

FEB 24 1999

STATE GOVERNMENT

HOUSE FILE  
BY THOMAS

392

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to authorization to provide emergency and  
2 nonemergency medical care services.

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

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

HF 392

1 Section 1. Section 139B.1, subsection 2, paragraph b, Code  
2 1999, is amended to read as follows:

3 b. If an individual is diagnosed or confirmed as having a  
4 contagious or infectious disease, the hospital shall notify  
5 the designated officer of an emergency care provider service  
6 who shall notify persons involved in attending or transporting  
7 the individual. For blood-borne contagious or infectious  
8 diseases, notification shall only take place upon filing of an  
9 exposure report form with the hospital. The exposure report  
10 form may be incorporated into the Iowa prehospital care  
11 report, the Iowa prehospital advanced care report, or a  
12 similar report used by an ambulance~~7-rescue7~~ or first-response  
13 nontransport service or law enforcement agency.

14 Sec. 2. Section 147A.1, Code 1999, is amended by adding  
15 the following new subsections:

16 NEW SUBSECTION. 0A. "Ambulance service" means a privately  
17 or publicly owned service program which utilizes ambulances,  
18 or nontransport service vehicles to supplement the use of  
19 ambulances, in order to provide patient transportation and  
20 emergency medical care at the scene of an emergency or while  
21 en route to a hospital or during transfer from one medical  
22 care facility to another or to a private home.

23 NEW SUBSECTION. 9A. "Nontransport service" means a  
24 privately or publicly owned rescue or first response service  
25 program which does not provide patient transportation, except  
26 when no ambulance is available or in a disaster situation, and  
27 utilizes only rescue or first response vehicles to provide  
28 emergency medical care at the scene of an emergency.

29 NEW SUBSECTION. 11. "Physician designee" means a  
30 registered nurse licensed pursuant to chapter 152, or a  
31 physician assistant licensed and approved pursuant to chapter  
32 148C by the board of physician assistant examiners, who holds  
33 a current course completion card in advanced cardiac life  
34 support and is acting as an intermediary for a supervising  
35 physician in directing the actions of emergency medical care

1 personnel in accordance with written policies and protocols.

2 Sec. 3. Section 147A.4, subsection 1, Code 1999, is  
3 amended to read as follows:

4 1. The department shall adopt rules required or authorized  
5 by this subchapter pertaining to the operation of ambulance,  
6 rescue, and first-response nontransport services which have  
7 received authorization under section 147A.5 to utilize the  
8 services of certified emergency medical care providers. These  
9 rules shall include, but need not be limited to, requirements  
10 concerning physician supervision, necessary equipment and  
11 staffing, and reporting by ambulance, rescue, and first  
12 response nontransport services which have received the  
13 authorization pursuant to section 147A.5.

14 The director, pursuant to rule, may grant exceptions and  
15 variances from the requirements of rules adopted under this  
16 subchapter for any ambulance, rescue, or first-response  
17 nontransport service. Exceptions or variations shall be  
18 reasonably related to undue hardships which existing services  
19 experience in complying with this subchapter or the rules  
20 adopted pursuant to this subchapter. However, no exception or  
21 variance may be granted unless the service has adopted a plan  
22 approved by the department prior to July 1, 1996, to achieve  
23 compliance during a period not to exceed seven years with this  
24 subchapter and rules adopted pursuant to this subchapter.  
25 Services requesting exceptions and variances shall be subject  
26 to other applicable rules adopted pursuant to this subchapter.

27 Sec. 4. Section 147A.5, subsection 1, Code 1999, is  
28 amended to read as follows:

29 1. An ambulance, rescue, or first-response nontransport  
30 service in this state that desires to provide emergency and  
31 nonemergency medical care in the out-of-hospital setting shall  
32 apply to the department for authorization to establish a  
33 program for delivery of the care ~~at-the-scene-of-an-emergency,~~  
34 ~~during-transportation-to-a-hospital, during-transfer-from-one~~  
35 ~~medical-care-facility-to-another-or-to-a-private-residence, or~~

1 while-in-the-hospital-emergency-department, and-until-care-is  
2 directly-assumed-by-a-physician-or-by-authorized-hospital  
3 personnel in accordance with rules established by the  
4 department.

5 Sec. 5. Section 147A.8, Code 1999, is amended to read as  
6 follows:

7 147A.8 AUTHORITY OF CERTIFIED EMERGENCY MEDICAL CARE  
8 PROVIDER.

9 1. An emergency medical care provider properly certified  
10 under this subchapter, acting under the direct or indirect  
11 supervision of a physician or physician designee, may:

12 1.--Render render emergency and nonemergency medical care,  
13 rescue, and lifesaving services in those areas for which the  
14 emergency medical care provider is certified, under  
15 circumstances as defined and approved in accordance with the  
16 rules of the department, ~~at-the-scene-of-an-emergency, during~~  
17 ~~transportation-to-a-hospital-or-while-in-the-hospital~~  
18 ~~emergency-department, and-until-care-is-directly-assumed-by-a~~  
19 ~~physician-or-by-authorized-hospital-personnel.~~

20 2.--Function-in-any-hospital-when:

21 a.--Enrolled-as-a-student-or-participating-as-a-preceptor  
22 in-a-training-program-approved-by-the-department, or

23 b.--Purfilling-continuing-education-requirements-as-defined  
24 by-rule, or

25 c.--Employed-by-or-assigned-to-a-hospital-as-a-member-of-an  
26 authorized-ambulance, rescue, or first-response service, by  
27 rendering-lifesaving-services-in-the-facility-in-which

28 employed-or-assigned-pursuant-to-the-emergency-medical-care  
29 provider's-certification-and-under-the-direct-supervision-of-a  
30 physician, physician-assistant, or-registered-nurse.--An

31 emergency-medical-care-provider-shall-not-routinely-function  
32 without-the-direct-supervision-of-a-physician, physician

33 assistant, or-registered-nurse.--However, when-the-physician,  
34 physician-assistant, or-registered-nurse-cannot-directly

35 assume-emergency-care-of-the-patient, the-emergency-medical

1 care-provider-may-perform-without-direct-supervision-emergency  
2 medical-care-procedures-for-which-that-individual-is-certified  
3 if-the-life-of-the-patient-is-in-immediate-danger-and-such  
4 care-is-required-to-preserve-the-patient's-life;-or

5 d.--Employed-by-or-assigned-to-a-hospital-as-a-member-of-an  
6 authorized-ambulance,-rescue,-or-first-response-service-to  
7 perform-nonlifesaving-procedures-for-which-those-individuals  
8 have-been-trained-and-are-designated-in-a-written-job  
9 description.--Such-procedures-may-be-performed-after-the  
10 patient-is-observed-by-and-when-the-emergency-medical-care  
11 provider-is-under-the-supervision-of-the-physician,-physician  
12 assistant,-or-registered-nurse-and-where-the-procedure-may-be  
13 immediately-abandoned-without-risk-to-the-patient-;

14 The-department-shall-consult-with-the-board-concerning  
15 rules-and-training-requirements-related-to-this-section-;

16 2. Nothing-in-this This subchapter shall not be construed  
17 to require any voluntary ambulance,-rescue,-or first-response  
18 nontransport service to provide a level of care beyond minimum  
19 basic care standards.

20 Sec. 6. Section 147A.11, subsections 2 and 3, Code 1999,  
21 are amended to read as follows:

22 2. An owner of an unauthorized ambulance,-rescue,-or first  
23 response nontransport service in this state who operates or  
24 purports to operate an ambulance,-rescue,-or first-response  
25 nontransport service, or who uses any term to indicate or  
26 imply authorization without having obtained the appropriate  
27 authorization under this subchapter, is guilty of a class "D"  
28 felony.

29 3. Any person who imparts or conveys, or causes to be  
30 imparted or conveyed, or attempts to impart or convey false  
31 information concerning the need for assistance of an  
32 ambulance,-rescue,-or first-response nontransport service or  
33 of any personnel or equipment thereof, knowing such  
34 information to be false, is guilty of a serious misdemeanor.

35 Sec. 7. Section 147A.12, subsection 1, Code 1999, is

1 amended to read as follows:

2 1. This subchapter does not restrict a registered nurse,  
3 licensed pursuant to chapter 152, from staffing an authorized  
4 ambulance~~7-rescue7~~ or first-response nontransport service  
5 provided the registered nurse can document equivalency through  
6 education and additional skills training essential in the  
7 delivery of out-of-hospital emergency care. The equivalency  
8 shall be accepted when:

9 a. Documentation has been reviewed and approved at the  
10 local level by the medical director of the ambulance~~7-rescue7~~  
11 or first-response nontransport service in accordance with the  
12 rules of the board of nursing developed jointly with the  
13 department.

14 b. Authorization has been granted to that ambulance~~7~~  
15 ~~rescue7~~ or first-response nontransport service by the  
16 department.

17 Sec. 8. Section 147A.13, Code 1999, is amended to read as  
18 follows:

19 147A.13 PHYSICIAN ASSISTANT EXCEPTION.

20 This subchapter does not restrict a physician assistant,  
21 licensed pursuant to chapter 148C, from staffing an authorized  
22 ambulance~~7-rescue7~~ or first-response nontransport service if  
23 the physician assistant can document equivalency through  
24 education and additional skills training essential in the  
25 delivery of out-of-hospital emergency care. The equivalency  
26 shall be accepted when:

27 1. Documentation has been reviewed and approved at the  
28 local level by the medical director of the ambulance~~7-rescue7~~  
29 or first-response nontransport service in accordance with the  
30 rules of the board of physician assistant examiners developed  
31 after consultation with the department.

32 2. Authorization has been granted to that ambulance~~7~~  
33 ~~rescue7~~ or first-response nontransport service by the  
34 department.

35 Sec. 9. Section 321.423, subsection 1, paragraph c, Code

1 1999, is amended to read as follows:

2 | c. "Member" means a person who is a member in good  
3 standing of a fire department or a person who is an emergency  
4 medical care provider employed by an ambulance~~7-rescue7~~ or  
5 first-response nontransport service.

6 | Sec. 10. Section 321.423, subsection 4, Code 1999, is  
7 amended to read as follows:

8 | 4. EXPIRATION OF AUTHORITY. The authorization shall  
9 expire at midnight on the thirty-first day of December five  
10 years from the year in which it was issued, or when the  
11 vehicle is no longer owned by the member, or when the member  
12 has ceased to be an active member of the fire department or of  
13 an ambulance~~7-rescue7~~ or first-response nontransport service,  
14 or when the member has used the blue or white light beyond the  
15 scope of its authorized use. A person issued an authorization  
16 under subsection 3, paragraph "b", shall return the  
17 authorization to the fire chief upon expiration or upon a  
18 determination by the fire chief or the department that the  
19 authorization should be revoked.

20 | Sec. 11. Section 321.423, subsection 7, paragraph a, Code  
21 1999, is amended to read as follows:

22 | a. On a vehicle owned or exclusively operated by an  
23 ambulance~~7-rescue7~~ or first-response nontransport service.

24 | Sec. 12. Section 321.423, subsection 7, paragraph b,  
25 subparagraphs (1) and (4), Code 1999, are amended to read as  
26 follows:

27 | (1) The vehicle is owned by a member of an ambulance~~7~~  
28 ~~rescue7~~ or first-response nontransport service.

29 | (4) The head of an ambulance~~7-rescue7~~ or first-response  
30 nontransport service certifies that the member is in good  
31 standing and recommends that the authorization be granted.

32 | Sec. 13. Section 422D.6, subsection 3, paragraph e, Code  
33 1999, is amended to read as follows:

34 | e. Vehicles including, but not limited to, ambulances,  
35 fire apparatus, boats, ~~rescue7~~first-response nontransport

1 service vehicles as defined in section 147A.1, and  
2 snowmobiles.

3

EXPLANATION

4 This bill provides for changes in terminology regarding  
5 emergency and nonemergency medical care services performed or  
6 provided utilizing nontransport service vehicles. Previously,  
7 nontransport service vehicles were referred to in most  
8 instances as rescue or first response vehicles in the Code.  
9 The bill changes these references to the term "nontransport  
10 service", consistent with administrative rules prescribed by  
11 the Iowa department of public health in 641 Iowa  
12 Administrative Code chapter 132. The bill adds the terms  
13 "ambulance service", "nontransport service", and "physician  
14 designee" to the definitions contained in Code section 147A.1.  
15 The bill additionally provides that applications to the  
16 department by an ambulance or nontransport service desiring to  
17 provide emergency and nonemergency medical care services in an  
18 out-of-hospital setting shall be authorized, and authority of  
19 a certified emergency medical care provider acting under the  
20 direct or indirect supervision of a physician or physician  
21 designee to render emergency and nonemergency medical care  
22 shall be granted, as prescribed by the department by rule.  
23 Previously, the locations or circumstances under which such  
24 authorization was granted were specifically set forth in  
25 statute.

26

27

28

29

30

31

32

33

34

35

H-8005

1 Amend House File 392 as follows:

2 1. By striking everything after the enacting  
3 clause and inserting the following:

4 "Section 1. Section 147A.8, subsection 2, Code  
5 Supplement 1999, is amended to read as follows:

6 2. Function in any hospital or any other entity in  
7 which health care is ordinarily provided only when  
8 under the direct supervision, as defined by rules  
9 adopted pursuant to chapter 17A, of a physician, when:

10 a. Enrolled as a student or participating as a  
11 preceptor in a training program approved by the  
12 department; or

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

15 c. Employed by or assigned to a hospital or other  
16 entity in which health care is ordinarily provided  
17 only when under the direct supervision of a physician,  
18 as a member of an authorized ambulance, rescue, or  
19 first response service, or in an individual capacity,  
20 by rendering lifesaving services in the facility in  
21 which employed or assigned pursuant to the emergency  
22 medical care provider's certification and under the  
23 direct supervision of a physician, physician  
24 assistant, or registered nurse. An emergency medical  
25 care provider shall not routinely function without the  
26 direct supervision of a physician, physician  
27 assistant, or registered nurse. However, when the  
28 physician, physician assistant, or registered nurse  
29 cannot directly assume emergency care of the patient,  
30 the emergency medical care provider may perform  
31 without direct supervision emergency medical care  
32 procedures for which that individual is certified if  
33 the life of the patient is in immediate danger and  
34 such care is required to preserve the patient's life;  
35 or

36 d. Employed by or assigned to a hospital or other  
37 entity in which health care is ordinarily provided  
38 only when under the direct supervision of a physician,  
39 as a member of an authorized ambulance, rescue, or  
40 first response service, or in an individual capacity,  
41 to perform nonlifesaving procedures for which those  
42 individuals have been trained and are designated in a  
43 written job description. Such procedures may be  
44 performed after the patient is observed by and when  
45 the emergency medical care provider is under the  
46 supervision of the physician, physician assistant, or  
47 registered nurse and where the procedure may be  
48 immediately abandoned without risk to the patient."

By THOMAS of Clayton

SUNDERBRUCH of Scott

H-8005 FILED JANUARY 25, 2000