

Senate Study Bill 55

Conference Committee Text

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1 1 Section 1. Section 68B.2A, subsection 1, paragraph a, Code
1 2 1995, is amended to read as follows:

1 3 a. The outside employment or activity involves the use of
1 4 the state's or the political subdivision's time, facilities,
1 5 equipment, and supplies or the use of the state or political
1 6 subdivision badge, uniform, business card, or other evidences
1 7 of office or employment to give the person or member of the
1 8 person's immediate family an advantage or pecuniary benefit
1 9 that is not available to other similarly situated members or
1 10 classes of members of the general public. This paragraph does
1 11 not apply to off-duty peace officers who provide private duty
1 12 security or fire fighters or

~~basic or advanced~~

- emergency

1 13 medical care providers certified under

~~chapter 147 or~~

- 147A who

1 14 provide private duty fire safety or emergency medical services
1 15 while carrying their badge or wearing their official uniform,
1 16 provided that the person has secured the prior approval of the
1 17 agency or political subdivision in which the person is
1 18 regularly employed to engage in the activity. For purposes of
1 19 this subsection, a person is not "similarly situated" merely
1 20 by being or being related to a person who serves or is
1 21 employed by the state or a political subdivision of the state.

1 22 Sec. 2. Section 85.36, subsection 10, paragraph a, Code
1 23 1995, is amended to read as follows:

1 24 a. In computing the compensation to be allowed a volunteer
1 25 fire fighter,

~~basic or advanced~~

- emergency medical care

1 26 provider, or reserve peace officer, the earnings as a fire
1 27 fighter,

~~basic or advanced~~

- emergency medical care provider, or

1 28 reserve peace officer shall be disregarded and the volunteer
1 29 fire fighter,

~~basic or advanced~~

- emergency medical care

1 30 provider, or reserve peace officer shall be paid an amount
1 31 equal to the compensation the volunteer fire fighter,

~~basic or~~

-

1 32

~~advanced~~

- emergency medical care provider, or reserve peace

1 33 officer would be paid if injured in the normal course of the
1 34 volunteer fire fighter's,

~~basic or advanced~~

- emergency medical

1 35 care provider's, or reserve peace officer's regular employment
2 1 or an amount equal to one hundred and forty percent of the
2 2 statewide average weekly wage, whichever is greater.
2 3 Sec. 3. Section [85.61](#), subsection 2, Code 1995, is amended
2 4 to read as follows:
2 5 2. "Employer" includes and applies to a person, firm,
2 6 association, or corporation, state, county, municipal
2 7 corporation, school corporation, area education agency,
2 8 township as an employer of volunteer fire fighters and

~~basic~~

-

2 9

~~or advanced~~

- emergency medical care providers only, benefited

2 10 fire district, and the legal representatives of a deceased
2 11 employer. "Employer" includes and applies to a rehabilitation
2 12 facility approved for purchase-of-service contracts or for
2 13 referrals by the department of human services or the
2 14 department of education.
2 15 Sec. 4. Section [85.61](#), subsection 7, unnumbered paragraph
2 16 3, Code 1995, is amended to read as follows:
2 17 Personal injuries sustained by

~~basic emergency medical care~~

-

2 18

~~providers, as defined in section 147.1, or by advanced~~

-

2 19 emergency medical care providers as defined in section 147A.1,
2 20 arise in the course of employment if the injuries are
2 21 sustained at any time from the time the emergency medical care
2 22 providers are summoned to duty until the time those duties
2 23 have been fully discharged.
2 24 Sec. 5. Section [85.61](#), subsection 11, unnumbered paragraph
2 25 3, Code 1995, is amended to read as follows:
2 26 "Worker" or "employee" includes

~~a basic~~

- an emergency

2 27 medical care

~~provider as defined in section 147.1, an advanced~~

-

2 28

~~emergency medical care~~

- provider as defined in section 147A.1,

2 29 a volunteer ambulance driver, or an emergency medical
2 30 technician trainee, only if an agreement is reached between
2 31 such worker or employee and the employer for whom the
2 32 volunteer services are provided that workers' compensation
2 33 coverage under chapters 85, 85A, and 85B is to be provided by
2 34 the employer.

~~A basic or advanced~~

- An emergency medical care

2 35 provider who is a worker or employee under this paragraph is
3 1 not a casual employee. "Volunteer ambulance driver" means a
3 2 person performing services as a volunteer ambulance driver at
3 3 the request of the person in charge of a fire department or
3 4 ambulance service of a municipality. "Emergency medical
3 5 technician trainee" means a person enrolled in and training

3 6 for emergency medical technician certification.
3 7 Sec. 6. Section 139B.1, subsection 1, paragraph d, Code
3 8 1995, is amended to read as follows:
3 9 d. "Emergency care provider" means a person who is trained
3 10 and authorized by federal or state law to provide emergency
3 11 medical assistance or treatment, for compensation or in a
3 12 voluntary capacity, including but not limited to, all of the
3 13 following:
3 14

~~(1) A basic emergency care provider as defined in section~~

3 15

~~147.1.~~

3 16

~~(2)~~

~~(1) An~~

~~advanced~~

~~emergency medical care provider as~~
3 17 defined in section 147A.1.
3 18

~~(3)~~

~~(2) A health care provider as defined in this section.~~

3 19

~~(4)~~

~~(3) A fire fighter.~~

3 20

~~(5)~~

~~(4) A peace officer.~~

3 21 "Emergency care provider" also includes a person who
3 22 renders direct emergency aid without compensation.

3 23 Sec. 7. Section 141.22A, subsection 1, paragraph a, Code
3 24 1995, is amended to read as follows:

3 25 a. "Emergency care provider" means a person who is trained
3 26 and authorized by federal or state law to provide emergency
3 27 medical assistance or treatment, for compensation or in a
3 28 voluntary capacity, including but not limited to all of the
3 29 following:
3 30

~~(1) A basic emergency medical care provider as defined in~~

3 31

~~section 147.1.~~

3 32

~~(2)~~

~~(1) An~~

~~advanced~~

~~emergency medical care provider as~~
3 33 defined in section 147A.1.
3 34

~~(3)~~

~~(2) A health care provider as defined in this section.~~

3 35

~~(4)~~

- (3) A fire fighter.

4 1

~~(5)~~

- (4) A peace officer.

4 2 "Emergency care provider" also includes a person who
4 3 renders emergency aid without compensation.

4 4 Sec. 8. Section 147.1, Code 1995, is amended by striking
4 5 subsections 1, 3, 4, and 6.

4 6 Sec. 9. Section 147A.1, Code 1995, is amended by striking
4 7 the section and inserting in lieu thereof the following:

4 8 147A.1 DEFINITIONS.

4 9 As used in this chapter, unless the context otherwise
4 10 requires:

4 11 1. "Board" means the board of medical examiners appointed
4 12 pursuant to section 147.14, subsection 2.

4 13 2. "Department" means the Iowa department of public
4 14 health.

4 15 3. "Director" means the director of the Iowa department of
4 16 public health.

4 17 4. "Emergency medical care" means such medical procedures
4 18 as:

4 19 a. Administration of intravenous solutions.

4 20 b. Intubation.

4 21 c. Performance of cardiac defibrillation and synchronized
4 22 cardioversion.

4 23 d. Administration of emergency drugs as provided by rule
4 24 by the department.

4 25 e. Any other medical procedure approved by the department,
4 26 by rule, as appropriate to be performed by emergency medical
4 27 care providers who have been trained in that procedure.

4 28 5. "Emergency medical care provider" means an individual
4 29 trained to provide emergency and nonemergency medical care at
4 30 the first-responder, EMT-basic, EMT-intermediate, EMT-
4 31 paramedic level, or other certification levels adopted by rule
4 32 by the department, who has been issued a certificate by the
4 33 department.

4 34 6. "Emergency medical services" or "EMS" means an
4 35 integrated medical care delivery system to provide emergency
5 1 and nonemergency medical care at the scene or during out-of-
5 2 hospital patient transportation in an ambulance.

5 3 7. "Emergency medical services instructor" means an
5 4 individual who has successfully completed an EMS curriculum
5 5 approved by the department and is currently certified by the
5 6 department as an EMS instructor.

5 7 8. "Emergency rescue technician" or "EMT" means an
5 8 individual trained in various rescue techniques including, but
5 9 not limited to, extrication from vehicles and agricultural
5 10 rescue, and who has successfully completed a curriculum
5 11 approved by the department in cooperation with the Iowa fire
5 12 service institute.

5 13 9. "First responder" or "FR" means an individual trained
5 14 in patient-stabilizing techniques, through the use of initial
5 15 basic emergency medical care procedures and skills prior to
5 16 the arrival of an ambulance, pursuant to rules established by
5 17 the department and who is currently certified as a first
5 18 responder by the department.

5 19 10. "Physician" means an individual licensed under chapter
5 20 148, 150, or 150A.

5 21 Sec. 10. NEW SECTION. 147A.2 COUNCIL ESTABLISHED –
5 22 TERMS OF OFFICE.

5 23 An EMS advisory council shall be appointed by the director.
5 24 Membership of the council shall be comprised of individuals
5 25 nominated from, but not limited to, the following state or
5 26 national organizations: Iowa osteopathic medical association,
5 27 Iowa medical society, American college of emergency

5 28 physicians, university of Iowa hospitals and clinics, Iowa EMS
5 29 association, Iowa firemen's association, EMS education
5 30 programs committee, EMS regional council, Iowa nurses
5 31 association, Iowa hospital association, and the Iowa state
5 32 association of counties.

5 33 The EMS advisory council shall advise the director and
5 34 develop policy recommendations concerning the regulation,
5 35 administration, and coordination of emergency medical services
6 1 in the state.

6 2 Sec. 11. NEW SECTION. 147A.3 MEETINGS OF THE COUNCIL &endash;
6 3 QUORUM &endash; EXPENSES.

6 4 Membership, terms of office, quorum, and expenses shall be
6 5 determined by the director pursuant to chapter 135.

6 6 Sec. 12. Section 147A.4, Code 1995, is amended to read as
6 7 follows:

6 8 147A.4 RULEMAKING AUTHORITY.

6 9 1. The department shall adopt rules required or authorized
6 10 by this chapter pertaining to the operation of ambulance,
6 11 rescue, and first response services which have received
6 12 authorization under section 147A.5 to utilize the services of
6 13 certified

~~—advanced~~

- emergency medical care providers. These

6 14 rules shall include, but need not be limited to, requirements
6 15 concerning physician supervision, necessary equipment and
6 16 staffing, and reporting by ambulance, rescue, and first
6 17 response services which have received the authorization
6 18 pursuant to section 147A.5.

6 19 The director, pursuant to rule, may grant exceptions and
6 20 variances from the requirements of rules adopted under this
6 21 chapter for any ambulance, rescue, or first response service.
6 22 Exceptions or variations shall be reasonably related to undue
6 23 hardships which existing services experience in complying with
6 24 this chapter or the rules adopted pursuant to this chapter.
6 25 However, no exception or variance may be granted unless the
6 26 service has adopted a plan approved by the department prior to
6 27 January 1, 1996, to achieve compliance with this chapter and
6 28 rules adopted pursuant to this chapter. Services requesting
6 29 exceptions and variances shall be subject to other applicable
6 30 rules adopted pursuant to this chapter.

6 31 2. The department shall adopt rules required or authorized
6 32 by this chapter pertaining to the examination and
6 33 certification of

~~—advanced~~

- emergency medical care providers.

6 34 These rules shall include, but need not be limited to,
6 35 requirements concerning prerequisites, training, and
7 1 experience for

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- emergency medical care providers and

7 2 procedures for determining when individuals have met these
7 3 requirements. The department shall consult with the board
7 4 concerning these rules.

7 5 3. The department shall establish the fee for the
7 6 examination of the

~~—advanced~~

- emergency medical care providers

7 7 to cover the administrative costs of the examination program.

7 8 Sec. 13. Section 147A.5, subsections 1 and 3, Code 1995,
7 9 are amended to read as follows:

7 10 1. An ambulance, rescue, or first response service in this
7 11 state, that desires to provide

~~advanced~~

- emergency medical care
7 12 in the

~~prehospital~~

- ~~out-of-hospital~~ setting, shall apply to the
7 13 department for authorization to establish a program

~~utilizing~~

-
7 14

~~certified advanced emergency medical care providers~~

- for
7 15 delivery of the care at the scene of an emergency, during
7 16 transportation to a hospital, during transfer from one medical
7 17 care facility to another or to a private residence, or while
7 18 in the hospital emergency department, and until care is
7 19 directly assumed by a physician or by authorized hospital
7 20 personnel.
7 21 3. The department may deny an application for
7 22 authorization

~~to establish a program utilizing the services of~~

-
7 23

~~certified advanced emergency medical care providers~~

-, or may
7 24 place on probation, suspend, or revoke existing authorization
7 25 if the department finds reason to believe the program has not
7 26 been or will not be operated in compliance with this chapter
7 27 and the rules adopted pursuant to this chapter, or that there
7 28 is insufficient assurance of adequate protection for the
7 29 public. The denial or period of probation, suspension, or
7 30 revocation shall be effected and may be appealed as provided
7 31 by section 17A.12.
7 32 Sec. 14. Section [147A.6](#), Code 1995, is amended to read as
7 33 follows:
7 34 147A.6

~~ADVANCED~~

- EMERGENCY MEDICAL CARE PROVIDER

7 35 CERTIFICATES & RENEWAL.

8 1 1. The department, upon application and receipt of the
8 2 prescribed fee, shall issue a certificate

~~attesting to the~~

-
8 3

~~qualifications of~~

- to an individual who has met all of the
8 4 requirements for

~~advanced~~

- emergency medical care provider

8 5 certification established by the rules adopted under section
8 6 147A.4, subsection 2.
8 7 2.

~~Advanced emergency~~

- Emergency medical care provider

8 8 certificates are valid for the multiyear period determined by
8 9 the department, unless sooner suspended or revoked. The
8 10 certificate shall be renewed upon application of the holder
8 11 and receipt of the prescribed fee if the holder has

8 12 satisfactorily completed continuing medical education programs
8 13 as required by rule.
8 14 Sec. 15. Section [147A.7](#), subsection 1, unnumbered
8 15 paragraph 1, Code 1995, is amended to read as follows:
8 16 The

~~board~~

- ~~department~~ may deny an application for issuance
8 17 or renewal of an

~~advanced~~

- emergency medical care provider
8 18 certificate, or suspend or revoke the certificate when it
8 19 finds that the applicant or certificate holder is guilty of
8 20 any of the following acts or offenses:
8 21 Sec. 16. Section [147A.7](#), subsection 1, paragraphs j and k,
8 22 Code 1995, are amended to read as follows:
8 23 j. Violating a statute of this state, another state, or
8 24 the United States, without regard to its designation as either
8 25 a felony or misdemeanor, which relates to the practice of an
8 26

~~advanced~~

- emergency medical care provider. A copy of the
8 27 record of conviction or plea of guilty is conclusive evidence
8 28 of the violation.
8 29 k. Having certification to practice as an

~~advanced~~

-
8 30 emergency medical care provider revoked or suspended, or
8 31 having other disciplinary action taken by a licensing or
8 32 certifying authority of another state, territory, or country.
8 33 A certified copy of the record or order of suspension,
8 34 revocation, or disciplinary action is conclusive or prima
8 35 facie evidence.
9 1 Sec. 17. Section [147A.8](#), Code 1995, is amended to read as
9 2 follows:
9 3 147A.8 AUTHORITY OF CERTIFIED

~~ADVANCED~~

- EMERGENCY MEDICAL
9 4 CARE PROVIDER.
9 5 An

~~advanced~~

- emergency medical care provider properly
9 6 certified under this chapter may:
9 7 1. Render

~~advanced~~

- emergency and nonemergency medical
9 8 care, rescue, and lifesaving services in those areas for which
9 9 the

~~advanced~~

- emergency medical care provider is certified, as
9 10 defined and approved in accordance with the rules of the
9 11 department, at the scene of an emergency, during
9 12 transportation to a hospital or while in the hospital
9 13 emergency department, and until care is directly assumed by a
9 14 physician or by authorized hospital personnel.
9 15 2. Function in any hospital when:
9 16 a. Enrolled as a student or participating as a preceptor
9 17 in a training program approved by the department; or
9 18 b. Fulfilling continuing education requirements as defined
9 19 by rule; or

9 20 c. Employed by or assigned to a hospital as a member of an
9 21 authorized ambulance, rescue, or first response service, by
9 22 rendering lifesaving services in the facility in which
9 23 employed or assigned pursuant to the

~~—advanced~~

- emergency

9 24 medical care provider's certification and under the direct
9 25 supervision of a physician, physician assistant, or registered
9 26 nurse. An

~~—advanced~~

- emergency medical care provider shall not

9 27 routinely function without the direct supervision of a
9 28 physician, physician assistant, or registered nurse. However,
9 29 when the physician, physician assistant, or registered nurse
9 30 cannot directly assume emergency care of the patient, the
9 31

~~—advanced~~

- emergency medical care provider may perform without

9 32 direct supervision

~~—advanced~~

- emergency medical care procedures

9 33 for which that individual is certified if the life of the
9 34 patient is in immediate danger and such care is required to
9 35 preserve the patient's life; or

10 1 d. Employed by or assigned to a hospital as a member of an
10 2 authorized ambulance, rescue, or first response service to
10 3 perform nonlifesaving procedures for which those individuals
10 4 have been trained and are designated in a written job
10 5 description. Such procedures may be performed after the
10 6 patient is observed by and when the

~~—advanced~~

- emergency medical

10 7 care provider is under the supervision of the physician,
10 8 physician assistant, or registered nurse and where the
10 9 procedure may be immediately abandoned without risk to the
10 10 patient.

10 11 The department shall consult with the board concerning
10 12 rules and training requirements related to this section.

10 13 Sec. 18. Section [147A.9](#), Code 1995, is amended to read as
10 14 follows:

10 15 147A.9 REMOTE SUPERVISION OF

~~—ADVANCED~~

- EMERGENCY MEDICAL

10 16 CARE PROVIDERS & EMERGENCY COMMUNICATION FAILURE &
10 17 AUTHORIZATION

~~—OF IMMEDIATE LIFESAVING~~

- TO INITIATE EMERGENCY

10 18 MEDICAL CARE PROCEDURES.

10 19 1. When voice contact or a telemetered electrocardiogram
10 20 is monitored by a physician, physician's designee, or
10 21 physician assistant, and direct communication is maintained,
10 22 an

~~—advanced~~

- emergency medical care provider may upon order of

10 23 the monitoring physician or upon standing orders of a
10 24 physician transmitted by the monitoring physician's designee
10 25 or physician assistant perform any

~~—advanced~~

- emergency medical
10 26 care procedure for which that

~~advanced~~

- emergency medical care
10 27 provider is certified.
10 28 2. If communications fail during an emergency or
10 29 nonemergency situation, the

~~advanced~~

- emergency medical care
10 30 provider may perform any

~~advanced~~

- emergency medical care
10 31 procedure for which that individual is certified and which is
10 32 included in written protocols if in the judgment of the
10 33

~~advanced~~

- emergency medical care provider the life of the
10 34 patient is in immediate danger and such care is required to
10 35 preserve the patient's life.
11 1 3. The department shall adopt rules to authorize

~~the~~

-
11 2

~~institution of lifesaving~~

- medical care procedures which can be
11 3 initiated in accordance with written protocols

~~in instances~~

-
11 4

~~where~~

- prior to the establishment of communication

~~in lieu of~~

-
11 5

~~immediate action may cause patient harm or death~~

-
11 6 4. The department shall consult with the board concerning
11 7 rules related to this section.
11 8 Sec. 19. Section 147A.10, Code 1995, is amended to read as
11 9 follows:

11 10 147A.10 EXEMPTIONS FROM LIABILITY IN CERTAIN
11 11 CIRCUMSTANCES.

11 12 1. A physician, physician's designee, or physician
11 13 assistant, who gives orders, either directly or via
11 14 communications equipment from some other point, or via
11 15 standing protocols to an appropriately certified

~~advanced~~

-
11 16 emergency medical care provider or registered nurse at the
11 17 scene of an emergency, and an appropriately certified

~~advanced~~

-
11 18 emergency medical care provider or registered nurse following
11 19 the orders, are not subject to criminal liability by reason of
11 20 having issued or executed the orders, and are not liable for

11 21 civil damages for acts or omissions relating to the issuance
11 22 or execution of the orders unless the acts or omissions
11 23 constitute recklessness.
11 24 2. A physician, physician's designee, physician assistant,
11 25 registered nurse, or

~~—advanced~~

- emergency medical care provider
11 26 shall not be subject to civil liability solely by reason of
11 27 failure to obtain consent before rendering emergency medical,
11 28 surgical, hospital or health services to any individual,
11 29 regardless of age, when the patient is unable to give consent
11 30 for any reason and there is no other person reasonably
11 31 available who is legally authorized to consent to the
11 32 providing of such care.
11 33 3. An act of commission or omission of any appropriately
11 34 certified

~~—advanced~~

- emergency medical care provider, registered
11 35 nurse, or physician assistant while rendering

~~—advanced~~

-
12 1 emergency medical care under the responsible supervision and
12 2 control of a physician to a person who is deemed by them to be
12 3 in immediate danger of serious injury or loss of life, shall
12 4 not impose any liability upon the certified

~~—advanced~~

- emergency
12 5 medical care provider, registered nurse, or physician
12 6 assistant, the supervising physician, physician designee, or
12 7 any hospital, or upon the state, or any county, city or other
12 8 political subdivision, or the employees of any of these
12 9 entities; provided that this section shall not relieve any
12 10 person of liability for civil damages for any act of
12 11 commission or omission which constitutes recklessness.
12 12 Sec. 20. Section [147A.11](#), subsections 1 and 2, Code 1995,
12 13 are amended to read as follows:
12 14 1. Any person not certified as required by this chapter
12 15 who claims to be an

~~—advanced~~

- emergency medical care provider,
12 16 or who uses any other term to indicate or imply that the
12 17 person is an

~~—advanced~~

- emergency medical care provider, or who
12 18 acts as an

~~—advanced~~

- emergency medical care provider without
12 19 having obtained the appropriate certificate under this
12 20 chapter, is guilty of a class "D" felony.
12 21 2. An owner of an unauthorized ambulance, rescue, or first
12 22 response service in this state who operates or purports to
12 23 operate an

~~—authorized~~

- ambulance, rescue, or first response
12 24 service, or who uses any term to indicate or imply

~~—such~~

-
12 25 authorization without having obtained the appropriate

12 26 authorization under this chapter, is guilty of a class "D"
12 27 felony.

12 28 Sec. 21. Section [147A.12](#), subsection 1, Code 1995, is
12 29 amended to read as follows:

12 30 1. This chapter does not restrict a registered nurse,
12 31 licensed pursuant to chapter 152, from staffing an authorized
12 32 ambulance, rescue, or first response service provided the
12 33 registered nurse can document equivalency through education
12 34 and additional skills training essential in the delivery of
12 35

~~prehospital~~

- ~~out-of-hospital~~ emergency care. The equivalency

13 1 shall be accepted when:

13 2 a. Documentation has been reviewed and approved at the
13 3 local level by the medical director of the ambulance, rescue,
13 4 or first response service in accordance with the rules of the
13 5 board of nursing developed jointly with the

~~board of medical~~

13 6

~~examiners~~

- ~~department~~.

13 7 b. Authorization has been granted to that ambulance,
13 8 rescue, or first response service by the department.

13 9 Sec. 22. Section [147A.13](#), Code 1995, is amended to read as
13 10 follows:

13 11 [147A.13](#) PHYSICIAN ASSISTANT EXCEPTION.

13 12 This chapter does not restrict a physician assistant,
13 13 licensed pursuant to chapter 148C, from staffing an authorized
13 14 ambulance, rescue, or first response service if the physician
13 15 assistant can document equivalency through education and
13 16 additional skills training essential in the delivery of
13 17

~~prehospital~~

- ~~out-of-hospital~~ emergency care. The equivalency

13 18 shall be accepted when:

13 19 1. Documentation has been reviewed and approved at the
13 20 local level by the medical director of the ambulance, rescue,
13 21 or first response service in accordance with the rules of the
13 22 board of physician assistant examiners developed jointly with
13 23 the department.

13 24 2. Authorization has been granted to that ambulance,
13 25 rescue, or first response service by the department.

13 26 Sec. 23. Section 152B.11, unnumbered paragraph 3, Code
13 27 1995, is amended to read as follows:

13 28 This section does not apply to persons who are licensed to
13 29 practice a health profession covered by chapter 147 or to any
13 30 person who performs respiratory care procedures as a first
13 31 responder, emergency rescue technician,

~~emergency medical~~

13 32

~~technician ambulance, advanced~~

- emergency medical care

13 33 provider, or other person functioning as part of a rescue unit
13 34 or in a hospital as authorized by chapter 147A, or to persons
13 35 whose function with respect to respiratory care is limited to
14 1 the home delivery and connection of oxygen tanks.

14 2 Sec. 24. Section [232.68](#), subsection 5, Code 1995, is
14 3 amended to read as follows:

14 4 5. "Health practitioner" includes a licensed physician and

14 5 surgeon, osteopath, osteopathic physician and surgeon,
14 6 dentist, optometrist, podiatrist or chiropractor; a resident
14 7 or intern in any of such professions; a licensed dental
14 8 hygienist, a registered nurse or licensed practical nurse; and
14 9

~~a basic~~

~~an emergency medical care provider~~

~~certified under~~

~~section 147.161 or an advanced emergency medical care provider~~

~~section 147.161 or an advanced emergency medical care provider~~

14 11 certified under section 147A.6.

14 12 Sec. 25. Section [321.423](#), subsection 1, Code 1995, is
14 13 amended to read as follows:

14 14 1. DEFINITIONS. As used in this section, unless the
14 15 context otherwise requires:

14 16 a. "

~~Advanced emergency~~

~~Emergency medical care provider"~~

14 17 means as defined in section 147A.1.

14 18

~~b. "Basic emergency medical care provider" means as~~

~~defined in section 147.1.~~

~~defined in section 147.1.~~

14 20

~~c.~~

~~b. "Fire department" means a paid or volunteer fire~~

14 21 protection service provided by a benefited fire district under
14 22 chapter 357B or by a county, municipality or township, or a

14 23 private corporate organization that has a valid contract to

14 24 provide fire protection service for a benefited fire district,

14 25 county, municipality, township or governmental agency.

14 26

~~d.~~

~~c. "Member" means a person who is a member in good~~

14 27 standing of a fire department or a person who is an

~~advanced~~

~~or basic~~

~~emergency medical care provider employed by an~~

14 29 ambulance, rescue, or first responder service.

14 30 Sec. 26. Section [724.6](#), subsection 2, Code 1995, is

14 31 amended to read as follows:

14 32 2. Notwithstanding subsection 1, fire fighters, as defined
14 33 in section 411.1, subsection 9, airport fire fighters included

14 34 under section 97B.49, subsection 16, paragraph "b",

14 35 subparagraph (2),

~~emergency medical technicians ambulance and~~

~~as defined in section 147.1,~~

~~15 1 emergency rescue technicians,~~

- and
15 2

~~advanced~~

- emergency medical care providers, as defined in
15 3 section 147A.1, shall not, as a condition of employment, be
15 4 required to obtain a permit under this section. However, the
15 5 provisions of this subsection shall not apply to a person
15 6 designated as an arson investigator by the chief fire officer
15 7 of a political subdivision.

15 8 Sec. 27. Section [147.161](#), Code 1995, is repealed.

15 9 EXPLANATION

15 10 This bill consolidates Code regulation of emergency medical
15 11 services (EMS) into chapter 147A, eliminating previous
15 12 references to basic EMS providers in chapter 147 and other
15 13 sections of the Code. An EMS advisory council is established
15 14 to advise the director on policy and administration. The bill
15 15 requires the department to inspect and license all EMS
15 16 services. Those services previously not regulated which
15 17 experience undue hardship with immediately complying with
15 18 these regulations may be granted variances by the director.
15 19 The bill allows the department to define by rule the skills of
15 20 the three levels of EMS providers and clarifies the role of
15 21 the EMS provider.

15 22 Sections 1, 2, 3, 4, 5, 6, 7, 8, 13, 14, 16, 17, 20, 23,
15 23 24, 25, 26, and 27 make necessary terminology changes
15 24 consistent with the bill.

15 25 Section 9 amends definitions. The term "EMS provider" is
15 26 expanded to include all levels of provider. The emergency
15 27 rescue technician and instructor certification is added.
15 28 Emergency medical services and nonemergency is defined.

15 29 Sections 10 and 11 establish the EMS advisory council.

15 30 Section 12 applies service regulations to all EMS service
15 31 providers and allows the director to grant variances in cases
15 32 of hardship.

15 33 Section 15 allows the board to issue, deny, revoke, or
15 34 suspend EMS provider certificates.

15 35 Section 18 states that the department shall adopt medical
16 1 care procedures which can be started by EMS personnel before
16 2 remote supervision commences or in the failure of remote
16 3 supervision.

16 4 Section 19 adds registered nurses to EMS personnel who are
16 5 exempt from liability if following orders from a physician,
16 6 physician's designee, or physician assistant at the scene of
16 7 an emergency and adds registered nurses to those individuals
16 8 not subject to civil liability only for not obtaining consent
16 9 before starting emergency aid.

16 10 Sections 21 and 22 establish the department as being
16 11 jointly responsible for developing rules governing nurses and
16 12 physician assistants in emergency care roles.

16 13 LSB 1851SC 76

16 14 cl/cf/24