19 patient care transportation;
 20 (3) Perform interventions with the basic and advanced equipment typically found in an
 21 ambulance;
 22 (4) Perform intravenous cannulation for shock management;
 23 (5) Administer medications approved by the board; and
 24 (6) Perform other advanced-life support skills for which they are licensed approved by
 25 the board.

26 **Section 12. That § 36-4B-16.1 be AMENDED:**

27 **36-4B-16.1.** ~~An emergency medical technician-intermediate/85 may perform~~
 28 ~~basic life support techniques as set forth in chapter 34-11 and while under proper medical~~
 29 ~~supervision advanced life support techniques listed in § 36-4B-1 and:~~

- 30 (1) Respond to, assess, and triage non-urgent, urgent, and emergent requests for
 31 medical care;
 32 (2) Apply basic and focused advanced knowledge and skills necessary to provide
 33 patient care transportation;

- 1 (3) Perform interventions with the basic equipment typically found in an ambulance;
2 (4) Perform intravenous cannulation for shock management; and
3 (5) Perform other advanced life support skills for which they are licensed approved by
4 the board.

5 **Section 13. That § 36-4B-16.2 be AMENDED:**

- 6 **36-4B-16.2.** An advanced emergency medical ~~technician~~ advanced technician
7 may ~~perform placement of esophageal and supraglottic airways, intravenous cannulations,~~
8 ~~shock management, administration of specific;~~
9 (1) Respond to, assess, and triage nonurgent, urgent, and emergent requests for
10 medical care;
11 (2) Apply basic and focused advanced knowledge and skills necessary to provide
12 patient care transportation;
13 (3) Perform interventions with the basic and advanced equipment typically found in an
14 ambulance;
15 (4) Administer medications, approved by the board;
16 (5) Perform focused advanced skills to mitigate specific life-threatening, medical, and
17 psychological conditions with a targeted set of skills beyond the level of an
18 emergency medical technician; and
19 (5) Perform other advanced skills approved by the board.

20 **Section 14. That § 36-4B-17 be AMENDED:**

- 21 **36-4B-17.** An ~~emergency medical technician-paramedic~~ A paramedic may ~~perform~~
22 ~~basic life support techniques as set forth in chapter 34-11 and while under proper medical~~
23 ~~supervision all intermediate and special skills. A paramedic may also perform other;~~
24 (1) Respond to, assess, and triage nonurgent, urgent, and emergent requests for
25 medical care;
26 (2) Apply basic and focused advanced knowledge and skills necessary to determine
27 patient physiologic, psychological, and psychosocial needs;
28 (3) Perform interventions with the basic and advanced equipment typically found in an
29 ambulance, including diagnostic equipment approved by an ambulance service
30 medical director;
31 (4) Administer medications approved by the board;
32 (5) Provide specialized interfacility care during patient transport; and

1 (6) Perform other advanced life support skills for which he is licensed, approved by the
2 board.

3 **Section 15. That a NEW SECTION be added to chapter 36-4B:**

4 An emergency medical responder may:

5 (1) Provide initial emergency care, consisting of first aid and basic life support to a
6 patient at the scene of an emergency; and

7 (2) Assist an emergency medical technician or advanced life support personnel both at
8 the scene of an emergency and during the transport of a patient to a medical
9 facility.

10 An emergency medical responder may not make decisions independently regarding
11 the appropriate disposition of a patient.

12 **Section 16. That a NEW SECTION be added to chapter 36-4B:**

13 An emergency medical technician may, in addition to any services provided by an
14 emergency medical responder, provide pre-hospital emergency care that includes
15 interventions using basic equipment, typically found in an ambulance, and necessary to
16 stabilize and safety transport patients.

17 **Section 17. That § 36-4B-18.1 be AMENDED:**

18 **36-4B-18.1.** A critical care endorsement is hereby created. The board shall issue
19 the endorsement to any person who is licensed as ~~an emergency medical technician~~
20 paramedic a paramedic and:

21 (1) Completes the educational requirements and training, in critical care transport,
22 approved by the board and promulgated in accordance with section 36-4B-35; or

23 (2) Is certified as a critical care paramedic or a flight paramedic by the International
24 Board of Specialty Certification.

25 **Section 18. That § 36-4B-18.2 be AMENDED:**

26 **36-4B-18.2.** A community paramedic endorsement is hereby created. The board
27 may issue a community paramedic endorsement to a person who:

28 (1) Is licensed as ~~an emergency medical technician paramedic a paramedic~~;

29 (2) Completes the education requirements and training approved by the board and
30 promulgated in accordance with § 36-4B-35; and

1 (3) Applies on a form prescribed by the board.

2 **Section 19. That § 36-4B-20 be AMENDED:**

3 **36-4B-20.** ~~If advanced life support~~ emergency medical services ~~personnel should~~
4 render services in a hospital ~~and related institutions as~~ or other healthcare facility licensed
5 pursuant to chapter 34-12, ~~said advanced life support personnel shall be~~ they are subject
6 to the ~~rules and regulations~~ policies and protocols of that hospital ~~and related institutions~~
7 or facility.

8 **Section 20. That § 36-4B-22 be AMENDED:**

9 **36-4B-22.** No agency, organization, institution, corporation, or entity of state or
10 local government ~~which~~ that sponsors, authorizes, supports, finances or supervises the
11 functions of emergency medical service personnel ~~licensed and authorized pursuant to this~~
12 ~~chapter, including advanced life support personnel, may be~~ is liable for any civil damages
13 for any act or omission in connection with ~~sponsorship, authorization, support, finance, or~~
14 ~~supervision of such emergency medical services~~ the personnel, where the act or omission
15 occurs in connection with ~~their~~ the personnel's training or with services rendered outside
16 a hospital and where the life of a patient is in immediate danger, unless the act or omission
17 is inconsistent with the training of the ~~emergency medical services~~ personnel or the act or
18 omission was the result of gross negligence or willful misconduct.

19 **Section 21. That § 36-4B-23 be AMENDED:**

20 **36-4B-23.** No principal, agent, contractor, employee or representative of an
21 agency, organization, institution, corporation, or entity of state or local government ~~which~~
22 that sponsors, authorizes, supports, finances or supervises the functions of emergency
23 medical services personnel ~~licensed and authorized pursuant to this chapter, including~~
24 ~~advanced life support personnel, may be~~ is liable for any civil damages for any act or
25 omission in connection with ~~such~~ the sponsorship, authorization, support, finance or
26 supervision of ~~such emergency medical services~~ the personnel, where the act or omission
27 occurs in connection with ~~their~~ the personnel's training, or occurs outside a hospital where
28 the life of a patient is in immediate danger, unless the act or omission is inconsistent with
29 the training of the ~~emergency medical services~~ personnel or the act or omission was the
30 result of gross negligence or willful misconduct.

31 **Section 22. That § 36-4B-24 be AMENDED:**

1 **36-4B-24.** ~~No physician~~ A physician, nurse practitioner, or physician assistant who
 2 supervises the functions of emergency medical services personnel licensed and authorized
 3 pursuant to this chapter, including advanced life support personnel, ~~may be~~ is not liable
 4 for any civil damages for any act or omission of the emergency medical services personnel,
 5 where the life of a patient is in immediate danger, unless the act or omission was the
 6 result of gross negligence or willful misconduct.

7 **Section 23. That § 36-4B-26 be AMENDED:**

8 **36-4B-26.** ~~A person holding an advanced life support~~ An initial license issued to
 9 emergency medical services personnel ~~license under the provisions of~~ in accordance with
 10 this chapter shall renew the license annually on or before the fifteenth day of July. ~~A~~
 11 ~~person licensed as an emergency medical technician intermediate/85, an emergency~~
 12 ~~medical technician intermediate/99, or an emergency medical technician paramedic shall~~
 13 ~~renew the license upon a form furnished to the person by the board~~ expires on April
 14 thirtieth in the second calendar year after issuance and every two years thereafter.

15 In order to renew a license, emergency medical services personnel must submit to
 16 the board, prior to the expiration date:

- 17 (1) An application for renewal, as prescribed by the board;
 18 (2) The renewal fee in the amount set forth in § 36-4B-29; and
 19 (3) Verification of having met the continuing education requirements, as set forth in
 20 rules authorized under § 36-4B-35.

21 **Section 24. That § 36-4B-28 be AMENDED:**

22 **36-4B-28.** ~~Any~~ The board shall suspend any license not renewed pursuant to § 36-
 23 ~~4B-27 shall be suspended. A license so suspended may be reinstated~~ within the time
 24 required, as set forth in § 36-4B-26.

25 The board may reinstate a license, during the following twelve months by twelve-
 26 month period following the date of expiration, upon receiving proof of that the person who
 27 held the license:

- 28 (1) Complied with the requirements met set forth in § 36-4B-27, § 36-4B-26; and by
 29 payment of the renewal fee and a reinstatement fee as fixed by the board.
 30 Thereafter, a suspended license may be reinstated upon payment of a
 31 (2) Paid the reinstatement fee fixed established by the board pursuant to § 36-4B-29
 32 following specific approval by the board.

1 **Section 25. That § 36-4B-29 be AMENDED:**

2 **36-4B-29.** The board shall promulgate rules pursuant to chapter 1-26 to ~~set fees~~
 3 ~~in each of the following categories in an amount which will produce sufficient revenue for~~
 4 ~~the ensuing fiscal year not to exceed one hundred twenty percent of the anticipated~~
 5 ~~expenses of the board for the operation of the advanced life support program by the board~~
 6 ~~for that year.~~

7 ~~The license~~ establish fees for all advanced life support emergency medical services
 8 ~~personnel shall be as follows:~~

- 9 (1) ~~Licensure by examination~~Initial licensure, not less than fifteen dollars nor more
 10 than fifty dollars;
 11 (2) ~~Reexamination within one year, not less than fifteen dollars nor more than fifty~~
 12 ~~dollars;~~
 13 (3) ~~Licensure by reciprocity, not less than twenty five dollars nor more than seventy-~~
 14 ~~five dollars;~~
 15 (4)~~(3) Renewal of a license~~Licensure renewal, not less than ten dollars, nor more than
 16 ~~twenty five~~ fifty dollars; and
 17 (5)~~(4) Reissuance of a lost or destroyed license, following approval of the board, not more~~
 18 ~~than ten dollars.~~

19 **Section 26. That § 36-4B-31 be AMENDED:**

20 **36-4B-31.** The board may deny the issuance or renewal of a license ~~or suspend~~
 21 ~~or revoke the license of any advanced life support personnel issued under this chapter~~
 22 ~~upon satisfactory proof of the person's incompetence, or unprofessional or dishonorable~~
 23 ~~conduct as defined in § 36-4-30 or proof of a violation of this chapter~~ or certification, and
 24 may suspend or revoke a license or certification issued under this chapter, if the individual:

- 25 (1) Procures or attempts to procure a license or certification through fraud, deceit,
 26 misrepresentation, or in violation of the provisions of this chapter and rules
 27 promulgated thereunder;
 28 (2) Is unable to perform the skills for which the individual is licensed;
 29 (3) Has engaged in unprofessional or dishonorable conduct, as defined in § 36-4-30;
 30 (4) Has been convicted of a felony that:
 31 (a) Has a direct bearing upon the individual's ability to serve the public in a
 32 capacity certified or licensed by this chapter; or

- 1 **(b)** Has been convicted of a crime that requires the individual to register as a
 2 sex offender in any state;
 3 **(5)** Has had the individual's National Registry of Emergency Technicians or other health
 4 care certification or license encumbered for any reason;
 5 **(6)** Provides emergency medical services without authorization from a physician,
 6 physician assistant, or nurse practitioner; or
 7 **(7)** Fails to respond to an emergency while on call through willful disregard and not by
 8 a good-faith error or circumstances beyond the individual's control.

9 **Section 27. That § 36-4B-35 be AMENDED:**

- 10 **36-4B-35.** The board shall promulgate rules, pursuant to chapter 1-26, to:
- 11 **(1)** Provide for an application form and process for the licensure of emergency medical
 12 services personnel and the certification of ambulance drivers;
 13 **(2)** Set forth criteria for educational and training program approval, including
 14 instructor qualifications, student acceptance, and clinical requirements;
 15 **(3)** Establish the educational and training—curriculum requirements, and the
 16 examination National Registry of Emergency Medical Technicians requirements, for
 17 applicants to become licensed as advanced life support personnel seeking licensure
 18 as emergency medical services personnel;
 19 **(4)** Provide for the renewal of ambulance driver certification and continuing education
 20 requirements;
 21 ~~(2)~~**(5)** Establish the procedure procedures for the administration of the advanced life
 22 support emergency medical services personnel program and designate the
 23 responsibilities of the department and the board;
 24 ~~(3)~~**(6)** Regulate the professional conduct of licensees emergency medical services
 25 personnel and ambulance drivers;
 26 ~~(4)~~**(7)** Establish the educational and training requirements, and conditions for issuance of
 27 a critical care endorsement, as provided for in § 36-4B-18.1; and
 28 ~~(5)~~**(8)** Establish the:
 29 **(a)** Educational and training requirements and conditions for issuance of a
 30 community paramedic endorsement; and
 31 **(b)** Practice protocols and supervisory requirements for a person with a
 32 community paramedic endorsement; and
 33 **(9)** Establish the allowable skills and techniques performed by emergency medical
 34 services personnel under direct and indirect control.

1 **Section 28. That § 36-4B-37 be AMENDED:**

2 **36-4B-37.** The board shall appoint an ~~advanced life support~~ emergency medical
3 services personnel advisory committee council composed of ~~four five~~ members ~~as follows:~~

- 4 (1) One emergency medical ~~technician-intermediate/85~~ technician;
5 (2) One emergency medical technician-intermediate/85, emergency medical
6 technician-intermediate/99, or advanced emergency medical technician;
7 (3) ~~One emergency medical technician-paramedic~~ Two paramedics; and
8 (4) ~~One emergency room physician~~ licensed in accordance with chapter 36-4 and
9 trained in emergency medicine.

10 ~~Each committee~~ The term of office for each member shall serve a term of is three
11 years. No ~~committee member~~ may be appointed to serve more than three consecutive,
12 full terms. If a vacancy occurs, the board ~~shall~~ must appoint a ~~person~~ new member to fill
13 the unexpired term. The appointment of a ~~person~~ member to an unexpired term is not
14 considered a full term.

15 ~~The committee council~~ shall meet at least ~~annually or twice each year, at a time~~
16 and place set by the council, and may hold additional meetings as necessary to conduct
17 business. The council shall meet the requirements of chapter 1-25 regarding open
18 meetings.

19 ~~The committee council~~ shall assist the board in ~~evaluating standards of care for~~
20 advanced life support personnel and the regulation of advanced life support all matters
21 related to the licensure, practice, education, continuing education, investigation, and
22 discipline of emergency medical services personnel pursuant to this chapter. The
23 ~~committee council~~ shall ~~also~~ make recommendations to the board regarding rules
24 promulgated pursuant to this chapter. ~~The committee shall meet the requirements of~~
25 chapter 1-25 regarding open meetings The council shall submit meeting minutes and
26 recommendations to the board following each meeting.

27 The board shall communicate activity on all matters relating to emergency medical
28 services personnel with the council.

29 **Section 29. That chapter 36-4B be amended with a NEW SECTION:**

30 Any individual licensed or certified in accordance with this chapter must report any
31 of the following occurrences to the board, within thirty days of the date of the occurrence:

- 32 (1) Conviction or discipline for unprofessional conduct or dishonorable conduct, as
33 defined in § 36-4-30;

- 1 (2) Any encumbrance of the individual's National Registry of Emergency Medical
 2 Technicians or other health care certification or licensure;
 3 (3) Hospital disciplinary action implicating the individual;
 4 (4) Action affecting the individual's privilege to practice;
 5 (5) Judgment or settlement related to the individual's alleged malpractice; and
 6 (6) Change in the individual's:
 7 (a) Home address;
 8 (b) Business address;
 9 (c) Home phone number;
 10 (d) Work phone number;
 11 (e) Email address; or
 12 (f) Other information that is used for communicating with the board.
 13 Failure to report may constitute a basis for disciplinary action against the individual.

14 **Section 30. That chapter 36-4B be amended with a NEW SECTION:**

- 15 The board may issue a certification as an ambulance driver to a person who:
 16 (1) Completes an emergency care course approved by the board; and
 17 (2) Applies on a form prescribed by the board.

18 **Section 31. That § 36-4B-10 be REPEALED:**

19 ~~Educational programs for instruction of advanced life support personnel shall be~~
 20 ~~implemented by the Department of Health and approved by the board. Schools or~~
 21 ~~institutions offering such programs shall submit applications for approval on forms~~
 22 ~~provided by the board.~~

23 **Section 32. That § 36-4B-11 be REPEALED:**

24 ~~The medical director of an educational program approved by the board shall notify~~
 25 ~~the board if a change occurs in the directorship of the educational program or if major~~
 26 ~~modifications in the curriculum are anticipated.~~

27 **Section 33. That § 36-4B-18 be REPEALED.**

28 ~~In addition to tasks listed in §§ 36-4B-16 and 36-4B-17, an emergency medical~~
 29 ~~technician-intermediate/85, emergency medical technician-intermediate/99, or an~~
 30 ~~emergency medical technician-paramedic may be permitted to perform, under direct or~~

1 ~~indirect medical control, such other tasks approved by the board, and for which adequate~~
2 ~~training and proficiency can be demonstrated.~~

3 **Section 34. That § 36-4B-27 be REPEALED:**

4 ~~A request for emergency medical technician-paramedic or emergency medical~~
5 ~~technician-intermediate/99 license renewal shall be accompanied annually by the~~
6 ~~prescribed fee and accompanied in odd-numbered years by satisfactory evidence of sixty~~
7 ~~hours of advanced life support studies during the preceding two years. A request for~~
8 ~~emergency medical technician-intermediate/85 license renewal shall be accompanied~~
9 ~~annually by the prescribed fee and accompanied in odd-numbered years by satisfactory~~
10 ~~evidence of forty hours of advanced life support studies during the preceding two years.~~
11 ~~The request shall also be accompanied by a letter from the supervising physician and the~~
12 ~~employer of the advanced life support personnel. If the advanced life support personnel~~
13 ~~is terminated the reasons shall be submitted to the board, in writing, by both the~~
14 ~~ambulance service and supervising physician, within seventy-two hours of termination of~~
15 ~~any such working contract.~~

16 **Section 35. That § 36-4B-33 be REPEALED:**

17 ~~If a person holding a license to practice advanced life support shall by final order~~
18 ~~or adjudication of a court of competent jurisdiction be adjudged to be mentally~~
19 ~~incompetent or insane, that person's license shall be suspended by the board after~~
20 ~~proceedings in compliance with chapter 1-26. Such suspension shall continue until the~~
21 ~~licensee is found or adjudged by such court to be restored to reason. The board may~~
22 ~~establish probationary conditions which it deems necessary for the best interest of the~~
23 ~~licensee.~~

24 **Section 36. That § 36-4B-34 be REPEALED:**

25 ~~Upon application, the board may reissue a license to practice advanced life support~~
26 ~~to a person whose license has been canceled, suspended, or revoked. A reissuance of a~~
27 ~~license which has been canceled or revoked may not be made prior to one year after the~~
28 ~~cancellation or revocation and the reissuance of any license may be made in such manner,~~
29 ~~form, and conditions as the board may require.~~

30 **Section 37. That § 36-4B-36 be REPEALED:**

- 1 The board may not pass any rules which:
- 2 (1) ~~Are not authorized by § 36-4B-35 or are not designated to meet the intent of this~~
- 3 ~~chapter;~~
- 4 (2) ~~Discriminate between licensees of the same class;~~
- 5 (3) ~~Attempt to regulate persons, schools, or other institutions not licensed under this~~
- 6 ~~chapter;~~
- 7 (4) ~~Have as their primary purpose the promotion or protection of the economic~~
- 8 ~~interests of licensees;~~
- 9 (5) ~~Restrict the number of licensees for reasons other than their qualifications;~~
- 10 (6) ~~Discriminate between programs approved under this chapter which train~~
- 11 ~~prospective licensees, whether in or out of the state.~~