

State Government
Glenn, Chairperson
Coleman
Shaff

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FILED JAN 30 1978

SENATE FILE **2076**

By JUNKINS, HULTMAN, ASHCRAFT,
RODGERS, HULSE, SCHWENGELS,
HANSEN, READINGER and TIEDEN

Passed Senate, Date 4-20-78 (p 944) Passed House, Date _____
Vote: Ayes 43 Nays 0 Vote: Ayes _____ Nays _____
Approved 5-12-78

A BILL FOR

1 An Act relating to the training and certification of and the
2 services performed by advanced emergency medical techni-
3 cians and paramedics, authorizing the department of health
4 to make rules pursuant to this Act with the advice of an
5 advanced emergency medical care board, and imposing penal-
6 ties.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SENATE FILE 2076

S-5608

1 Amend Senate File 2076 as follows:
2 1. Page 3, line 9, by striking the word
3 "six" and inserting in lieu thereof the word "five".
4 2. Page 3, by inserting after line 25 the following
5 new subsection:
6 "____. one of the appointed members shall be a
7 registered nurse who has a bachelor's degree and is a
8 qualified nursing instructor."

S-5608 FILED & ADOPTED (p 945) BY ROBERT M. CARR
APRIL 20, 1978

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

3 1. "Advanced emergency medical care" means such medical
4 procedures as:

5 a. Administration of intravenous solutions.

6 b. Gastric or tracheal suction or intubation.

7 c. Performance of cardiac defibrillation.

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

10 (1) Antiarrhythmic agents;

11 (2) Vagolytic agents;

12 (3) Chronotropic agents;

13 (4) Analgesic agents;

14 (5) Alkalizing agents;

15 (6) Vasopressor agents;

16 (7) Anticonvulsive agents; or

17 (8) Other drugs which may be deemed necessary by the su-
18 pervising physician.

19 e. Any other medical procedure designated by the board,
20 by rule, as appropriate to be performed by paramedics who
21 have been trained in the procedure.

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

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

30 4. "Advanced EMT" means an individual trained to provide
31 advanced emergency medical care in one or more areas defined
32 and approved by the board, and who has been issued an advanced
33 EMT certificate by the department upon recommendation of the
34 board.

35 5. "Paramedic" means an individual trained in all areas

1 of advanced emergency medical care, and who has been issued
2 a paramedic certificate by the department upon recommendation
3 of the board.

4 6. "Board" means the advanced emergency medical care coun-
5 cil established by this Act.

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

7 8. "Department" means the department of health.

8 9. "Patient" means an individual who is sick, injured,
9 wounded, or otherwise helpless or incapacitated.

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

13 11. "Physician surrogate" means a registered nurse or
14 physician's assistant or other qualified, trained medical
15 person designated in writing by a physician to act as a
16 substitute for that physician in directing the actions of
17 advanced EMTs and paramedics.

18 Sec. 2. NEW SECTION. BOARD ESTABLISHED--RULE-MAKING
19 POWERS. There is established in the department a board of
20 advanced emergency medical care to advise the commissioner
21 and the board of health in administering this Act. The
22 department shall promulgate rules required or authorized by
23 this Act, but only after approval of those rules by the board.
24 These rules shall include, but need not be limited to:

25 1. Prerequisites, training and experience requirements
26 for the respective categories of EMTs, and procedures for
27 determining when individuals have met these requirements.

28 2. Requirements concerning physician supervision, neces-
29 sary equipment and staffing, and reporting by advanced
30 emergency medical care programs utilizing the services of
31 advanced EMTs or paramedics.

32 Sec. 3. NEW SECTION. BOARD MEMBERSHIP--TERMS OF OFFICE.

33 1. The board shall consist of the commissioner, or the
34 commissioner's designee, and eleven members appointed by the
35 board of health for terms of three years beginning July first

1 of the year of appointment, and extending as necessary until
2 their successors are appointed. Any vacancy occurring before
3 the expiration of a term shall be filled by the board of
4 health by appointment from the appropriate class of persons
5 for the balance of the unexpired term. The first appointees
6 to the board after the effective date of this Act shall take
7 office immediately, regardless of the date of their
8 appointments.

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

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

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

26 5. One of the appointed members shall represent volunteer
27 ambulance services, and one shall represent full-time ambulance
28 services.

29 Sec. 4. NEW SECTION. MEETINGS OF THE BOARD--QUORUM--EX-
30 PENSES.

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

1 meeting.

2 2. The commissioner shall convene the first meeting of
3 the board after the effective date of this Act, at which the
4 board shall select such officers as it deems necessary. No
5 action shall be taken by the board without the affirmative
6 votes of a majority of its entire membership, except that
7 a lesser number may adjourn or recess a meeting.

8 3. Appointed members of the board shall receive no compen-
9 sation for their services, but shall be entitled to
10 reimbursement for their actual and necessary expenses incurred
11 in attending meetings or otherwise discharging their official
12 duties at places away from their places of residence.

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

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

28 2. The department, with the concurrence of the board,
29 shall approve an application submitted in accordance with
30 the requirements of subsection one (1) of this section when
31 the board is satisfied that the program proposed by the
32 application will be operated in compliance with this Act and
33 the rules adopted pursuant to this Act.

34 3. The department may deny an application for authority
35 to establish, or suspend or revoke any existing authorization

1 for, any program utilizing the services of certified advanced
2 EMTs or paramedics if the board finds reason to believe the
3 program has not been or will not be operated in compliance
4 with this Act and the rules adopted pursuant to this Act,
5 or that there is insufficient assurance of adequate protection
6 for the public. The denial, suspension or revocation shall
7 be effected, and may be appealed as provided by section
8 seventeen A point eighteen (17A.18) of the Code.

9 Sec. 6. NEW SECTION. ADVANCED EMT AND PARAMEDIC CERTIFI-
10 CATES--RENEWAL.

11 1. The department shall, upon application, issue a certifi-
12 cate attesting to the qualifications of any individual who
13 has met all of the requirements for a specific EMT category
14 which are established by the rules promulgated under section
15 two (2), subsection one (1) of this Act.

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

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

24 1. The department may deny an application for issuance
25 or renewal of an advanced EMT or paramedic certificate, or
26 suspend or revoke such a certificate when the commissioner
27 finds that the applicant or certificate holder has:

28 a. Acted negligently in performing the authorized ser-
29 vices;

30 b. Failed to follow the directions of his or her
31 supervising physician;

32 c. Rendered treatment not authorized under this Act; or

33 d. Violated any of the provisions of or failed to comply
34 with pertinent requirements of this Act or of the rules adopted
35 pursuant to this Act.

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

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

7 1. Render advanced emergency medical care, rescue, and
8 resuscitation services in those areas for which they are
9 certified as defined and approved in accordance with the rules
10 of the board.

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

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

19 1. When voice contact or a telemetered electrocardiogram
20 is monitored by a physician or physician surrogate, and direct
21 communication is maintained, an advanced EMT or a paramedic
22 may upon order of the monitoring physician or upon standing
23 orders of a physician transmitted by the monitoring physician
24 surrogate perform any advanced emergency medical care procedure
25 for which that advanced EMT or paramedic is certified.

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

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

35 1. No physician or physician surrogate who gives orders,

1 either directly or via communications equipment from some
2 other point, to an appropriately certified advanced EMT or
3 paramedic at the scene of an emergency, and no appropriately
4 certified advanced EMT or paramedic following such orders,
5 shall be liable civilly or criminally by reason of having
6 issued or followed such orders. However, any physician,
7 physician surrogate, advanced EMT or paramedic so acting shall
8 be subject to the rules of law applicable to negligence.

9 2. No physician, physician surrogate, advanced EMT or
10 paramedic shall be subject to civil liability solely by reason
11 of failure to obtain consent before rendering emergency
12 medical, surgical, hospital or health services to any
13 individual, regardless of age, when the patient is unable
14 to give his or her consent for any reason and there is no
15 other person reasonably available who is legally authorized
16 to consent to the providing of such care.

17 3. No act of commission or omission of any appropriately
18 certified advanced EMT or paramedic, performed with the
19 ordinary requisite skill of any certified advanced EMT or
20 paramedic under like circumstances in accordance with the
21 level of skills for which that individual is certified, while
22 rendering advanced emergency medical care under the responsible
23 supervision and control of a physician to a person who is
24 deemed by them to be in immediate danger of serious injury
25 or loss of life, shall impose any liability upon the certified
26 advanced EMT or paramedic, the supervising physician, or any
27 hospital, or upon the state, or any county, city or other
28 political subdivision, or the employees of any of these en-
29 titities. This section shall not relieve the certified advanced
30 EMT or paramedic, the supervising physician, any hospital,
31 the state, or any county, city, or other political subdivision,
32 or their employees from liability arising out of negligent
33 acts in the rendering of advanced emergency medical care.

34 Sec. 11. NEW SECTION. PROHIBITED ACTS.

35 1. Any person not certified as required by this Act who

1 holds himself or herself out as an advanced EMT or a paramedic,
2 or who uses any other term to indicate or imply that he or
3 she is an advanced EMT or a paramedic, or who acts as an
4 advanced EMT or a paramedic without having obtained the
5 appropriate certificate under this Act, is guilty of a class
6 D felony.

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

13 EXPLANATION

14 This bill empowers the Department of Health to issue
15 certificates to properly qualified advanced emergency medical
16 technicians or paramedics, and to authorize eligible ambulance
17 services to provide advanced emergency medical care. A nonpaid
18 Advanced Emergency Medical Care Board is created to assist
19 and oversee the Department's efforts in administering the
20 bill. The bill defines many of the procedures which advanced
21 EMTs and paramedics may use, specifies that they must do so
22 under the supervision of a physician or that of a registered
23 nurse or physician's assistant acting under a physician's
24 authority and instructions, and provides immunity for
25 nonnegligent acts performed in good faith under such
26 circumstances.

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LSB 3232S
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S-5604

1 Amend Senate File 2076 as follows:

- 2 1. Page 1, line 20, by striking the words "by
3 paramedics" and inserting in lieu thereof the words
4 "by advanced EMTs and paramedics".
- 5 2. Page 1, by striking lines 31, 32 and 33 and
6 inserting in lieu thereof the words "advanced emergency
7 medical care, and who has been issued an advanced
8 EMT certificate by the".
- 9 3. Page 2, lines 2 and 3, by striking the words
10 "department upon recommendation of the".
- 11 4. Page 2, line 4, by striking the word "Board"
12 and inserting in lieu thereof the word "Council".
- 13 5. Page 2, by striking lines 8 and 9 and insert-
14 ing in lieu thereof the following:
- 15 "9. "Board" means the board of medical examiners
16 appointed pursuant to section one hundred forty-seven
17 point fourteen (147.14), subsection two (2), of the
18 Code."
- 19 6. Page 2, by striking lines 13 through 32 and
20 inserting in lieu thereof the following:
- 21 "Sec. 2. NEW SECTION. COUNCIL ESTABLISHED--TERMS
22 OF OFFICE. There is established in the department
23 an advanced emergency medical care council to advise
24 the commissioner, the board of health, and the board
25 on the administration of this Act."
- 26 7. Page 2, line 33, by striking the word "board"
27 and inserting in lieu thereof the word "council".
- 28 8. Page 3, line 6, by striking the word "board"
29 and inserting in lieu thereof the word "council".
- 30 9. Page 3, line 18, by striking the word "board"
31 and inserting in lieu thereof the word "council".
- 32 10. Page 3, line 22, by striking the word "board"
33 and inserting in lieu thereof the word "council".
- 34 11. Page 3, line 29, by striking the figure and
35 words "4. NEW SECTION. MEETINGS OF THE BOARD" and
36 inserting in lieu thereof the figure and words "3.
37 NEW SECTION. MEETINGS OF THE COUNCIL".
- 38 12. Page 3, line 31, by striking the word "board"
39 and inserting in lieu thereof the word "council".
- 40 13. Page 4, line 3, by striking the word "board"
41 and inserting in lieu thereof the word "council".
- 42 14. Page 4, line 4, by striking the word "board"
43 and inserting in lieu thereof the word "council".
- 44 15. Page 4, line 5, by striking the word "board"
45 and inserting in lieu thereof the word "council".
- 46 16. Page 4, line 8, by striking the word "board"
47 and inserting in lieu thereof the word "council".
- 48 17. Page 4, by inserting after line 12 the follow-
49 ing new section:
- 50 "Sec. 4. NEW SECTION. RULE-MAKING AUTHORITY.

- 5605 - 1 1. The department, with the advise and assistance
2 of the council, shall promulgate rules required or
3 authorized by this Act pertaining to the operation
4 of ambulance services and rescue squad services which
5 have obtained authority under section five (5) of
6 this Act to utilize the services of certified advanced
7 EMTs or paramedics. These rules shall include, but
8 need not be limited to, requirements concerning physician
9 supervision, necessary equipment and staffing, and
10 reporting by ambulance services and rescue squad services
11 which have obtained such authority pursuant to section
12 five (5) of this Act.
- 13 2. The board, with the advice and assistance of the
14 council, shall promulgate rules required or authorized
15 by this Act pertaining to the certification of advanced
16 EMTs and paramedics. These rules shall include, but
17 need not be limited to, requirements concerning pre-
18 requisites, training and experience for advanced EMTs
19 and paramedics and procedures for determining when
20 individuals have met these requirements."
- 21 18. Page 4, line 28, by striking the words "concur-
22 rence of the board" and inserting in lieu thereof the
23 words "advice and consent of the council".
- 24 19. Page 4, line 31, by striking the word "board"
25 and inserting in lieu thereof the word "council".
- 26 20. Page 5, line 2, by striking the word "board"
27 and inserting in lieu thereof the word "council".
- 28 21. Page 5, line 11, by striking the word "depart-
29 ment" and inserting in lieu thereof the word "board".
- 30 22. Page 5, line 15, by striking the words and
31 figures "two (2), subsection one (1)" and inserting
32 in lieu thereof the words and figures "four (4),
33 subsection two (2)".
- 34 23. Page 5, line 24, by striking the word "depart-
35 ment" and inserting in lieu thereof the word "board".
- 36 24. Page 5, line 26, by striking the words "the
37 commissioner" and inserting in lieu thereof the word
38 "it".
- 39 25. Page 6, line 8, by striking the words "they
40 are" and inserting in lieu thereof the words "he or
41 she is".
- 42 26. Page 6, line 15, by striking the words "a
43 physician surrogate" and inserting in lieu thereof
44 the words "another individual".
- 45 27. Page 6, line 20, by striking the words "physi-
46 cian surrogate" and inserting in lieu thereof the
47 words "physician's designee".
- 48 28. Page 6, lines 23 and 24, by striking the words
49 "physician surrogate" and inserting in lieu thereof
50 the words "physician's designee".

S-5604

Page 3

1 29. Page 6, line 35, by striking the words "No
2 physician or physician surrogate" and inserting in
3 lieu thereof the words "A physician or physician's
4 designee".

5 30. Page 7, line 3, by striking the word "no"
6 and inserting in lieu thereof the word "an".

7 31. Page 7, by striking lines 5 through 8 and
8 inserting in lieu thereof the words "shall not be
9 subject to criminal liability by reason of having
10 issued or executed such orders, and shall not be
11 liable for civil damages for acts or omissions relat-
12 ing to the issuance or execution of such orders unless
13 such acts or omissions constitute recklessness."

14 32. Page 7, line 9, by striking the words "No
15 physician, physician surrogate" and inserting in lieu
16 thereof the words "A physician, physician's designee".

17 33. Page 7, line 10, by inserting after the word
18 "shall" the word "not".

19 34. Page 7, line 17, by striking the word "No"
20 and inserting in lieu thereof the word "An".

21 35. Page 7, by striking lines 18 through 21 and
22 inserting in lieu thereof the words "certified advanced
23 EMT or paramedic while".

24 36. Page 7, line 25, by inserting after the word
25 "shall" the word "not".

26 37. Page 7, by striking lines 29 through 33 and
27 inserting in lieu thereof the words "tities; provided
28 that this section shall not relieve any person of
29 liability for civil damages for any act of commission
30 or omission which constitutes recklessness."

31 38. Amend the title, line 3, by inserting after the
32 word "health" the words "and the board of medical
33 examiners".

34 39. Amend the title, line 5, by striking the word
35 "board" and inserting in lieu thereof the word
36 "council".

S-5604 FILED *Adopted on 4/20/78* BY LOWELL L. JUNKINS
APRIL 19, 1978 *by S-5605 4/20/78 (p. 945)* CALVIN O. HULTMAN

SENATE FILE 2076

S-5605

1 Amend Junkins et al. amendment S-5604 to
2 Senate File 2076 as follows:

3 1. Page 2, line 1, by the striking the word
4 "advise" and inserting in lieu thereof the word
5 "advice".

S-5605 FILED *Adopted on 4/20/78* BY LOWELL L. JUNKINS
APRIL 19, 1978

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

3 1. "Advanced emergency medical care" means such medical
4 procedures as:

- 5 a. Administration of intravenous solutions.
- 6 b. Gastric or tracheal suction or intubation.
- 7 c. Performance of cardiac defibrillation.
- 8 d. Administration of parenteral injections of any of the
9 following classes of drugs:

- 10 (1) Antiarrhythmic agents;
- 11 (2) Vagolytic agents;
- 12 (3) Chronotropic agents;
- 13 (4) Analgesic agents;
- 14 (5) Alkalizing agents;
- 15 (6) Vasopressor agents;
- 16 (7) Anticonvulsive agents; or
- 17 (8) Other drugs which may be deemed necessary by the su-
18 pervising physician.

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

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

24 3. "Basic EMT" means an individual who has satisfactorily
25 completed the United States department of transportation's
6417-26 prescribed course for basic EMT's, as modified for this state,
27 and has complied with any additional requirements established
28 by the board, but who is not certified to perform any of the
29 procedures listed in subsection one (1) of this section.

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

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

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

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

4 8. "Department" means the department of health.

5 9. "Board" means the board of medical examiners appointed
6 pursuant to section one hundred forty-seven point fourteen
7 (147.14), subsection two (2), of the Code.

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

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

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

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

33 3. Two of the appointed members shall be EMTs, and one
34 shall be a person employed in that capacity on a full-time
35 basis. One of the EMTs first appointed to the council after

1 the effective date of this Act shall be designated to serve
2 a term of one year, and one of them to serve a term of two
3 years. Beginning not later than two years after the effective
4 date of this Act, at least one of the EMT members of the
5 council shall be a paramedic or an advanced EMT.

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

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

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

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

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

22 2. The commissioner shall convene the first meeting of
23 the council after the effective date of this Act, at which
24 the council shall select such officers as it deems necessary.
25 No action shall be taken by the council without the affirmative
26 votes of a majority of its entire membership, except that
27 a lesser number may adjourn or recess a meeting.

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

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

34 1. The department, with the advice and assistance of the
35 council, shall promulgate rules required or authorized by

1 this Act pertaining to the operation of ambulance services
2 and rescue squad services which have obtained authority under
3 section five (5) of this Act to utilize the services of
4 certified advanced EMTs or paramedics. These rules shall
5 include, but need not be limited to, requirements concerning
6 physician supervision, necessary equipment and staffing, and
7 reporting by ambulance services and rescue squad services
8 which have obtained such authority pursuant to section five
9 (5) of this Act.

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

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

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

32 2. The department, with the advice and consent of the
33 council shall approve an application submitted in accordance
34 with the requirements of subsection one (1) of this section
35 when the council is satisfied that the program proposed by

1 the application will be operated in compliance with this Act
2 and the rules adopted pursuant to this Act.

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

13 Sec. 6. NEW SECTION. ADVANCED EMT AND PARAMEDIC CERTIFI-
14 CATES--RENEWAL.

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

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

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

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

32 a. Acted negligently in performing the authorized ser-
33 vices;

34 b. Failed to follow the directions of his or her
35 supervising physician;

1 c. Rendered treatment not authorized under this Act; or
2 d. Violated any of the provisions of or failed to comply
3 with pertinent requirements of this Act or of the rules adopted
4 pursuant to this Act.

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

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

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

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

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

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

31 2. If communications fail during an emergency situation,
32 the advanced EMT or paramedic may perform any advanced
33 emergency medical care procedure for which that individual
34 is certified and included in written protocols if in the
35 judgment of the advanced EMT or paramedic the life of the

1 patient is in immediate danger and such care is required to
2 preserve his or her life.

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

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

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

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

35 Sec. 11. NEW SECTION. PROHIBITED ACTS.

SENATE FILE 2076

H-6419

- 1 Amend Senate file 2076 as follows:
2 1. Page 1, line 26, by inserting after the word
3 "state," the words "and adopted by rule by the
4 board,".

H-6419 FILED *Adopted 5/1* BY MONROE of Des Moines
MAY 1, 1978 *(7. 2076)* SCHROEDER of Pottawattamie
GRIFFEE of Chickasaw

HOUSE AMENDMENT TO SENATE FILE 2076

S-5760

- 1 Amend Senate File 2076 as follows:
2 1. Page 1, line 26, by inserting after the word
3 "state," the words "and adopted by rule by the board,".

S-5760 FILED
MAY 2, 1978

RECEIVED FROM THE HOUSE

Senate Amendment 5/2 (p. 12-7)

SENATE FILE 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 CERTIFICATE--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 ser-

vices;

- 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.

ARTHUR A. NEU
President of the Senate

DALE M. COCHRAN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2076, Sixty-seventh General Assembly.

KEVIN P. LIGHT
Acting Secretary of the Senate

Approved 5-12-78, 1978

ROBERT D. RAY
Governor