

be entered with the clerk of the court. Such decree shall set forth any facts of the adoption petition which have been proven to the satisfaction of the court and any other facts considered to be relevant by the court and shall grant the adoption petition. If so designated in the adoption decree, the name of the adopted person shall be changed by issuance of that decree. The clerk of the court shall, within thirty days of issuance, deliver one certified copy of any adoption decree to the petitioner, one copy of any adoption abstract to the department and any agency or person making an independent placement who placed a minor person for adoption, and one certification of adoption as prescribed in section 144.19 to the state registrar of vital statistics. Upon receipt of the certification, the state registrar shall prepare a new birth certificate pursuant to section 144.23 and deliver to the parents named in the decree and any adult person adopted by the decree a copy of the new birth certificate. The parents shall pay the fee prescribed in section 144.46. If the person adopted was born outside the state, the state registrar shall forward the certification of adoption to the appropriate agency in the state or foreign nation of birth. A copy of any interlocutory adoption decree vacation shall be delivered and another birth certificate shall be prepared in the same manner as a certification of adoption is delivered and the birth certificate was originally prepared.

Approved March 22, 1978

CHAPTER 1074

EMERGENCY MEDICAL TECHNICIANS AND PARAMEDICS

S. F. 2076

AN ACT relating to the training and certification of and the services performed by advanced emergency medical technicians and paramedics, authorizing the department of health and the board of medical examiners to make rules pursuant to this Act with the advice of an advanced emergency medical care council, and imposing penalties.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. NEW SECTION. DEFINITIONS. As used in this Act, unless the context otherwise requires:

1. "Advanced emergency medical care" means such medical procedures as:
 - a. Administration of intravenous solutions.
 - b. Gastric or tracheal suction or intubation.

c. Performance of cardiac defibrillation.

d. Administration of parenteral injections of any of the following classes of drugs:

- (1) Antiarrhythmic agents;
- (2) Vagolytic agents;
- (3) Chronotropic agents;
- (4) Analgesic agents;
- (5) Alkalizing agents;
- (6) Vasopressor agents;
- (7) Anticonvulsive agents; or
- (8) Other drugs which may be deemed necessary by the supervising physician.

e. Any other medical procedure designated by the board, by rule, as appropriate to be performed by advanced EMTs and paramedics who have been trained in the procedure.

2. "EMT" is an abbreviation used in lieu of the term "emergency medical technician".

3. "Basic EMT" means an individual who has satisfactorily completed the United States department of transportation's prescribed course for basic EMT's, as modified for this state, and adopted by rule by the board, and has complied with any additional requirements established by the board, but who is not certified to perform any of the procedures listed in subsection one (1) of this section.

4. "Advanced EMT" means an individual trained to provide advanced emergency medical care, and who has been issued an advanced EMT certificate by the board.

5. "Paramedic" means an individual trained in all areas of advanced emergency medical care, and who has been issued a paramedic certificate by the board.

6. "Council" means the advanced emergency medical care council established by this Act.

7. "Commissioner" means the commissioner of public health.

8. "Department" means the department of health.

9. "Board" means the board of medical examiners appointed pursuant to section one hundred forty-seven point fourteen (147.14), subsection two (2), of the Code.

10. "Physician" means an individual licensed under chapter one hundred forty-eight (148), one hundred fifty (150), or one hundred fifty A (150A) of the Code.

Sec. 2. NEW SECTION. COUNCIL ESTABLISHED--TERMS OF OFFICE. There is established in the department an advanced emergency medical care council to advise the commissioner, the board of health, and the board on the administration of this Act.

1. The council shall consist of the commissioner, or the commissioner's designee, and eleven members appointed by the board of health for terms of three years beginning July first of the year of appointment, and extending as necessary until their successors are appointed. Any vacancy occurring before the expiration of a term shall be filled by the board of health by appointment from the appropriate class of persons for the balance of the unexpired term. The first appointees to the council after the effective date of this Act shall take office immediately, regardless of the date of their appointments.

2. Five of the appointed members shall be physicians, no more than two of whom shall be appointed from any one of the seven emergency medical service regions designated in this state. Two of the physicians first appointed after the effective date of this Act shall be designated to serve terms of one year each, and two of them to serve terms of two years each.

3. Two of the appointed members shall be EMTs, and one shall be a person employed in that capacity on a full-time basis. One of the EMTs first appointed to the council after the effective date of this Act shall be designated to serve a term of one year, and one of them to serve a term of two years. Beginning not later than two years after the effective date of this Act, at least one of the EMT members of the council shall be a paramedic or an advanced EMT.

4. One of the appointed members shall be a registered nurse.

5. One of the appointed members shall be a registered nurse who has a bachelor's degree and is a qualified nursing instructor.

6. One of the appointed members shall represent volunteer ambulance services, and one shall represent full-time ambulance services.

Sec. 3. NEW SECTION. MEETINGS OF THE COUNCIL--QUORUM--EXPENSES.

1. The council shall meet within sixty days after the appointment of its members, and at least quarterly thereafter. The commissioner shall designate the place of meeting. Special meetings may be called by the commissioner or upon the written request of any four members explaining the reason for the meeting.

2. The commissioner shall convene the first meeting of the council after the effective date of this Act, at which

the council shall select such officers as it deems necessary. No action shall be taken by the council without the affirmative votes of a majority of its entire membership, except that a lesser number may adjourn or recess a meeting.

3. Appointed members of the council shall receive no compensation for their services, but shall be entitled to reimbursement for their actual and necessary expenses incurred in attending meetings or otherwise discharging their official duties at places away from their places of residence.

Sec. 4. NEW SECTION. RULE-MAKING AUTHORITY.

1. The department, with the advice and assistance of the council, shall promulgate rules required or authorized by this Act pertaining to the operation of ambulance services and rescue squad services which have obtained authority under section five (5) of this Act to utilize the services of certified advanced EMTs or paramedics. These rules shall include, but need not be limited to, requirements concerning physician supervision, necessary equipment and staffing, and reporting by ambulance services and rescue squad services which have obtained such authority pursuant to section five (5) of this Act.

2. The board, with the advice and assistance of the council, shall promulgate rules required or authorized by this Act pertaining to the certification of advanced EMTs and paramedics. These rules shall include, but need not be limited to, requirements concerning prerequisites, training and experience for advanced EMTs and paramedics and procedures for determining when individuals have met these requirements.

Sec. 5. NEW SECTION. APPLICATIONS FOR ADVANCED EMT AND PARAMEDIC PROGRAMS--APPROVAL--DENIAL, SUSPENSION OR REVOCATION.

1. Any ambulance service or rescue squad service in this state, regularly engaged in transporting patients who may require advanced emergency medical care before or during such transportation, may apply to the department for authorization to establish a program utilizing certified advanced EMTs or paramedics for delivery of such care at the scene of an emergency, during transportation to a hospital, or while in the hospital emergency department, and until care is directly assumed by a physician or by authorized hospital personnel. The application must bear the endorsement of a physician, but that physician shall not be liable nor responsible for the actions of the ambulance or rescue squad service nor the personnel thereof.

2. The department, with the advice and consent of the council shall approve an application submitted in accordance with the requirements of subsection one (1) of this section when the council is satisfied that the program proposed by the application will be operated in compliance with this Act and the rules adopted pursuant to this Act.

3. The department may deny an application for authority to establish, or suspend or revoke any existing authorization for, any program utilizing the services of certified advanced EMTs or paramedics if the council finds reason to believe the program has not been or will not be operated in compliance with this Act and the rules adopted pursuant to this Act, or that there is insufficient assurance of adequate protection for the public. The denial, suspension or revocation shall be effected, and may be appealed as provided by section seventeen A point eighteen (17A.18) of the Code.

Sec. 6. NEW SECTION. ADVANCED EMT AND PARAMEDIC CERTIFICATES--RENEWAL.

1. The board shall, upon application, issue a certificate attesting to the qualifications of any individual who has met all of the requirements for a specific EMT category which are established by the rules promulgated under section four (4), subsection two (2) of this Act.

2. An EMT certificate shall be valid for two years from the date of its issuance, unless sooner suspended or revoked. Such a certificate shall be renewed upon application of the holder if he or she has satisfactorily completed ongoing educational programs established or approved by the department with the concurrence of the board.

Sec. 7. NEW SECTION. DENIAL, SUSPENSION OR REVOCATION OF CERTIFICATES--APPEAL.

1. The board may deny an application for issuance or renewal of an advanced EMT or paramedic certificate, or suspend or revoke such a certificate when it finds that the applicant or certificate holder has:

- a. Acted negligently in performing the authorized services;
- b. Failed to follow the directions of his or her supervising physician;
- c. Rendered treatment not authorized under this Act; or
- d. Violated any of the provisions of or failed to comply with pertinent requirements of this Act or of the rules adopted pursuant to this Act.

2. A denial, suspension or revocation under this section shall be effected, and may be appealed, as provided by section seventeen A point eighteen (17A.18) of this Code.

Sec. 8. NEW SECTION. AUTHORITY OF CERTIFIED ADVANCED EMT OR PARAMEDIC. An advanced EMT or a paramedic properly certified under this Act may:

1. Render advanced emergency medical care, rescue, and resuscitation services in those areas for which he or she is certified as defined and approved in accordance with the rules of the board.

2. While employed by or assigned to a hospital or other medical facility, or an ambulance service or rescue squad service, and caring for patients in the course of that assignment, administer parenteral medications under the direct supervision of a physician or of another individual specifically designated by the responsible physician.

Sec. 9. NEW SECTION. REMOTE SUPERVISION OF PARAMEDIC-EMERGENCY COMMUNICATIONS FAILURE.

1. When voice contact or a telemetered electrocardiogram is monitored by a physician or physician's designee, and direct communication is maintained, an advanced EMT or a paramedic may upon order of the monitoring physician or upon standing orders of a physician transmitted by the monitoring physician's designee perform any advanced emergency medical care procedure for which that advanced EMT or paramedic is certified.

2. If communications fail during an emergency situation, the advanced EMT or paramedic may perform any advanced emergency medical care procedure for which that individual is certified and included in written protocols if in the judgment of the advanced EMT or paramedic the life of the patient is in immediate danger and such care is required to preserve his or her life.

Sec. 10. NEW SECTION. EXEMPTIONS FROM LIABILITY IN CERTAIN CIRCUMSTANCES.

1. A physician or physician's designee who gives orders, either directly or via communications equipment from some other point, to an appropriately certified advanced EMT or paramedic at the scene of an emergency, and an appropriately certified advanced EMT or paramedic following such orders, shall not be subject to criminal liability by reason of having issued or executed such orders, and shall not be liable for civil damages for acts or omissions relating to the issuance or execution of such orders unless such acts or omissions constitute recklessness.

2. A physician, physician's designee, advanced EMT or paramedic shall not be subject to civil liability solely by reason of failure to obtain consent before rendering emergency medical, surgical, hospital or health services to any individual, regardless of age, when the patient is unable to give his or her consent for any reason and there is no other person reasonably available who is legally authorized to consent to the providing of such care.

3. An act of commission or omission of any appropriately certified advanced EMT or paramedic while rendering advanced emergency medical care under the responsible supervision and control of a physician to a person who is deemed by them to be in immediate danger of serious injury or loss of life, shall not impose any liability upon the certified advanced EMT or paramedic, the supervising physician, or any hospital, or upon the state, or any county, city or other political subdivision, or the employees of any of these entities; provided that this section shall not relieve any person of liability for civil damages for any act of commission or omission which constitutes recklessness.

Sec. 11. NEW SECTION. PROHIBITED ACTS.

1. Any person not certified as required by this Act who holds himself or herself out as an advanced EMT or a paramedic, or who uses any other term to indicate or imply that he or she is an advanced EMT or a paramedic, or who acts as an advanced EMT or a paramedic without having obtained the appropriate certificate under this Act, is guilty of a class D felony.

2. Any person who imparts or conveys, or causes to be imparted or conveyed, or attempts to impart or convey false information concerning the need for assistance of an ambulance service or a rescue squad service or of any personnel or equipment thereof, knowing such information to be false, is guilty of a serious misdemeanor.

Approved May 12, 1978