

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: Curtis S. Bramble

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

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.

65 (c) A revised license issued under Subsection (4)(b):

66 (i) may only affect the level of service that the licensee may provide;

67 (ii) may not affect any other terms, conditions, or limitations of the original license;

68 and

69 (iii) may not impact the rights of other licensees.

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

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

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

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

81 **26-8a-405. Ground ambulance and paramedic licenses -- Agency notice of**
82 **approval.**

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

86 (2) A current license holder responding to a request for proposal under Section
87 26-8a-405.2 is considered an approved applicant for purposes of Section 26-8a-405.2 if the
88 current license holder, prior to responding to the request for proposal, submits the following to
89 the department:

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

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

95 [~~(c)~~] (ii) if the license holder is a governmental entity, a letter from the governmental
96 entity's governing body demonstrating the governing body's willingness to financially support
97 the application.