

**CHAPTER 1287**  
**EMERGENCY MEDICAL TECHNICIANS AND PARAMEDICS**  
*H.F. 2437*

**AN ACT** relating to the regulation of advanced emergency medical technicians and paramedics and providing a penalty.

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

Section 1. Section 147A.1, subsections 1, 3, and 8, Code 1983, are amended to read as follows:

1. "Advanced emergency medical care" means such medical procedures as:
  - a. Administration of intravenous solutions.
  - b. ~~Gastric or tracheal suction or intubation~~ Intubation.
  - c. Performance of cardiac defibrillation and synchronized cardioversion.
  - d. Administration of parenteral injections of any of the following classes of emergency drugs: as provided by rule by the board.
    - (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 approved by the board, by rule, as appropriate to be performed by advanced EMTs and paramedics who have been trained in the that procedure.

3. "Basic EMT" means an individual who has satisfactorily completed the United States department of transportation's prescribed course for basic EMTs, 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 1.

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

Sec. 2. Section 147A.2, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

147A.2 COUNCIL ESTABLISHED—TERMS OF OFFICE. An advanced emergency medical care council is established in the department to advise the department and the board on the administration of this chapter.

1. The council shall consist of the commissioner, or the commissioner's designee, and eleven members appointed by the state board of health for terms of three years beginning July 1 of the year of appointment, and extending as necessary until their successors are appointed. A vacancy occurring before the expiration of a term shall be filled by the board of health from the appropriate class of persons for the balance of the unexpired term.

2. Five of the appointed members shall be physicians\* who are active participants in the delivery of emergency medical care. However, a physician's assistant, who is an active participant in the delivery of emergency medical care, may be appointed in lieu of one of the physician members.

3. Four of the appointed members shall be advanced EMTs or paramedics. Two shall be employed in either capacity on a full-time basis and two shall be members of volunteer ambulance services.

4. Two of the appointed members shall be registered nurses who are active participants in the delivery of emergency medical care.

Sec. 3. Section 147A.3, subsections 1 and 2, Code 1983, is amended to read as follows:

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 July 1, 1978, at which the council shall select such officers as it deems necessary. No action~~ Action shall not 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.

Sec. 4. Section 147A.4, subsection 1, Code 1983, is amended to read as follows:

1. The department, with the advice and assistance of the council, shall promulgate rules required or authorized by this chapter pertaining to the operation of ambulance services and rescue squad services which have ~~obtained authority received authorization~~ under section 147A.5 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 received the authorization~~ pursuant to section 147A.5.

Sec. 5. Section 147A.5, Code 1983, is amended to read as follows:

147A.5 APPLICATIONS FOR ADVANCED EMT AND PARAMEDIC PROGRAMS—APPROVAL—DENIAL, PROBATION, SUSPENSION OR REVOCATION.

1. ~~Any~~ An ambulance service or rescue squad service in this state, regularly engaged in transporting patients who may require, that desires to provide advanced emergency medical care before or during such the transportation, may shall apply to the department for authorization to establish a program utilizing certified advanced EMTs or paramedics for delivery of such the 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 1 when the council is satisfied that the program proposed by the application will be operated in compliance with this chapter and the rules adopted pursuant to this chapter.

3. The department may deny an application for ~~authority authorization~~ to establish, or suspend or revoke any existing authorization for, any a program utilizing the services of certified advanced EMTs or paramedics, or may place on probation, or suspend or revoke existing authorization if the council finds reason to believe the program has not been or will not be operated in compliance with this chapter and the rules adopted pursuant to this chapter, or that there is insufficient assurance of adequate protection for the public. The denial, period of

\*According to enrolled Act

probation, suspension, or revocation shall be effected, and may be appealed as provided by section ~~17A.18~~ 17A.12.

Sec. 6. Section 147A.6, Code 1983, is amended to read as follows:

147A.6 ADVANCED EMT AND PARAMEDIC CERTIFICATES – RENEWAL.

1. The board, upon application and receipt of the prescribed fee, shall issue a certificate attesting to the qualifications of an individual who has met all of the requirements for a ~~specific advanced EMT and or paramedic category which are~~ certification established by the rules promulgated under section 147A.4, subsection 2.

2. An advanced EMT or paramedic certificate ~~shall be is~~ valid for the multiyear period determined by the board, unless sooner suspended or revoked. The certificate shall be renewed upon application of the holder and receipt of the prescribed fee if the holder has satisfactorily completed continuing medical education programs ~~established or approved by the board as required by rule.~~

Sec. 7. Section 147A.7, Code 1983, is amended to read as follows:

147A.7 DENIAL, SUSPENSION OR REVOCATION OF CERTIFICATES – HEARING – 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 the~~ certificate when it finds that the applicant or certificate holder ~~has is~~ guilty of any of the following acts or offenses:

- a. ~~Acted negligently~~ Negligence in performing the authorized services;
- b. ~~Failed~~ Failure to follow the directions of his or her the supervising physician;
- c. ~~Rendered~~ Rendering treatment not authorized under this chapter; or,
- d. ~~Violated any of the provisions of or failed to comply with pertinent requirements of this chapter or of the rules adopted pursuant to this chapter~~ Fraud in procuring certification.
- e. Professional incompetency.
- f. Knowingly making misleading, deceptive, untrue or fraudulent representation in the practice of a profession or engaging in unethical conduct or practice harmful or detrimental to the public. Proof of actual injury need not be established.
- g. Habitual intoxication or addiction to the use of drugs.
- h. Fraud in representations as to skill or ability.
- i. Willful or repeated violations of this chapter or of rules adopted pursuant to this chapter.
- j. Violating a statute of this state, another state, or the United States, without regard to its designation as either a felony or misdemeanor, which relates to the practice of an advanced EMT or paramedic. A copy of the record of conviction or plea of guilty is conclusive evidence of the violation.
- k. Having certification to practice as an advanced EMT or paramedic revoked or suspended, or having other disciplinary action taken by a licensing or certifying authority of another state, territory, or country. A certified copy of the record or order of suspension, revocation, or disciplinary action is conclusive or prima facie evidence.

2. A determination of mental incompetence by a court of competent jurisdiction automatically suspends a certificate for the duration of the certificate unless the board orders otherwise.

3. A denial, suspension or revocation under this section shall be effected, and may be appealed, as provided by section 17A.18 in accordance with the rules of the board established pursuant to chapter 258A.

Sec. 8. Section 147A.8, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

147A.8 AUTHORITY OF CERTIFIED ADVANCED EMT OR PARAMEDIC. An advanced EMT or paramedic properly certified under this chapter may:

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

2. Function in any hospital when:

a. Enrolled as a student or participating as a preceptor in a training program approved by the board; or

b. Fulfilling continuing education requirements as defined by rule; or

c. Employed by or assigned to a hospital as a member of an authorized ambulance service or rescue squad for prehospital care, by rendering lifesaving services in the facility in which employed or assigned pursuant to the advanced EMT's or paramedic's certification and under the direct supervision of a physician or registered nurse. When the physician or registered nurse cannot directly assume emergency care of the patient, the advanced EMT or paramedic may perform without direct supervision advanced emergency medical care procedures for which that individual is certified if in the judgment of the physician or registered nurse the life of the patient is in immediate danger and such care is required to preserve the patient's life; or

d. Employed by or assigned to a hospital as a member of an authorized ambulance service or rescue squad for prehospital care to perform nonlifesaving procedures for which those individuals have been trained and are designated in a written job description. Such procedures may be performed after the patient is observed by and when the advanced EMT or paramedic is under the supervision of the physician or registered nurse and where the procedure may be immediately abandoned without risk to the patient.

Sec. 9. Section 147A.9, Code 1983, is amended to read as follows:

**147A.9 REMOTE SUPERVISION OF ADVANCED EMT OR PARAMEDIC—EMERGENCY COMMUNICATIONS COMMUNICATION FAILURE—AUTHORIZATION OF IMMEDIATE LIFESAVING PROCEDURES.**

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 which is 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 the patient's life.

3. The board shall adopt rules to authorize the institution of lifesaving procedures in accordance with written protocols in instances where the establishment of communication in lieu of immediate action may cause patient harm or death.

Sec. 10. Section 147A.10, subsection 1, Code 1983, is amended to read as follows:

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 the orders, shall are not be subject to criminal liability by reason of having issued or executed such the orders, and shall are not be liable for civil damages for acts or omissions relating to the issuance or execution of such the orders unless such the acts or omissions constitute recklessness.

Sec. 11. Section 147A.11, Code 1983, is amended by adding the following new subsection as subsection 2 and renumbering the following subsection:

**NEW SUBSECTION. 2.** An owner of an unauthorized ambulance service or rescue squad service in this state who operates or purports to operate an authorized ambulance service or rescue squad services, or who uses any term to indicate or imply such authorization without having obtained the appropriate authorization under this chapter, is guilty of a class "D" felony.

Sec. 12. **NEW SECTION. 147A.12 REGISTERED OR LICENSED PRACTICAL NURSE EXCEPTION.**

1. Nothing in this chapter shall restrict a registered or licensed practical nurse, licensed pursuant to chapter 152, from staffing an authorized ambulance service or rescue squad service provided the registered nurse or licensed practical nurse can document equivalency through education and additional skills training essential in the delivery of prehospital emergency care. The equivalency shall be accepted when:

a. Documentation has been reviewed and approved at the local level by the medical director of the ambulance or rescue squad service in accordance with the rules of the board of nursing developed jointly with the board of medical examiners.

b. Authorization has been granted to that ambulance or rescue squad service by the council.

2. Section 147A.10 applies to a registered nurse or a licensed practical nurse in compliance with this section.

Approved May 16, 1984