

IN THE SENATE

SENATE BILL NO. 1310

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO EMERGENCY MEDICAL SERVICES; AMENDING SECTION 56-1016, IDAHO
CODE, TO REVISE PROVISIONS REGARDING MINIMUM STANDARDS FOR EMS AGEN-
CIES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 56-1016, Idaho Code, be, and the same is hereby
amended to read as follows:

56-1016. AGENCY MINIMUM STANDARDS. Each ambulance service, air med-
ical service and nontransport service shall be licensed by the EMS bureau
based on the level of licensed personnel it utilizes, transport capability
and self-declared geographic coverage area and shall meet the following
standards:

(1) Personnel during transport or transfer -- There shall be at least
two (2) crew members on each patient transport or transfer, with the crew
member delivering patient care being, at a minimum, a licensed emergency
medical technician (EMT) or a licensed emergency medical responder (EMR)
with a valid ambulance certification issued by the EMS bureau.

(2) Dispatch -- Each licensed EMS agency shall have a twenty-four (24)
hour dispatch arrangement and shall respond to calls on a twenty-four (24)
hour basis.

(3) Agency inspections and licensing -- The EMS bureau shall conduct
inspections at least annually related to agency licensing or shall contract
to have the inspections carried out. Each agency shall have a current state
license in order to operate.

(4) Ambulance service minimum standards waiver -- The controlling
authority providing ambulance services may petition the board for waiver
of the ambulance standards of section 56-1016(2), Idaho Code, if compli-
ance with these standards would cause undue hardship on the community being
served, or would result in abandonment of ambulance services.

(5) Nontransport service minimum standards waiver -- The controlling
authority providing nontransport services may petition the EMS bureau for
waiver of the twenty-four (24) hour response requirement of this section if
the petition demonstrates that the community, setting, industrial site or
event is not populated on a twenty-four (24) hour basis or does not exist on a
three hundred sixty-five (365) day per year basis or if compliance with these
standards would cause undue hardship on the community being served, or would
result in abandonment of nontransport services.

(6) Supervision -- A licensed physician shall supervise the medical ac-
tivities provided by licensed personnel affiliated with the licensed agency
including, but not limited to: establishing standing orders and protocols,
reviewing performance of licensed personnel, approving methods for licensed

1 personnel to receive instructions for patient care via radio, telephone or
2 in person, and other oversight as provided in the rules of the commission.

3 (7) Applicants must submit the following information with their appli-
4 cations and agree to meet the following requirements as a condition of licen-
5 sure:

6 (a) A declaration of anticipated applicant agency costs and revenues;
7 a statement of projected changes in response time; and a narrative de-
8 scribing projected clinical benefits to patients resulting from licen-
9 sure using methods defined in board rules concerning such matters on an
10 application provided by the EMS bureau; and

11 (b) Collect and report data to the EMS bureau upon receiving a license
12 using a data collection system that is validated as compliant by the na-
13 tional emergency medical services information system technical assis-
14 tance center in accordance with board rules.

15 (8) The EMS bureau will provide notice of any such application to all
16 cities, counties and other units of local government that have any geo-
17 graphic coverage area in common with the applicant in accordance with board
18 rules. Such notice will include a summary of the applicant data supplied to
19 the EMS bureau. Any other EMS bureau use of the cost and revenue data sup-
20 plied by applicants is limited exclusively to informational purposes.

21 (9) Appeal of a denial of an applicant's license will be governed by
22 IDAPA 16.05.03, rules governing contested case proceedings and declaratory
23 rulings.