

Sen. Bureau 4/3/87

MAR 20 1987

Place On Calendar

HOUSE FILE 615  
BY COMMITTEE ON LABOR AND  
INDUSTRIAL RELATIONS

(Formerly House File 364)-

Passed House, Date 4-1-87 (p. 1024) Passed Senate, Date 4-14-87 (p. 1291)

Vote: Ayes 97 Nays 0 Vote: Ayes 49 Nays 0

Approved May 1, 1987 (p. 1362)

**A BILL FOR**

1 An Act relating to providing workers' compensation coverage for  
2 emergency medical personnel and providing authority for their  
3 certification.

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

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HOUSE FILE 615

H-3334

- 1 Amend House File 615 as follows:
- 2 1. Page 1, line 22, by striking the words
- 3 "fighters, basic" and inserting the following:
- 4 "fighters and basic".

H-3334 FILED MARCH 24, 1987 BY SPEAR of Lee

*Adopted 4/1/87 (p. 1024)*

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1 Section 1. Section 85.36, subsection 10, paragraph a, Code  
2 1987, is amended to read as follows:

3 a. In computing the compensation to be allowed a volunteer  
4 fire fighter, basic or advanced emergency medical care  
5 provider, or reserve peace officer, the earnings as a fire  
6 fighter, basic or advanced emergency medical care provider, or  
7 reserve peace officer shall be disregarded and the volunteer  
8 fire fighter, basic or advanced emergency medical care  
9 provider, or reserve peace officer shall be paid an amount  
10 equal to the compensation the volunteer fire fighter, basic or  
11 advanced emergency medical care provider, or reserve peace  
12 officer would be paid if injured in the normal course of the  
13 volunteer fire fighter's, basic or advanced emergency medical  
14 care provider's, or reserve peace officer's regular employment  
15 or an amount equal to one hundred and forty percent of the  
16 statewide average weekly wage, whichever is greater.

17 Sec. 2. Section 85.61, subsection 1, Code 1987, is amended  
18 to read as follows:

19 1. "Employer" includes and applies to a person, firm,  
20 association, or corporation, state, county, municipal  
21 corporation, school corporation, area education agency,  
22 township as an employer of volunteer fire fighters, basic or  
23 advanced emergency medical care providers only, benefited fire  
24 district, and the legal representatives of a deceased  
25 employer. Employer "Employer" includes and applies to a  
26 rehabilitation facility approved for purchase-of-service con-  
27 tracts or for referrals by the department of human services or  
28 the department of education.

29 Sec. 3. Section 85.61, subsection 2, Code 1987, is amended  
30 by adding the following new unnumbered paragraph:

31 NEW UNNUMBERED PARAGRAPH. "Worker" or "employee" includes  
32 a basic or advanced emergency medical care provider as defined  
33 in section 85.61, subsections 14, 15, and 16, only if an  
34 agreement is reached between the basic or advanced emergency  
35 medical care provider and the employer for whom the volunteer

1 services are provided that workers' compensation coverage  
2 under chapters 85, 85A, and 85B is to be provided by the  
3 employer.

4 Sec. 4. Section 85.61, subsection 6, Code 1987, is amended  
5 by adding the following new unnumbered paragraph:

6 NEW UNNUMBERED PARAGRAPH. Personal injuries sustained by  
7 basic or advanced emergency medical care providers, as defined  
8 in section 147.1, subsections 7 and 8 arise in the course of  
9 employment if the injuries are sustained at any time from the  
10 time the emergency medical care providers are summoned to duty  
11 until the time those duties have been fully discharged.

12 Sec. 5. Section 85.61, Code 1987, is amended by adding the  
13 following new subsections:

14 NEW SUBSECTION. 14. "First responder" means an individual  
15 as defined in section 147.1, subsection 9, performing services  
16 as a first responder for a county, municipality, or township  
17 at the request of the county, municipality, or township, and  
18 who is not a full-time paid member of the emergency medical  
19 care service program. A person defined as a first responder  
20 under this subsection is not a casual employee.

21 NEW SUBSECTION. 15. "Emergency rescue technician" means  
22 an individual as defined in section 147.1, subsection 10,  
23 performing services as an emergency rescue technician for a  
24 county, municipality, or township at the request of the  
25 county, municipality, or township, and who is not a full-time  
26 paid member of the emergency medical care service program. A  
27 person defined as an emergency rescue technician under this  
28 subsection is not a casual employee.

29 NEW SUBSECTION. 16. "Emergency medical technician-  
30 ambulance" means an individual as defined in section 147.1,  
31 subsection 11, performing services as an emergency medical  
32 technician-ambulance for a county, municipality, or township  
33 at the request of the county, municipality, or township, and  
34 who is not a full-time paid member of the emergency medical  
35 care service program. A person defined as an emergency

1 medical technician-ambulance under this subsection is not a  
2 casual employee.

3 Sec. 6. Section 147.1, is amended by adding the following  
4 new subsections:

5 NEW SUBSECTION. 7. "Basic emergency medical care  
6 provider" means a first responder, emergency rescue  
7 technician, or emergency medical technician-ambulance as  
8 defined in section 147.1, subsection 9, 10 and 11.

9 NEW SUBSECTION. 8. "Advanced emergency medical care  
10 provider" means an advanced emergency medical technician or  
11 paramedic as defined in section 147A.1, subsections 4 and 5.

12 NEW SUBSECTION. 9. "First responder" means an individual  
13 trained in patient-stabilizing techniques, through the use of  
14 initial basic emergency medical care procedures and skills  
15 prior to the arrival of an ambulance or rescue squad, pursuant  
16 to rules established by the department, and who is currently  
17 certified by the department.

18 NEW SUBSECTION. 10. "Emergency rescue technician" means  
19 an individual trained in various rescue techniques including  
20 rescue from heights and depths, extrication from automobiles,  
21 agricultural rescue, and rescue from water and special  
22 hazards, pursuant to rules established by the department, and  
23 who is currently certified as an emergency rescue technician  
24 by the department.

25 NEW SUBSECTION. 11. "Emergency medical technician-  
26 ambulance" means an individual trained in patient assessment,  
27 the recognition of signs and symptoms regarding illness or  
28 injury, and the use of proper procedures when rendering basic  
29 emergency medical care, pursuant to rules established by the  
30 department, and who is currently certified as an emergency  
31 medical technician-ambulance by the department.

32 Sec. 7. Chapter 147, Code 1987, is amended by adding the  
33 following new section:

34 NEW SECTION. 147.161 TRAINING AND CERTIFICATION OF FIRST  
35 RESPONDERS, EMERGENCY RESCUE TECHNICIANS, AND EMERGENCY

1 MEDICAL TECHNICIANS-AMBULANCE.

2 The department shall establish rules pursuant to this  
3 chapter for the training and certification of first  
4 responders, emergency rescue technicians, and emergency  
5 medical technicians-ambulance as defined under section 147.1.

6 EXPLANATION

7 This bill provides that certain emergency medical care  
8 providers may be covered under a county, municipality, or  
9 township workers' compensation plan. The definitions of a  
10 first responder, an emergency medical technician-ambulance,  
11 and an emergency rescue technician are provided and the state  
12 board of health is given statutory authority for certification  
13 of these individuals.

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HOUSE FILE 615

AN ACT

RELATING TO PROVIDING WORKERS' COMPENSATION COVERAGE FOR  
EMERGENCY MEDICAL PERSONNEL AND PROVIDING AUTHORITY FOR  
THEIR CERTIFICATION.

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

Section 1. Section 85.36, subsection 10, paragraph a, Code 1987, is amended to read as follows:

a. In computing the compensation to be allowed a volunteer fire fighter, basic or advanced emergency medical care provider, or reserve peace officer, the earnings as a fire fighter, basic or advanced emergency medical care provider, or reserve peace officer shall be disregarded and the volunteer fire fighter, basic or advanced emergency medical care provider, or reserve peace officer shall be paid an amount equal to the compensation the volunteer fire fighter, basic or advanced emergency medical care provider, or reserve peace officer would be paid if injured in the normal course of the volunteer fire fighter's, basic or advanced emergency medical care provider's, or reserve peace officer's regular employment or an amount equal to one hundred and forty percent of the statewide average weekly wage, whichever is greater.

Sec. 2. Section 85.61, subsection 1, Code 1987, is amended to read as follows:

1. "Employer" includes and applies to a person, firm, association, or corporation, state, county, municipal corporation, school corporation, area education agency, township as an employer of volunteer fire fighters and basic or advanced emergency medical care providers only, benefited fire district, and the legal representatives of a deceased employer. Employer "Employer" includes and applies to a rehabilitation facility approved for purchase-of-service con-

tracts or for referrals by the department of human services or the department of education.

Sec. 3. Section 85.61, subsection 2, Code 1987, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. "Worker" or "employee" includes a basic or advanced emergency medical care provider as defined in section 85.61, subsections 14, 15, and 16, only if an agreement is reached between the basic or advanced emergency medical care provider and the employer for whom the volunteer services are provided that workers' compensation coverage under chapters 85, 85A, and 85B is to be provided by the employer.

Sec. 4. Section 85.61, subsection 6, Code 1987, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Personal injuries sustained by basic or advanced emergency medical care providers, as defined in section 147.1, subsections 7 and 8 arise in the course of employment if the injuries are sustained at any time from the time the emergency medical care providers are summoned to duty until the time those duties have been fully discharged.

Sec. 5. Section 85.61, Code 1987, is amended by adding the following new subsections:

NEW SUBSECTION. 14. "First responder" means an individual as defined in section 147.1, subsection 9, performing services as a first responder for a county, municipality, or township at the request of the county, municipality, or township, and who is not a full-time paid member of the emergency medical care service program. A person defined as a first responder under this subsection is not a casual employee.

NEW SUBSECTION. 15. "Emergency rescue technician" means an individual as defined in section 147.1, subsection 10, performing services as an emergency rescue technician for a county, municipality, or township at the request of the county, municipality, or township, and who is not a full-time paid member of the emergency medical care service program. A person defined as an emergency rescue technician under this subsection is not a casual employee.

NEW SUBSECTION. 16. "Emergency medical technician-ambulance" means an individual as defined in section 147.1, subsection 11, performing services as an emergency medical technician-ambulance for a county, municipality, or township at the request of the county, municipality, or township, and who is not a full-time paid member of the emergency medical care service program. A person defined as an emergency medical technician-ambulance under this subsection is not a casual employee.

Sec. 6. Section 147.1, Code 1987, is amended by adding the following new subsections:

NEW SUBSECTION. 7. "Basic emergency medical care provider" means a first responder, emergency rescue technician, or emergency medical technician-ambulance as defined in section 147.1, subsection 9, 10 and 11.

NEW SUBSECTION. 8. "Advanced emergency medical care provider" means an advanced emergency medical technician or paramedic as defined in section 147A.1, subsections 4 and 5.

NEW SUBSECTION. 9. "First responder" means an individual trained in patient-stabilizing techniques, through the use of initial basic emergency medical care procedures and skills prior to the arrival of an ambulance or rescue squad, pursuant to rules established by the department, and who is currently certified by the department.

NEW SUBSECTION. 10. "Emergency rescue technician" means an individual trained in various rescue techniques including rescue from heights and depths, extrication from automobiles, agricultural rescue, and rescue from water and special hazards, pursuant to rules established by the department, and who is currently certified as an emergency rescue technician by the department.

NEW SUBSECTION. 11. "Emergency medical technician-ambulance" means an individual trained in patient assessment, the recognition of signs and symptoms regarding illness or injury, and the use of proper procedures when rendering basic emergency medical care, pursuant to rules established by the department, and who is currently certified as an emergency medical technician-ambulance by the department.

Sec. 7. Chapter 147, Code 1987, is amended by adding the following new section:

NEW SECTION. 147.161 TRAINING AND CERTIFICATION OF FIRST RESPONDERS, EMERGENCY RESCUE TECHNICIANS, AND EMERGENCY MEDICAL TECHNICIANS-AMBULANCE.

The department shall establish rules pursuant to this chapter for the training and certification of first responders, emergency rescue technicians, and emergency medical technicians-ambulance as defined under section 147.1.

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DONALD D. AVENSON  
Speaker of the House

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JO ANN ZIMMERMAN  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 615, Seventy-second General Assembly.

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JOSEPH O'HERN  
Chief Clerk of the House

Approved  1987

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TERRY E. BRANSTAD  
Governor