

Senate File 2311 - Introduced

SENATE FILE 2311
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO SF 2141)

A BILL FOR

1 An Act regulating emergency medical care providers, emergency
2 medical care service programs, and emergency medical care
3 services training programs, and providing penalties.

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

1 Section 1. Section 85.36, subsection 9, paragraph a, Code
2 2009, is amended to read as follows:

3 a. In computing the compensation to be allowed a volunteer
4 fire fighter, emergency medical care provider, reserve peace
5 officer, volunteer ambulance driver, volunteer emergency
6 ~~rescue~~ medical technician ~~as defined in section 147A.1,~~
7 or emergency medical technician trainee, the earnings as
8 a fire fighter, emergency medical care provider, reserve
9 peace officer, volunteer ambulance driver, volunteer
10 emergency ~~rescue~~ medical technician, or emergency medical
11 technician trainee shall be disregarded and the volunteer
12 fire fighter, emergency medical care provider, reserve peace
13 officer, volunteer ambulance driver, volunteer emergency
14 ~~rescue~~ medical technician, or emergency medical technician
15 trainee shall be paid an amount equal to the compensation
16 the volunteer fire fighter, emergency medical care provider,
17 reserve peace officer, volunteer ambulance driver, volunteer
18 emergency ~~rescue~~ medical technician, or emergency medical
19 technician trainee would be paid if injured in the normal
20 course of the volunteer fire fighter's, emergency medical
21 care provider's, reserve peace officer's, volunteer ambulance
22 driver's, volunteer emergency ~~rescue~~ medical technician's, or
23 emergency medical technician trainee's regular employment or an
24 amount equal to one hundred and forty percent of the statewide
25 average weekly wage, whichever is greater.

26 Sec. 2. Section 85.61, subsection 2, paragraph a, Code 2009,
27 is amended to read as follows:

28 a. A person, firm, association, or corporation, state,
29 county, municipal corporation, school corporation, area
30 education agency, township as an employer of volunteer fire
31 fighters, volunteer emergency ~~rescue~~ medical technicians, and
32 emergency medical care providers only, benefited fire district,
33 and the legal representatives of a deceased employer.

34 Sec. 3. Section 85.61, subsection 7, paragraph b, Code 2009,
35 is amended to read as follows:

1 **b.** Personal injuries sustained by volunteer emergency
2 ~~rescue~~ medical technicians or emergency medical care providers
3 as defined in section 147A.1 arise in the course of employment
4 if the injuries are sustained at any time from the time the
5 volunteer emergency ~~rescue~~ medical technicians or emergency
6 medical care providers are summoned to duty until the time
7 those duties have been fully discharged.

8 Sec. 4. Section 85.61, subsection 11, paragraph a,
9 subparagraph (2), Code 2009, is amended to read as follows:

10 (2) An emergency medical care provider as defined in section
11 147A.1, a volunteer emergency ~~rescue~~ medical technician as
12 ~~defined in section 147A.1~~, a volunteer ambulance driver, or
13 an emergency medical technician trainee, only if an agreement
14 is reached between such worker or employee and the employer
15 for whom the volunteer services are provided that workers'
16 compensation coverage under this chapter and chapters 85A and
17 85B is to be provided by the employer. An emergency medical
18 care provider or volunteer emergency ~~rescue~~ medical technician
19 who is a worker or employee under this subparagraph is not
20 a casual employee. "*Volunteer ambulance driver*" means a
21 person performing services as a volunteer ambulance driver
22 at the request of the person in charge of a fire department
23 or ambulance service of a municipality. "*Emergency medical*
24 *technician trainee*" means a person enrolled in and training for
25 emergency medical technician ~~certification~~ licensure.

26 Sec. 5. Section 100B.31, subsection 3, paragraph b, Code
27 Supplement 2009, is amended to read as follows:

28 **b.** A person performing the functions of an emergency
29 medical care provider ~~or emergency rescue technician~~ as defined
30 in section 147A.1 who was not paid full-time by the entity
31 for which such services were being performed at the time the
32 incident giving rise to the death occurred.

33 Sec. 6. Section 135.24, subsection 7, paragraph d, Code
34 Supplement 2009, is amended to read as follows:

35 **d.** "*Health care provider*" means a physician licensed under

1 chapter 148, a chiropractor licensed under chapter 151, a
2 physical therapist licensed pursuant to chapter 148A, an
3 occupational therapist licensed pursuant to chapter 148B,
4 a podiatrist licensed pursuant to chapter 149, a physician
5 assistant licensed and practicing under a supervising physician
6 pursuant to chapter 148C, a licensed practical nurse, a
7 registered nurse, or an advanced registered nurse practitioner
8 licensed pursuant to chapter 152 or 152E, a respiratory
9 therapist licensed pursuant to chapter 152B, a dentist, dental
10 hygienist, or dental assistant registered or licensed to
11 practice under chapter 153, an optometrist licensed pursuant to
12 chapter 154, a psychologist licensed pursuant to chapter 154B,
13 a social worker licensed pursuant to chapter 154C, a mental
14 health counselor or a marital and family therapist licensed
15 pursuant to chapter 154D, a speech pathologist or audiologist
16 licensed pursuant to chapter 154F, a pharmacist licensed
17 pursuant to chapter 155A, or an emergency medical care provider
18 ~~certified~~ licensed pursuant to chapter 147A.

19 Sec. 7. Section 147A.1, subsection 4, Code Supplement 2009,
20 is amended to read as follows:

21 4. "*Emergency medical care provider*" means an individual
22 trained to provide emergency and nonemergency medical
23 care at the ~~first responder, EMT-basic, EMT-intermediate,~~
24 ~~EMT-paramedic level,~~ emergency medical responder,
25 emergency medical technician, advanced emergency medical
26 technician, paramedic, or other ~~certification levels~~ license
27 level adopted by rule by the department, who has been issued a
28 ~~certificate~~ license by the department.

29 Sec. 8. Section 147A.1, subsections 6, 8, and 9, Code
30 Supplement 2009, are amended by striking the subsections.

31 Sec. 9. Section 147A.1, Code Supplement 2009, is amended by
32 adding the following new subsections:

33 NEW SUBSECTION. 11. "*Service program*" or "*service*" means
34 any medical care ambulance service or nontransport service that
35 has received authorization from the department under section

1 147A.5.

2 NEW SUBSECTION. 12. *“Training program”* means an Iowa
3 college approved by the north central association of colleges
4 and schools or an Iowa hospital authorized by the department to
5 conduct emergency medical care services training.

6 Sec. 10. Section 147A.2, Code 2009, is amended to read as
7 follows:

8 **147A.2 Council established — terms of office.**

9 1. An EMS advisory council shall be appointed by the
10 director. Membership of the council shall be comprised of
11 individuals nominated from, but not limited to, the following
12 state or national organizations: Iowa osteopathic medical
13 association, Iowa medical society, American college of
14 emergency physicians, Iowa physician assistant society, Iowa
15 academy of family physicians, university of Iowa hospitals
16 and clinics, American academy of emergency medicine, American
17 academy of pediatrics, Iowa EMS association, Iowa firemen’s
18 association, Iowa professional firefighters, EMS education
19 programs committee, ~~EMS regional council,~~ Iowa nurses
20 association, Iowa hospital association, and the Iowa state
21 association of counties. The council shall also include a
22 member-at-large who is an emergency medical care provider.

23 2. The EMS advisory council shall advise the director and
24 develop policy recommendations concerning the regulation,
25 administration, and coordination of emergency medical services
26 in the state.

27 Sec. 11. Section 147A.4, Code Supplement 2009, is amended
28 to read as follows:

29 **147A.4 Rulemaking authority.**

30 1. a. The department shall adopt rules required or
31 authorized by this subchapter pertaining to the operation
32 of ~~ambulance, rescue, and first response services~~ service
33 programs which have received authorization under section 147A.5
34 to utilize the services of ~~certified~~ licensed emergency medical
35 care providers. These rules shall include but need not be

1 limited to requirements concerning physician supervision,
2 necessary equipment and staffing, and reporting by ~~ambulance,~~
3 ~~rescue, and first response services~~ service programs which have
4 received the authorization pursuant to section 147A.5.

5 *b.* The director, pursuant to rule, may grant exceptions and
6 variances from the requirements of rules adopted under this
7 subchapter for any ~~ambulance, rescue, or first response~~ service
8 program. Exceptions or variations shall be reasonably related
9 to undue hardships which existing services experience in
10 complying with this subchapter or the rules adopted pursuant
11 to this subchapter. ~~However, no exception or variance may~~
12 ~~be granted unless the service adopted a plan approved by the~~
13 ~~department prior to July 1, 1996, to achieve compliance during~~
14 ~~a period not to exceed seven years with this subchapter and~~
15 ~~rules adopted pursuant to this subchapter.~~ Services requesting
16 exceptions and variances shall be subject to other applicable
17 rules adopted pursuant to this subchapter.

18 2. The department shall adopt rules required or authorized
19 by this subchapter pertaining to the examination and
20 certification licensure of emergency medical care providers.
21 These rules shall include, but need not be limited to,
22 requirements concerning prerequisites, training, and experience
23 for emergency medical care providers and procedures for
24 determining when individuals have met these requirements. The
25 department shall adopt rules to recognize the previous EMS
26 training and experience of ~~first responders and emergency~~
27 ~~medical technicians to provide for an equitable transition to~~
28 ~~the EMT-basic certification~~ emergency medical care providers
29 transitioning to the emergency medical responder, emergency
30 medical technician, advanced emergency medical technician,
31 and paramedic levels. The department may require additional
32 training and examinations as necessary and appropriate to
33 ensure that individuals seeking certification transition to
34 another level have met the ~~EMT-basic~~ knowledge and skill
35 requirements. All requirements for transition to another

1 level, including fees, shall be adopted by rule.

2 3. The department shall establish the fee for the
3 examination of the emergency medical care providers to cover
4 the administrative costs of the examination program.

5 4. The department shall adopt rules required or authorized
6 by this subchapter pertaining to the operation of training
7 programs. These rules shall include but need not be limited
8 to requirements concerning curricula, resources, facilities,
9 and staff.

10 Sec. 12. Section 147A.5, subsections 1 and 3, Code 2009, are
11 amended to read as follows:

12 1. ~~An ambulance, rescue, or first response~~ A service
13 program in this state that desires to provide emergency
14 medical care in the out-of-hospital setting shall apply to
15 the department for authorization to establish a program for
16 delivery of the care at the scene of an emergency, during
17 transportation to a hospital, during transfer from one medical
18 care facility to another or to a private residence, or while in
19 the hospital emergency department, and until care is directly
20 assumed by a physician or by authorized hospital personnel.

21 3. The department may deny an application for
22 authorization, ~~or may~~ impose a civil penalty not to exceed
23 one thousand dollars upon, place on probation, suspend, or
24 revoke the authorization of, or otherwise discipline a service
25 program with an existing authorization if the department
26 finds reason to believe the service program has not been or
27 will not be operated in compliance with this subchapter and
28 the rules adopted pursuant to this subchapter, or that there
29 is insufficient assurance of adequate protection for the
30 public. The authorization denial or, civil penalty, period of
31 probation, suspension, or revocation, or other disciplinary
32 action shall be effected and may be appealed as provided by
33 section 17A.12.

34 Sec. 13. Section 147A.6, Code 2009, is amended to read as
35 follows:

1 **147A.6 Emergency medical care provider certificates**
2 **licenses — renewal.**

3 1. The department, upon application and receipt of the
4 prescribed fee, shall issue a certificate license to an
5 individual who has met all of the requirements for emergency
6 medical care provider ~~certification~~ licensure established by
7 the rules adopted under section 147A.4, subsection 2. All
8 fees and civil penalties received pursuant to this section and
9 sections 147A.5, 147A.7, and 147A.17 shall be deposited in the
10 emergency medical services fund established in section 135.25.

11 2. Emergency medical care provider ~~certificates~~ licenses
12 are valid for the multiyear period determined by the
13 department, unless sooner suspended or revoked. The
14 certificate license shall be renewed upon application of the
15 holder and receipt of the prescribed fee if the holder has
16 satisfactorily completed continuing medical education programs
17 as required by rule.

18 3. If the licensee fails to complete the required continuing
19 medical education programs prior to the time of renewal, the
20 department shall issue the licensee a temporary license for a
21 period of sixty days. The license may be renewed only during
22 that sixty-day period, on proof that the licensee has completed
23 all required education programs, paid the required renewal fee,
24 and paid a penalty of twenty dollars for each credit hour of
25 education the licensee failed to complete.

26 Sec. 14. Section 147A.7, Code 2009, is amended to read as
27 follows:

28 **147A.7 Denial, suspension, or revocation of certificates**
29 **licenses — other disciplinary action — hearing — appeal.**

30 1. The department may deny an application for issuance or
31 renewal of an emergency medical care provider ~~certificate,~~
32 ~~or~~ license or may impose a civil penalty not to exceed one
33 thousand dollars upon, place on probation, suspend or revoke
34 the certificate license of, or otherwise discipline the
35 licensee when it finds that the applicant or ~~certificate~~

1 ~~holder~~ licensee is guilty of any of the following acts or
2 offenses:

3 *a.* Negligence in performing authorized services.

4 *b.* Failure to follow the directions of the supervising
5 physician.

6 *c.* Rendering treatment not authorized under this subchapter.

7 *d.* Fraud in procuring ~~certification~~ license.

8 *e.* Professional incompetency.

9 *f.* Knowingly making misleading, deceptive, untrue or
10 fraudulent representation in the practice of a profession
11 or engaging in unethical conduct or practice harmful or
12 detrimental to the public. Proof of actual injury need not be
13 established.

14 *g.* Habitual intoxication or addiction to the use of drugs.

15 *h.* Fraud in representations as to skill or ability.

16 *i.* Willful or repeated violations of this subchapter or of
17 rules adopted pursuant to this subchapter.

18 *j.* Violating a statute of this state, another state, or
19 the United States, without regard to its designation as either
20 a felony or misdemeanor, which relates to the practice of an
21 emergency medical care provider. A copy of the record of
22 conviction or plea of guilty is conclusive evidence of the
23 violation.

24 *k.* Having ~~certification~~ the license to practice as an
25 emergency medical care provider revoked or suspended, or having
26 other disciplinary action taken by a licensing or certifying
27 authority of another state, territory, or country. A certified
28 copy of the record or order of suspension, revocation, or
29 disciplinary action is conclusive or prima facie evidence.

30 1. Other acts or offenses as specified by rule.

31 2. A determination of mental incompetence by
32 a court of competent jurisdiction automatically
33 suspends a ~~certificate~~ license for the duration of the
34 ~~certificate~~ license unless the department orders otherwise.

35 3. A license denial, civil penalty, period of

1 probation, suspension, or revocation, or other disciplinary
2 action under this section shall be effected, and may be
3 appealed in accordance with the rules of the department
4 established pursuant to chapter 272C.

5 Sec. 15. Section 147A.8, Code Supplement 2009, is amended
6 to read as follows:

7 **147A.8 Authority of certified licensed emergency medical care**
8 **provider.**

9 ~~1.~~ An emergency medical care provider properly
10 ~~certified~~ licensed under this subchapter may:

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

19 ~~b.~~ 2. Function in any hospital or any other entity in which
20 health care is ordinarily provided only when under the direct
21 supervision, as defined by rules adopted pursuant to chapter
22 17A, of a physician, when the emergency care provider is any
23 of the following:

24 ~~(1)~~ a. Enrolled as a student or participating as a preceptor
25 in a training program approved by the department; ~~or~~ or an
26 agency authorized in another state to provide initial EMS
27 education and approved by the department.

28 ~~(2)~~ b. Fulfilling continuing education requirements as
29 defined by rule; ~~or~~ .

30 ~~(3)~~ c. Employed by or assigned to a hospital or other entity
31 in which health care is ordinarily provided only when under the
32 direct supervision of a physician, as a member of an authorized
33 ~~ambulance, rescue, or first response service program,~~ or in
34 an individual capacity, by rendering lifesaving services in
35 the facility in which employed or assigned pursuant to the

1 emergency medical care provider's ~~certification~~ license and
2 under the direct supervision of a physician, physician
3 assistant, or registered nurse. An emergency medical care
4 provider shall not routinely function without the direct
5 supervision of a physician, physician assistant, or registered
6 nurse. However, when the physician, physician assistant, or
7 registered nurse cannot directly assume emergency care of
8 the patient, the emergency medical care provider may perform
9 without direct supervision emergency medical care procedures
10 for which that individual is ~~certified~~ licensed if the life of
11 the patient is in immediate danger and such care is required to
12 preserve the patient's life; ~~or.~~

13 ~~(4)~~ d. Employed by or assigned to a hospital or other entity
14 in which health care is ordinarily provided only when under the
15 direct supervision of a physician, as a member of an authorized
16 ~~ambulance, rescue, or first response service program,~~ or in
17 an individual capacity, to perform nonlifesaving procedures
18 for which those individuals have been ~~certified~~ licensed and
19 are designated in a written job description. Such procedures
20 may be performed after the patient is observed by and when the
21 emergency medical care provider is under the supervision of the
22 physician, physician assistant, or registered nurse, including
23 when the registered nurse is not acting in the capacity of a
24 physician designee, and where the procedure may be immediately
25 abandoned without risk to the patient.

26 ~~2. Nothing in this subchapter shall be construed to require~~
27 ~~any voluntary ambulance, rescue, or first response service to~~
28 ~~provide a level of care beyond minimum basic care standards.~~

29 Sec. 16. Section 147A.9, subsections 1 and 2, Code 2009, are
30 amended to read as follows:

31 1. When voice contact or a telemetered electrocardiogram is
32 monitored by a physician, physician's designee, or physician
33 assistant, and direct communication is maintained, an emergency
34 medical care provider may upon order of the monitoring
35 physician or upon standing orders of a physician transmitted

1 by the monitoring physician's designee or physician assistant
2 perform any emergency medical care procedure for which that
3 emergency medical care provider is ~~certified~~ licensed.

4 2. If communications fail during an emergency or
5 nonemergency situation, the emergency medical care provider
6 may perform any emergency medical care procedure for which
7 that individual is ~~certified~~ licensed and which is included in
8 written protocols if in the judgment of the emergency medical
9 care provider the life of the patient is in immediate danger
10 and such care is required to preserve the patient's life.

11 Sec. 17. Section 147A.10, subsections 1 and 3, Code 2009,
12 are amended to read as follows:

13 1. A physician, physician's designee, advanced registered
14 nurse practitioner, or physician assistant who gives orders,
15 either directly or via communications equipment from some
16 other point, or via standing protocols to an appropriately
17 ~~certified~~ licensed emergency medical care provider, registered
18 nurse, or licensed practical nurse at the scene of an
19 emergency, and an appropriately ~~certified~~ licensed emergency
20 medical care provider, registered nurse, or licensed practical
21 nurse following the orders, are not subject to criminal
22 liability by reason of having issued or executed the orders,
23 and are not liable for civil damages for acts or omissions
24 relating to the issuance or execution of the orders unless the
25 acts or omissions constitute recklessness.

26 3. An act of commission or omission of any appropriately
27 ~~certified~~ licensed emergency medical care provider, registered
28 nurse, licensed practical nurse, or physician assistant,
29 while rendering emergency medical care under the responsible
30 supervision and control of a physician to a person who is
31 deemed by them to be in immediate danger of serious injury
32 or loss of life, shall not impose any liability upon the
33 ~~certified~~ licensed emergency medical care provider, registered
34 nurse, licensed practical nurse, or physician assistant, the
35 supervising physician, physician designee, advanced registered

1 nurse practitioner, or any hospital, or upon the state, or any
2 county, city or other political subdivision, or the employees
3 of any of these entities; provided that this section shall not
4 relieve any person of liability for civil damages for any act
5 of commission or omission which constitutes recklessness.

6 Sec. 18. Section 147A.11, Code 2009, is amended to read as
7 follows:

8 **147A.11 Prohibited acts.**

9 1. Any person not ~~certified~~ licensed as required by this
10 subchapter who claims to be an emergency medical care provider,
11 or who uses any other term to indicate or imply that the
12 person is an emergency medical care provider, or who acts as
13 an emergency medical care provider without having obtained
14 the appropriate ~~certificate~~ license under this subchapter, is
15 guilty of a class "D" felony.

16 2. An owner of an unauthorized ~~ambulance, rescue, or~~
17 ~~first response~~ service program in this state who operates
18 or purports to operate ~~an ambulance, rescue, or first~~
19 ~~response~~ a service program, or who uses any term to indicate
20 or imply authorization without having obtained the appropriate
21 authorization under this subchapter, is guilty of a class "D"
22 felony.

23 3. Any person who imparts or conveys, or causes to be
24 imparted or conveyed, or attempts to impart or convey false
25 information concerning the need for assistance of ~~an ambulance,~~
26 ~~rescue, or first response~~ a service program or of any personnel
27 or equipment thereof, knowing such information to be false, is
28 guilty of a serious misdemeanor.

29 Sec. 19. Section 147A.12, subsection 1, Code 2009, is
30 amended to read as follows:

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

1 out-of-hospital emergency care. The equivalency shall be
2 accepted when:

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

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

9 Sec. 20. Section 147A.13, Code 2009, is amended to read as
10 follows:

11 **147A.13 Physician assistant exception.**

12 This subchapter does not restrict a physician assistant,
13 licensed pursuant to chapter 148C, from staffing an authorized
14 ~~ambulance, rescue, or first response~~ service program if the
15 physician assistant can document equivalency through education
16 and additional skills training essential in the delivery of
17 out-of-hospital emergency care. The equivalency shall be
18 accepted when:

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

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

26 Sec. 21. Section 147A.16, subsection 1, Code 2009, is
27 amended to read as follows:

28 1. This subchapter does not apply to a registered member
29 of the national ski patrol system, an industrial safety
30 officer, a lifeguard, or a person employed or volunteering
31 in a similar capacity in which the person provides on-site
32 emergency medical care at a facility solely to the patrons or
33 employees of that facility, provided that such person provides
34 emergency medical care only within the scope of the person's
35 training and certification and the person does not claim to

1 be a ~~certified~~ licensed emergency medical care provider or
2 use any other term to indicate or imply that the person is a
3 ~~certified~~ licensed emergency medical care provider.

4 Sec. 22. NEW SECTION. 147A.17 **Applications for emergency**
5 **medical care services training programs — approval or denial —**
6 **disciplinary actions.**

7 1. An Iowa college approved by the north central association
8 of colleges and schools or an Iowa hospital in this state that
9 desires to provide emergency medical care services training
10 leading to licensure as an emergency medical care provider
11 shall apply to the department for authorization to establish a
12 training program.

13 2. The department shall approve an application submitted in
14 accordance with subsection 1 when the department is satisfied
15 that the program proposed by the application will be operated
16 in compliance with this subchapter and the rules adopted
17 pursuant to this subchapter.

18 3. The department may deny an application for authorization
19 or may impose a civil penalty not to exceed one thousand
20 dollars upon, place on probation, suspend or revoke the
21 authorization of, or otherwise discipline a training program
22 with an existing authorization if the department finds reason
23 to believe the program has not been or will not be operated in
24 compliance with this subchapter and the rules adopted pursuant
25 to this subchapter, or that there is insufficient assurance of
26 adequate protection for the public. The authorization denial,
27 civil penalty, period of probation, suspension, or revocation,
28 or other disciplinary action shall be effected and may be
29 appealed as provided by section 17A.12.

30 Sec. 23. Section 232.68, subsection 5, Code Supplement
31 2009, is amended to read as follows:

32 5. "*Health practitioner*" includes a licensed physician
33 and surgeon, osteopathic physician and surgeon, dentist,
34 optometrist, podiatric physician, or chiropractor; a resident
35 or intern in any of such professions; a licensed dental

1 hygienist, a registered nurse or licensed practical nurse; a
2 physician assistant; and an emergency medical care provider
3 ~~certified~~ licensed under section 147A.6.

4 Sec. 24. Section 272C.1, subsection 6, paragraph ad, Code
5 Supplement 2009, is amended to read as follows:

6 *ad.* The director of public health in
7 ~~certifying~~ licensing emergency medical care providers and
8 emergency medical care services pursuant to chapter 147A.

9 Sec. 25. Section 321.267A, subsection 5, Code 2009, is
10 amended to read as follows:

11 5. For the purposes of this section, "*other emergency*
12 *responder*" means a fire fighter certified as a fire fighter
13 I pursuant to rules adopted under chapter 100B and trained
14 in emergency driving or an emergency medical ~~responder~~
15 ~~certified~~ care provider licensed under chapter 147A and trained
16 in emergency driving.

17 Sec. 26. Section 724.6, subsection 2, Code Supplement 2009,
18 is amended to read as follows:

19 2. Notwithstanding subsection 1, fire fighters, as defined
20 in section 411.1, subsection 10, airport fire fighters included
21 under section 97B.49B, ~~emergency rescue technicians,~~ and
22 emergency medical care providers, as defined in section 147A.1,
23 shall not, as a condition of employment, be required to obtain
24 a permit under this section. However, the provisions of
25 this subsection shall not apply to a person designated as an
26 arson investigator by the chief fire officer of a political
27 subdivision.

28 EXPLANATION

29 This bill provides for the licensure, rather than
30 certification, of emergency medical care providers.

31 An emergency medical care provider is defined by the bill
32 as an individual trained to provide emergency and nonemergency
33 medical care as an emergency medical responder, emergency
34 medical technician, advanced emergency medical technician, or
35 paramedic. The bill eliminates definitions for and references

1 to "emergency medical services instructor", "emergency rescue
2 technician", and "first responder". The bill empowers the
3 department of public health to create other levels of licensure
4 by rule.

5 The bill adds a definition of a service program, as a
6 department-authorized medical care ambulance service or
7 nontransport service. The authorization is similar to a
8 license.

9 The bill adds two stakeholder groups to the current
10 EMS advisory council, representing emergency medicine and
11 pediatrics.

12 The bill establishes a civil penalty of up to \$1,000 for
13 licensees, service programs, and training programs, if the
14 department finds that the licensee or program has not been
15 or will not be operated in compliance with the licensing or
16 authorization requirements, or that there is insufficient
17 assurance of adequate protection for the public.

18 The bill establishes a procedure for the approval of
19 training programs for emergency medical care providers.
20 These programs must be approved by the department, and may
21 be provided by an Iowa college approved by the north central
22 association of colleges and schools or by an Iowa hospital.