

1                   **UTAH EMERGENCY MEDICAL SERVICES SYSTEM ACT**

2                                   **AMENDMENTS**

3   2019 GENERAL SESSION

4   STATE OF UTAH

5                                   **Chief Sponsor: Kay J. Christofferson**

6                                   Senate Sponsor: \_\_\_\_\_

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8   **LONG TITLE**

9   **General Description:**

10           This bill amends provisions relating to certain emergency medical service provider  
11 licenses.

12 **Highlighted Provisions:**

13           This bill:

- 14           ▶ removes a restriction on 911 ambulance or paramedic services providers from
- 15 applying for a license to provide a higher level of service; and
- 16           ▶ makes technical changes.

17 **Money Appropriated in this Bill:**

18           None

19 **Other Special Clauses:**

20           None

21 **Utah Code Sections Affected:**

22 AMENDS:

23           **26-8a-404**, as last amended by Laws of Utah 2008, Chapter 382

24           **26-8a-405**, as last amended by Laws of Utah 2003, Chapter 213

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26 *Be it enacted by the Legislature of the state of Utah:*

27           Section 1. Section **26-8a-404** is amended to read:



28           **26-8a-404. Ground ambulance and paramedic licenses -- Application and**  
29 **department review.**

30           (1) Except as provided in Section 26-8a-413, an applicant for a ground ambulance or  
31 paramedic license shall apply to the department for a license only by:

- 32           (a) submitting a completed application;
- 33           (b) providing information in the format required by the department; and
- 34           (c) paying the required fees, including the cost of the hearing officer.

35           (2) The department shall make rules establishing minimum qualifications and  
36 requirements for:

- 37           (a) personnel;
- 38           (b) capital reserves;
- 39           (c) equipment;
- 40           (d) a business plan;
- 41           (e) operational procedures;
- 42           (f) medical direction agreements;
- 43           (g) management and control; and
- 44           (h) other matters that may be relevant to an applicant's ability to provide ground  
45 ambulance or paramedic service.

46           (3) An application for a license to provide ground ambulance service or paramedic  
47 service shall be for all ground ambulance services or paramedic services arising within the  
48 geographic service area, except that an applicant may apply for a license for less than all  
49 ground ambulance services or all paramedic services arising within an exclusive geographic  
50 area if it can demonstrate how the remainder of that area will be served.

51           (4) (a) A ground ambulance service licensee may apply to the department for a license  
52 to provide a higher level of service as defined by department rule if the application includes:

53           ~~[(i) the application for the license is limited to non-911 ambulance or paramedic~~  
54 ~~services; and]~~

55           ~~[(ii) the application includes:]~~

56           ~~[(A)]~~ (i) a copy of the new treatment protocols for the higher level of service approved  
57 by the off-line medical director;

58           ~~[(B)]~~ (ii) an assessment of field performance by the applicant's off-line director; and

59 [(C)] (iii) an updated plan of operation demonstrating the ability of the applicant to  
60 provide the higher level of service.

61 (b) If the department determines that the applicant has demonstrated the ability to  
62 provide the higher level of service in accordance with Subsection (4)(a), the department shall  
63 issue a revised license reflecting the higher level of service and the requirements of Section  
64 26-8a-408 do not apply.

64a **H→ (c) A revised license issued under Subsection (4)(b):**

64b **(i) may only affect the level of service that the licensee may provide;**

64c **(ii) may not affect any other terms, conditions, or limitations of the original license; and**

64d **(iii) may not impact the rights of other licensees. ←H**

65 (5) Upon receiving a completed application and the required fees, the department shall  
66 review the application and determine whether the application meets the minimum  
67 qualifications and requirements for licensure.

68 (6) The department may deny an application if it finds that it contains any materially  
69 false or misleading information, is incomplete, or if the application demonstrates that the  
70 applicant fails to meet the minimum qualifications and requirements for licensure under  
71 Subsection (2).

72 (7) If the department denies an application, it shall notify the applicant in writing  
73 setting forth the grounds for the denial. A denial may be appealed under Title 63G, Chapter 4,  
74 Administrative Procedures Act.

75 Section 2. Section 26-8a-405 is amended to read:

76 **26-8a-405. Ground ambulance and paramedic licenses -- Agency notice of**  
77 **approval.**

78 (1) Beginning January 1, 2004, if the department determines that the application meets  
79 the minimum requirements for licensure under Section 26-8a-404, the department shall issue a  
80 notice of the approved application to the applicant.

81 (2) A current license holder responding to a request for proposal under Section  
82 26-8a-405.2 is considered an approved applicant for purposes of Section 26-8a-405.2 if the  
83 current license holder, prior to responding to the request for proposal, submits the following to  
84 the department:

85 (a) the information [~~required by Subsection 26-8a-404(4)(a)(ii)] described in  
86 Subsections 26-8a-404(4)(a)(i) through (iii); and~~

87 (b) (i) if the license holder is a private entity, a financial statement, a pro forma budget  
88 and necessary letters of credit demonstrating a financial ability to expand service to a new  
89 service area; or

90            [(e)] (ii) if the license holder is a governmental entity, a letter from the governmental  
91 entity's governing body demonstrating the governing body's willingness to financially support  
92 the application.