

MAR 2 1984

HOUSE FILE 2437

BY COMMITTEE ON HUMAN RESOURCES

Place On Calendar

(Formerly Study Bill 762)

Passed House, Date 3-14-84 (p. 1037) Passed Senate, Date 4-16-84 P. 1556

Vote: Ayes 87 Nays 7 Vote: Ayes 47 Nays 0

Approved May 16, 1984

### A BILL FOR

1 An Act relating to the regulation of advanced emergency medical  
2 technicians and paramedics and providing a penalty.

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

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HF 2437

1 Section 1. Section 147A.1, subsections 1, 3, and 8, Code  
2 1983, are amended to read as follows:

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~~ Intubation.

7 c. Performance of cardiac defibrillation and synchronized  
8 cardioversion.

9 d. ~~Administration of-parenteral-injections-of-any-of-the~~  
10 ~~following-classes~~ of emergency drugs, as provided by rule  
11 by the board.

12 (1)--~~Antiarrhythmic-agents,~~

13 (2)--~~Vagolytic-agents,~~

14 (3)--~~Chronotropic-agents,~~

15 (4)--~~Analgesic-agents,~~

16 (5)--~~Alkalinizing-agents,~~

17 (6)--~~Vasopressor-agents,~~

18 (7)--~~Anticonvulsive-agents,~~-or

19 (8)--~~Other-drugs-which-may-be-deemed-necessary-by-the~~  
20 ~~supervising-physician.~~

21 e. Any other medical procedure ~~designated~~ approved by  
22 the board, by rule, as appropriate to be performed by advanced  
23 EMTs and paramedics who have been trained in the that  
24 procedure.

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

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

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

35 147A.2 COUNCIL ESTABLISHED--TERMS OF OFFICE. An advanced

1 emergency medical care council is established in the department  
2 to advise the department and the board on the administration  
3 of this chapter.

4 1. The council shall consist of the commissioner, or the  
5 commissioner's designee, and eleven members appointed by the  
6 state board of health for terms of three years beginning July  
7 1 of the year of appointment, and extending as necessary until  
8 their successors are appointed. A vacancy occurring before  
9 the expiration of a term shall be filled by the board of  
10 health from the appropriate class of persons for the balance  
11 of the unexpired term.

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

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

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

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

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

32 2. ~~The commissioner shall convene the first meeting of~~  
33 ~~the council after July 17, 1978, at which the council shall~~  
34 ~~select such officers as it deems necessary. No action~~ Action  
35 shall not be taken by the council without the affirmative

1 votes of a majority of its entire membership, except that  
2 a lesser number may adjourn or recess a meeting.

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

5 1. The department, with the advice and assistance of the  
6 council, shall promulgate rules required or authorized by  
7 this chapter pertaining to the operation of ambulance services  
8 and rescue squad services which have ~~obtained-authority~~  
9 received authorization under section 147A.5 to utilize the  
10 services of certified advanced EMTs or paramedics. These  
11 rules shall include, but need not be limited to, requirements  
12 concerning physician supervision, necessary equipment and  
13 staffing, and reporting by ambulance services and rescue squad  
14 services which have ~~obtained-such-authority~~ received the  
15 authorization pursuant to section 147A.5.

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

18 147A.5 APPLICATIONS FOR ADVANCED EMT AND PARAMEDIC  
19 PROGRAMS--APPROVAL--DENIAL, PROBATION, SUSPENSION OR  
20 REVOCATION.

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

35 2. The department, with the advice and consent of the

1 council, shall approve an application submitted in accordance  
 2 with ~~the requirements of~~ subsection 1 when the council is  
 3 satisfied that the program proposed by the application will  
 4 be operated in compliance with this chapter and the rules  
 5 adopted pursuant to this chapter.

6 3. The department may deny an application for ~~authority~~  
 7 authorization to establish, ~~or suspend or revoke any existing~~  
 8 ~~authorization for, any~~ a program utilizing the services of  
 9 certified advanced EMTs or paramedics, or may place on  
 10 probation, or suspend or revoke existing authorization if  
 11 the council finds reason to believe the program has not been  
 12 or will not be operated in compliance with this chapter and  
 13 the rules adopted pursuant to this chapter, or that there  
 14 is insufficient assurance of adequate protection for the  
 15 public. The denial, period of probation, suspension, or  
 16 revocation shall be effected, and may be appealed as provided  
 17 by section ~~17A-18~~ 17A.12.

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

20 147A.6 ADVANCED EMT AND PARAMEDIC CERTIFICATES--RENEWAL.

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

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

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

1 147A.7 DENIAL, SUSPENSION OR REVOCATION OF CERTIFICATES-  
2 ~~HEARING~~-APPEAL.

3 1. The board may deny an application for issuance or  
4 renewal of an advanced EMT or paramedic certificate, or suspend  
5 or revoke ~~such-a~~ the certificate when it finds that the  
6 applicant or certificate holder ~~has~~ is guilty of any of the  
7 following acts or offenses:

8 a. ~~Acted-negligently~~ Negligence in performing the  
9 authorized services.

10 b. ~~Failed~~ Failure to follow the directions of ~~his-or-her~~  
11 the supervising physician.

12 c. ~~Rendered~~ Rendering treatment not authorized under this  
13 chapter ~~-or-~~.

14 ~~Violated-any-of-the-provisions-of-or-failed-to-comply~~  
15 ~~with-pertinent-requirements-of-this-chapter-or-of-the-rules~~  
16 ~~adopted-pursuant-to-this-chapter~~ Fraud in procuring  
17 certification.

18 e. Professional incompetency.

19 f. Knowingly making misleading, deceptive, untrue or  
20 fraudulent representation in the practice of a profession  
21 or engaging in unethical conduct or practice harmful or  
22 detrimental to the public. Proof of actual injury need not  
23 be established.

24 g. Habitual intoxication or addiction to the use of drugs.

25 h. Fraud in representations as to skill or ability.

26 i. Willful or repeated violations of this chapter or of  
27 rules adopted pursuant to this chapter.

28 j. Violating a statute of this state, another state, or  
29 the United States, without regard to its designation as either  
30 a felony or misdemeanor, which relates to the practice of  
31 an advanced EMT or paramedic. A copy of the record of con-  
32 viction or plea of guilty is conclusive evidence of the  
33 violation.

34 k. Having certification to practice as an advanced EMT  
35 or paramedic revoked or suspended, or having other dis-

1 disciplinary action taken by a licensing or certifying authority  
2 of another state, territory, or country. A certified copy  
3 of the record or order of suspension, revocation, or  
4 disciplinary action is conclusive or prima facie evidence.

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

9 3. A denial, suspension or revocation under this section  
10 shall be effected, and may be appealed, ~~as provided by section~~  
11 ~~17A:18~~ in accordance with the rules of the board established  
12 pursuant to chapter 258A.

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

15 147A.8 AUTHORITY OF CERTIFIED ADVANCED EMT OR PARAMEDIC.

16 An advanced EMT or paramedic properly certified under this  
17 chapter may:

18 1. Render advanced emergency medical care, rescue, and  
19 life-saving services in those areas for which the advanced  
20 EMT or paramedic is certified, as defined and approved in  
21 accordance with the rules of the board, at the scene of an  
22 emergency, during transportation to a hospital or while in  
23 the hospital emergency department, and until care is directly  
24 assumed by a physician or by authorized hospital personnel.

25 2. Function in any hospital when:

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

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

30 c. Employed by or assigned to a hospital as a member of  
31 an authorized ambulance service or rescue squad for prehospital  
32 care, render life-saving services in the facility in which  
33 employed or assigned pursuant to the advanced EMT's or  
34 paramedic's certification and under the direct supervision  
35 of a physician or registered nurse. When the physician or

1 registered nurse cannot directly assume emergency care of  
2 the patient, the advanced EMT or paramedic may perform without  
3 direct supervision advanced emergency medical care procedures  
4 for which that individual is certified if in the judgment  
5 of the physician or registered nurse the life of the patient  
6 is in immediate danger and such care is required to preserve  
7 the patient's life; or

8 d. Assigned by a physician or a registered nurse to provide  
9 other than life-saving procedures, when employed by a hospital.

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

12 147A.9 REMOTE SUPERVISION OF ADVANCED EMT OR PARAMEDIC-  
13 -EMERGENCY COMMUNICATIONS COMMUNICATION FAILURE--AUTHORIZATION  
14 OF IMMEDIATE LIFE SAVING PROCEDURES.

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

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

30 3. The board shall adopt rules to authorize the institu-  
31 tion of life saving procedures in accordance with written  
32 protocols in instances where the establishment of communica-  
33 tion in lieu of immediate action may cause patient harm or  
34 death.

35 Sec. 10. Section 147A.10, subsection 1, Code 1983, is

1 amended to read as follows:

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

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

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

22 Sec. 12. NEW SECTION. 147A.12 REGISTERED NURSE EXCEPTION.

23 1. Nothing in this chapter shall restrict a registered  
24 nurse, licensed pursuant to chapter 152, from staffing an  
25 authorized ambulance service or rescue squad service provided  
26 the registered nurse or licensed practical nurse can document  
27 equivalency through education and additional skills training  
28 essential in the delivery of prehospital emergency care.

29 The equivalency shall be accepted when:

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

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

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

3 EXPLANATION

4 This bill makes several changes in the chapter relating  
5 to the regulation of advanced emergency medical care and  
6 paramedics.

7 The bill changes the definition of advanced emergency  
8 medical care, amends the advanced emergency medical care  
9 council by combining the categories of certain professions  
10 of the members of the council, and clarifies the rule-making  
11 authority of the state department of health.

12 The bill adds a probation penalty applying to authorized  
13 ambulance or rescue squad services. The bill requires an  
14 ambulance service or rescue squad service which provides  
15 advanced emergency medical care before or during the  
16 transportation of a patient to receive authorization from  
17 the state department of health to establish a program utilizing  
18 certified advanced EMTs or paramedics.

19 Reasons for the denial, suspension, or revocation of an  
20 advanced EMT or paramedic certificate are expanded to include  
21 specific details of violations or mental competency.

22 The bill amends the location of authority where certified  
23 advanced EMTs and paramedics may practice.

24 The bill permits the board of medical examiners to adopt  
25 rules to authorize the institution of life-saving procedures  
26 when communication in lieu of immediate action on the part  
27 of an advanced EMT or paramedic may cause harm or death.

28 A penalty for operating an unauthorized ambulance service  
29 or rescue squad service is created.

30 The bill permits a registered nurse to staff an authorized  
31 ambulance service or rescue squad service under certain  
32 conditions.

33 The bill takes effect July 1 following its enactment.

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HOUSE FILE 2437

BY COMMITTEE ON HUMAN RESOURCES

(As Amended and Passed by the House)

*Re* Passed House, Date 4-18-84 (p. 2178) Passed Senate, Date 4-16-84 (p. 1556)

Vote: Ayes 89 Nays 9 Vote: Ayes 47 Nays 0

Approved May 16, 1984

## A BILL FOR

1 An Act relating to the regulation of advanced emergency medical  
2 technicians and paramedics and providing a penalty.

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

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House Amendments \_\_\_\_\_

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1 Section 1. Section 147A.1, subsections 1, 3, and 8, Code  
2 1983, are amended to read as follows:

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~~ Intubation.

7 c. Performance of cardiac defibrillation and synchronized  
8 cardioversion.

9 d. Administration ~~of-parenteral-injections-of-any-of-the~~  
10 ~~following-classes~~ of emergency drugs: as provided by rule  
11 by the board.

12 ~~(1)--Antiarrhythmic-agents;~~

13 ~~(2)--Vagolytic-agents;~~

14 ~~(3)--Chronotropic-agents;~~

15 ~~(4)--Analgesic-agents;~~

16 ~~(5)--Alkalinizing-agents;~~

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20 ~~supervising-physician.~~

21 e. Any other medical procedure ~~designated~~ approved by  
22 the board, by rule, as appropriate to be performed by advanced  
23 EMTs and paramedics who have been trained in the that  
24 procedure.

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

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

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

35 147A.2 COUNCIL ESTABLISHED--TERMS OF OFFICE. An advanced

1 emergency medical care council is established in the department  
2 to advise the department and the board on the administration  
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4 1. The council shall consist of the commissioner, or the  
5 commissioner's designee, and eleven members appointed by the  
6 state board of health for terms of three years beginning July  
7 1 of the year of appointment, and extending as necessary until  
8 their successors are appointed. A vacancy occurring before  
9 the expiration of a term shall be filled by the board of  
10 health from the appropriate class of persons for the balance  
11 of the unexpired term.

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

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

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

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

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27 ~~appointment of its members, and at least quarterly thereafter.~~  
28 The commissioner shall designate the place of meeting. Special  
29 meetings may be called by the commissioner or upon the written  
30 request of any four members explaining the reason for the  
31 meeting.

32 2. ~~The commissioner shall convene the first meeting of~~  
33 ~~the council after July 1, 1978, at which the council shall~~  
34 ~~select such officers as it deems necessary. --No action~~ Action  
35 shall not be taken by the council without the affirmative

1 votes of a majority of its entire membership, except that  
2 a lesser number may adjourn or recess a meeting.

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

5 1. The department, with the advice and assistance of the  
6 council, shall promulgate rules required or authorized by  
7 this chapter pertaining to the operation of ambulance services  
8 and rescue squad services which have ~~obtained-authority~~  
9 received authorization under section 147A.5 to utilize the  
10 services of certified advanced EMTs or paramedics. These  
11 rules shall include, but need not be limited to, requirements  
12 concerning physician supervision, necessary equipment and  
13 staffing, and reporting by ambulance services and rescue squad  
14 services which have ~~obtained-such-authority~~ received the  
15 authorization pursuant to section 147A.5.

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

18 147A.5 APPLICATIONS FOR ADVANCED EMT AND PARAMEDIC  
19 PROGRAMS--APPROVAL--DENIAL, PROBATION, SUSPENSION OR  
20 REVOCATION.

21 1. ~~Any~~ An ambulance service or rescue squad service in  
22 this state, regularly engaged in transporting patients ~~who~~  
23 ~~may-require~~, that desires to provide advanced emergency medical  
24 care before or during ~~sueh~~ the transportation, ~~may~~ shall apply  
25 to the department for authorization to establish a program  
26 utilizing certified advanced EMTs or paramedics for delivery  
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28 transportation to a hospital, or while in the hospital  
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30 a physician or by authorized hospital personnel. ~~The~~  
31 ~~application-must-bear-the-endorsement-of-a-physieian,-but~~  
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33 ~~actions-of-the-ambulance-or-rescue-squad-service-nor-the~~  
34 ~~personnel-thereof.~~

35 2. The department, with the advice and consent of the

1 council, shall approve an application submitted in accordance  
2 with ~~the requirements of~~ subsection 1 when the council is  
3 satisfied that the program proposed by the application will  
4 be operated in compliance with this chapter and the rules  
5 adopted pursuant to this chapter.

6 3. The department may deny an application for ~~authority~~  
7 authorization to establish, ~~or suspend or revoke any existing~~  
8 ~~authorization for any~~ a program utilizing the services of  
9 certified advanced EMTs or paramedics, or may place on  
10 probation, or suspend or revoke existing authorization if  
11 the council finds reason to believe the program has not been  
12 or will not be operated in compliance with this chapter and  
13 the rules adopted pursuant to this chapter, or that there  
14 is insufficient assurance of adequate protection for the  
15 public. The denial, period of probation, suspension, or  
16 revocation shall be effected, and may be appealed as provided  
17 by section ~~17A.18~~ 17A.12.

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

20 147A.6 ADVANCED EMT AND PARAMEDIC CERTIFICATES--RENEWAL.

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

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

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2 ~~HEARING~~--APPEAL.

3 1. The board may deny an application for issuance or  
4 renewal of an advanced EMT or paramedic certificate, or suspend  
5 or revoke ~~such-a~~ the certificate when it finds that the  
6 applicant or certificate holder ~~has~~ is guilty of any of the  
7 following acts or offenses:

8 a. ~~Acted-negligently~~ Negligence in performing the  
9 authorized services~~?~~.

10 b. ~~Failed~~ Failure to follow the directions of ~~his-or-her~~  
11 the supervising physician~~?~~.

12 c. ~~Rendered~~ Rendering treatment not authorized under this  
13 chapter~~?~~~~or~~.

14 d. ~~Violated-any-of-the-provisions-of-or-failed-to-comply~~  
15 ~~with-pertinent-requirements-of-this-chapter-or-of-the-rules~~  
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31 an advanced EMT or paramedic. A copy of the record of con-  
32 viction or plea of guilty is conclusive evidence of the  
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35 or paramedic revoked or suspended, or having other dis-

1 disciplinary action taken by a licensing or certifying authority  
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12 pursuant to chapter 258A.

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23 the hospital emergency department, and until care is directly  
24 assumed by a physician or by authorized hospital personnel.

25 2. Function in any hospital when:

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

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

30 c. Employed by or assigned to a hospital as a member of  
31 an authorized ambulance service or rescue squad for prehospital  
32 care, by rendering life-saving services in the facility in  
33 which employed or assigned pursuant to the advanced EMT's  
34 or paramedic's certification and under the direct supervision  
35 of a physician or registered nurse. When the physician or

1 registered nurse cannot directly assume emergency care of  
2 the patient, the advanced EMT or paramedic may perform without  
3 direct supervision advanced emergency medical care procedures  
4 for which that individual is certified if in the judgment  
5 of the physician or registered nurse the life of the patient  
6 is in immediate danger and such care is required to preserve  
7 the patient's life; or

8 d. Employed by or assigned to a hospital as a member of  
9 an authorized ambulance service or rescue squad for prehospital  
10 care, by performing nonlife-saving procedures when assigned  
11 by a physician or registered nurse and for which those  
12 individuals have been trained and which are designated in  
13 a written job description.

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

16 147A.9 REMOTE SUPERVISION OF ADVANCED EMT OR PARAMEDIC-  
17 -EMERGENCY COMMUNICATIONS COMMUNICATION FAILURE--AUTHORIZATION  
18 OF IMMEDIATE LIFE SAVING PROCEDURES.

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

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

34 3. The board shall adopt rules to authorize the institu-  
35 tion of life saving procedures in accordance with written

1 protocols in instances where the establishment of communica-  
2 tion in lieu of immediate action may cause patient harm or  
3 death.

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

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

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

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

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

28 1. Nothing in this chapter shall restrict a registered  
29 or licensed practical nurse, licensed pursuant to chapter  
30 152, from staffing an authorized ambulance service or rescue  
31 squad service provided the registered nurse or licensed  
32 practical nurse can document equivalency through education  
33 and additional skills training essential in the delivery of  
34 prehospital emergency care. The equivalency shall be accepted  
35 when:

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

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

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

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HOUSE FILE 2437

H-5401

1 Amend House File 2437 as follows:

- 2 1. Page 8, line 22, by striking the word
- 3 "REGISTERED".
- 4 2. Page 8, line 23, by striking the word
- 5 "registered".

H-5401 FILED MARCH 5, 1984 BY SPEAR of Lee

*Adopted as amended by 5669 3/14 (p. 1022)*

HOUSE FILE 2437

H-5402

1 Amend House File 2437 as follows:

- 2 1. Page 9, line 1, by inserting after the word
- 3 "nurse" the words "or a licensed practical nurse".

H-5402 FILED MARCH 5, 1984 BY SPEAR of Lee

*Adopted 3/14 (p. 1039)*

HOUSE FILE 2437

H-5635

1 Amend House File 2437 as follows:

- 2 1. Page 6, line 32, by striking the word "render"
- 3 and inserting in lieu thereof the words "by rendering".
- 4 2. Page 7, by striking lines 8 and 9 and inserting
- 5 in lieu thereof the following:
- 6 "d. Employed by or assigned to a hospital as a
- 7 member of an authorized ambulance service or rescue
- 8 squad for prehospital care, by performing nonlife-
- 9 saving procedures when assigned by a physician or
- 10 registered nurse and for which those individuals have
- 11 been trained and which are designated in a written
- 12 job description."

BY FEY of Scott  
SCHROEDER of Pottawattamie  
ARNOULD of Scott  
HARBOR of Mills  
ROYER of Page  
VAN GERPEN of Black Hawk  
HAMMOND of Story  
PEICK of Linn  
BRANSTAD of Winnebago  
TORRENCE of Muscatine

*Adopted 3/14 (p. 1038)*

H-5635 FILED MARCH 13, 1984

HOUSE FILE 2437

H-5642

1 Amend House File 2437 as follows:

- 2 1. Page 7, line 9, by striking the words ", when
- 3 employed by a hospital" and inserting in lieu thereof
- 4 the following "in those areas for which the advanced
- 5 EMT or paramedic is certified".

BY MULLINS of Kossuth  
PELLETT of Cass  
VAN MAANEN of Mahaska  
LONERGAN of Boone  
GRUHN of Dickinson

H-5642 FILED MARCH 13, 1984

*Placed out of order 3/14 (p. 1038)*

HOUSE FILE 2437

H-5647

- 1 Amend amendment H-5642 to House File 2437 as follows:
- 2 1. Page 1, line 5, by striking the word "certified"
- 3 and inserting in lieu thereof the word "trained".

H-5647 FILED MARCH 14, 1984 BY MULLINS of Kossuth  
OUT OF ORDER (p. 1038)

HOUSE FILE 2437

H-5669

- 1 Amend amendment H-5401 to House File 2437 as
- 2 follows:
- 3 1. Page 1, by striking lines 2 through 5 and
- 4 inserting in lieu thereof the following:
- 5 "1. Page 8, line 22, by inserting after the word
- 6 "REGISTERED" the words "OR LICENSED PRACTICAL".
- 7 2. Page 8, line 23, by inserting after the word
- 8 "registered" the words "or licensed practical".

H-5669 FILED MARCH 14, 1984 BY ZIMMERMAN of Dallas  
ADOPTED

HOUSE FILE 2437

S-5740

1 Amend House File 2437 as amended, passed and  
2 reprinted by the House, as follows:  
3 1. Page 7, by striking lines 8 through 13 and  
4 inserting in lieu thereof the following:  
5 "d. Employed by or assigned to a hospital as a  
6 member of an authorized ambulance service or rescue  
7 squad for prehospital care to perform nonlifesaving  
8 procedures designated in a written job description  
9 for which those individuals have been trained after  
10 observation of a patient by and under the supervision  
11 of the physician or registered nurse and where the  
12 patient can be immediately abandoned without risk  
13 to the patient."

S-5740 FILED  
APRIL 3, 1984

BY TOM SLATER

*Out of order 4/4 (p 129+)*

HOUSE FILE 2437

S-5750

1 Amend House File 2437 as amended, passed and  
2 reprinted by the House, as follows:  
3 1. Page 7, by striking lines 8 through 13 and  
4 inserting in lieu thereof the following:  
5 "d. Employed by or assigned to a hospital as a  
6 member of an authorized ambulance service or rescue  
7 squad for prehospital care to perform nonlifesaving  
8 procedures for which those individuals have been  
9 trained and are designated in a written job  
10 description. Such procedures may be performed after  
11 the patient is observed by and when the advanced EMT  
12 or paramedic is under the supervision of the physician  
13 or registered nurse and where the procedure may be  
14 immediately abandoned without risk to the patient."

S-5750 FILED  
APRIL 3, 1984

BY JULIA B. GENTLEMAN  
JACK HESTER  
TOM SLATER

*Adopted 4/4 (p 129+)*

SENATE AMENDMENT TO HOUSE FILE 2437

H-6329

1 Amend House File 2437 as amended, passed and  
2 reprinted by the House, as follows:  
3 1. Page 7, by striking lines 8 through 13 and  
4 inserting in lieu thereof the following:  
5 "d. Employed by or assigned to a hospital as a  
6 member of an authorized ambulance service or rescue  
7 squad for prehospital care to perform nonlifesaving  
8 procedures for which those individuals have been  
9 trained and are designated in a written job  
10 description. Such procedures may be performed after  
11 the patient is observed by and when the advanced EMT  
12 or paramedic is under the supervision of the physician  
13 or registered nurse and where the procedure may be  
14 immediately abandoned without risk to the patient."

H-6329 FILED APRIL 16, 1984

RECEIVED FROM THE SENATE

*Same concerned 4/18 (p 217E)*

HOUSE FILE 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)--Anesthetic-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 emergency responder 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 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 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 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 or 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 probation, suspension, or revocation shall be effected, and may be appealed as provided by section ~~147A.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.
  1. 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 147A-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

3. 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-~~er~~-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.

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DONALD D. AVENSON  
Speaker of the House

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CHARLES P. MILLER  
President Pro Tempore of the  
Senate

I hereby certify that this bill originated in the House and is known as House File 2437, Seventieth General Assembly.

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JOSEPH O'HERN  
Chief Clerk of the House

Approved \_\_\_\_\_, 1984

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TERRY E. BRANSTAD  
Governor

**H.F. 2437**