

IN THE SENATE

SENATE BILL NO. 1108

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO EMERGENCY MEDICAL SERVICES; AMENDING SECTION 56-1011,
2 IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING
3 SECTION 56-1012, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES,
4 TO REMOVE DEFINITIONS, TO REVISE DEFINITIONS, TO DEFINE NEW TERMS
5 AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1013,
6 IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL
7 CORRECTION; AMENDING SECTION 56-1013A, IDAHO CODE, TO CORRECT
8 REFERENCE TO THE BOARD OF HEALTH AND WELFARE, TO PROVIDE FOR
9 CONTINUOUS APPROPRIATION OF INITIAL APPLICATION FEE, TO PROVIDE
10 A CORRECT CODE REFERENCE, TO REVISE TERMINOLOGY AND TO MAKE
11 A TECHNICAL CORRECTION; AMENDING SECTION 56-1014, IDAHO CODE,
12 TO REVISE DUTIES, TO PROVIDE CORRECT CODE REFERENCES AND TO
13 REVISE TERMINOLOGY; AMENDING SECTION 56-1015, IDAHO CODE, TO
14 PROVIDE CORRECT CODE REFERENCES AND TO REVISE TERMINOLOGY;
15 AMENDING SECTION 56-1016, IDAHO CODE, TO REVISE TERMINOLOGY, TO
16 PROVIDE STANDARDS FOR AIR MEDICAL SERVICE, TO REVISE AGENCY
17 MINIMUM STANDARDS, TO PROVIDE FOR NONTRANSPORT SERVICE
18 MINIMUM STANDARDS WAIVER, TO REQUIRE THAT CERTAIN APPLICANTS
19 DEMONSTRATE THAT THE LICENSURE CHANGE REQUESTED MEETS
20 CERTAIN OBJECTIVE CRITERIA, TO PROVIDE A CORRECT CODE REFERENCE
21 AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 10, TITLE
22 56, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 56-1020, 56-1021
23 AND 56-1022, IDAHO CODE, TO PROVIDE PENALTIES FOR PERSONNEL
24 LICENSE VIOLATIONS, TO PROVIDE PENALTIES FOR AGENCY LICENSE
25 VIOLATIONS, TO PROVIDE FOR PERSONNEL AND AGENCY LICENSURE
26 ACTION, TO PROVIDE GROUNDS AND TO PROVIDE PROCEDURE; AMENDING
27 SECTION 56-1017, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE
28 BOARD RULEMAKING AUTHORITY, TO REVISE EMS BUREAU GUIDELINE
29 RESPONSIBILITY, TO PROVIDE A CORRECT CODE REFERENCE AND TO
30 REVISE TERMINOLOGY.
31

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

33 SECTION 1. That Section 56-1011, Idaho Code, be, and the same is hereby amended to
34 read as follows:

35 56-1011. EMERGENCY MEDICAL SERVICES – STATEMENT OF INTENT. It is
36 the purpose of the legislature of the state of Idaho in the adoption of sections 56-1011 through
37 56-1018B23, Idaho Code, to recognize the importance of the delivery of emergency medical
38 services and to provide reasonable regulation of the same. For this purpose, the provisions of

1 section 54-1803, Idaho Code, shall not be so construed as to prohibit or penalize emergency
 2 medical services rendered by a person authorized to render emergency medical services by
 3 sections 56-1011 through 56-1018B23, Idaho Code, if such emergency medical service is
 4 rendered under the responsible supervision and control of a licensed physician.

5 SECTION 2. That Section 56-1012, Idaho Code, be, and the same is hereby amended to
 6 read as follows:

7 56-1012. DEFINITIONS. As used in sections 56-1011 through 56-1018B23, Idaho
 8 Code:

9 (1) "Advanced emergency medical technician" means a person who has met the
 10 qualifications for licensure as set forth in sections 56-1011 through 56-1023, Idaho Code, is
 11 licensed by the EMS bureau under sections 56-1011 through 56-1023, Idaho Code, carries out
 12 the practice of emergency care within the scope of practice determined by the commission and
 13 practices under the supervision of an Idaho licensed physician.

14 (2) "Agency" means any organization licensed by the EMS bureau that operates an air
 15 medical service, ambulance service or nontransport service.

16 (3) "Air ambulance" means any privately or publicly owned fixed wing aircraft or rotary
 17 wing aircraft used for, or intended to be used for, the transportation of persons experiencing
 18 physiological or psychological illness or injury who may need medical attention during
 19 transport. This may include dual or multipurpose vehicles which otherwise comply with
 20 sections 56-1011 through 56-1023, Idaho Code, and specifications established by board rule.

21 (4) "Air medical service" means an agency licensed by the EMS bureau that responds to
 22 requests for patient care and transportation from hospitals and EMS agencies using a fixed wing
 23 aircraft or rotary wing aircraft.

24 (5) "Ambulance" means any privately or publicly owned ~~ground motor vehicle,~~ or
 25 nautical vessel, ~~fixed wing aircraft or rotary wing aircraft~~ used for, or intended to be used for,
 26 the transportation of sick or injured persons who may need medical attention during transport.
 27 This may include dual or multipurpose vehicles which otherwise comply with sections 56-1011
 28 through 56-1018B23, Idaho Code, and specifications established by ~~the board of health and~~
 29 welfare rule.

30 (6) "Ambulance service" means an agency licensed by the EMS bureau operated with the
 31 intent to provide personnel and equipment for medical treatment at an emergency scene, during
 32 transportation or during transfer of persons experiencing physiological or psychological illness
 33 or injury who may need medical attention during transport.

34 (27) "Board of Health and Welfare" means the Idaho board of health and welfare.

35 (3) "Certified Personnel" means individuals who have completed training and
 36 successfully passed examinations for training and skills proficiency in one (1) or several levels
 37 as certified by the department of health and welfare. These several levels of certified personnel
 38 shall include:

39 (a) FR—"First Responder" (hereafter FR) means an individual certified by the EMS
 40 bureau of the Idaho department of health and welfare as an FR on the basis of successful
 41 completion of an FR course approved by the board of health and welfare and subsequent
 42 required continuing training.

43 (b) EMT B—"Emergency Medical Technician Basic" (hereafter EMT B) means an
 44 individual certified by the EMS bureau of the Idaho department of health and welfare on

~~the basis of successful completion of an EMT B course approved by the board of health and welfare and subsequent required continuing training.~~

~~(e) "Ambulance Rating" means a certification issued by the EMS bureau of the Idaho department of health and welfare to an EMT B on the basis of successful completion of supervised infield ambulance experience as defined by the board of health and welfare.~~

~~(d) "Advanced Emergency Medical Technician Ambulance" (hereafter advanced EMT A) means a person who:~~

~~(i) Is certified by the EMS bureau of the Idaho department of health and welfare on the basis of successful completion of EMT A training and in addition, has completed advanced training in such techniques as intravenous fluid therapy, airway management, and subsequent required continued training; and~~

~~(ii) Has received additional training under the supervision of a licensed physician:~~

~~(A) To administer drugs under written or oral authorization of a licensed physician; and~~

~~(B) To perform such other acts under written or oral authorization of a licensed physician as shall be defined by the commission; and~~

~~(iii) Has been examined and certified as an advanced EMT A by an authorized representative of the department.~~

~~(e) "Emergency Medical Technician Intermediate" (hereafter EMT I) means a person who:~~

~~(i) Has completed all the requirements for certification as an EMT I; and~~

~~(ii) Has successfully completed a course in patient care including the required training under the supervision of a licensed physician covering the scope of practice defined by the commission; and~~

~~(iii) Has been examined and certified as an EMT I by an authorized representative of the department.~~

~~(f) "Emergency Medical Technician Paramedic" (hereafter EMT P) means a person who:~~

~~(i) Has completed all the requirements for certification as an EMT P; and~~

~~(ii) Has successfully completed a course in intensive patient care including the required training under the supervision of a licensed physician, including training in cardiac defibrillation, cardiac monitoring, endotracheal intubation and drug administration; and~~

~~(iii) Has been examined and certified as an EMT P by an authorized representative of the department.~~

~~(48) "Commission" means the Idaho emergency medical services physician commission.~~

~~(59) "Department" means the Idaho department of health and welfare.~~

(10) "Emergency medical responder" means a person who has met the qualifications for licensure as set forth in sections 56-1011 through 56-1023, Idaho Code, is licensed by the EMS bureau under sections 56-1011 through 56-1023, Idaho Code, carries out the practice of emergency care within the scope of practice determined by the commission and practices under the supervision of an Idaho licensed physician.

~~(611) "Emergency Mmedical Sservices" or "EMS" means the services system utilized in responding to a perceived individual need for immediate care in order to prevent loss of life or aggravation of physiological or psychological illness or injury.~~

(12) "EMS bureau" means the bureau of emergency medical services of the department.

1 (13) "Emergency medical technician" means a person who has met the qualifications for
 2 licensure as set forth in sections 56-1011 through 56-1023, Idaho Code, is licensed by the
 3 EMS bureau under sections 56-1011 through 56-1023, Idaho Code, carries out the practice of
 4 emergency care within the scope of practice determined by the commission and practices under
 5 the supervision of an Idaho licensed physician.

6 (14) "Licensed personnel" means those individuals who are emergency medical
 7 responders, emergency medical technicians, advanced emergency medical technicians and
 8 paramedics.

9 (15) "National emergency medical services information system technical assistance
 10 center" means an organization that validates software for compliance with the EMS data
 11 set defined by the United States department of transportation national highway traffic safety
 12 administration.

13 ~~(16) "Non Transport Service" means an service agency licensed by the~~
 14 ~~department of health and welfare, EMS bureau, operated with the intent to provide personnel or~~
 15 ~~equipment for medical stabilization at an emergency scene, but not intended to be the service~~
 16 ~~that will actually transport sick or injured persons.~~

17 ~~(17) "Non Transport Vehicle" means any vehicle licensed by the~~
 18 ~~department of health and welfare, EMS bureau, operated by an agency with the intent to~~
 19 ~~provide personnel or equipment for medical stabilization at an emergency scene, but not~~
 20 ~~intended as the vehicle that will actually transport sick or injured persons.~~

21 (18) "Paramedic" means a person who has met the qualifications for licensure as set
 22 forth in sections 56-1011 through 56-1023, Idaho Code, is licensed by the EMS bureau under
 23 sections 56-1011 through 56-1023, Idaho Code, carries out the practice of emergency care
 24 within the scope of practice determined by the commission and practices under the supervision
 25 of an Idaho licensed physician.

26 (19) "Supervision" means the medical direction by a licensed physician of activities
 27 provided by certified licensed personnel affiliated with a licensed ambulance, air medical or
 28 non-transport nontransport service, including, but not limited to: establishing standing orders
 29 and protocols, reviewing performance of certified licensed personnel, providing instructions for
 30 patient care via radio or telephone, and other oversight.

31 ~~(20) "Transfer" means the transportation of a patient from one (1) medical care facility~~
 32 ~~to another.~~

33 SECTION 3. That Section 56-1013, Idaho Code, be, and the same is hereby amended to
 34 read as follows:

35 56-1013. AUTHORIZED ACTIONS. Persons ~~certified licensed~~ by the ~~department~~ EMS
 36 bureau shall be authorized to perform such acts under written or oral authorization of a licensed
 37 physician as shall be established by rules of the commission, including, but not limited to,
 38 administration of intravenous solutions and drugs, cardiac defibrillation, airway management,
 39 endotracheal intubation, and other patient care.

40 SECTION 4. That Section 56-1013A, Idaho Code, be, and the same is hereby amended
 41 to read as follows:

42 56-1013A. IDAHO EMERGENCY MEDICAL SERVICES PHYSICIAN
 43 COMMISSION – TERMS AND OPERATION. (1) There is hereby created in the department

1 ~~of health and welfare~~ an Idaho emergency medical services physician commission for the
 2 purpose of establishing standards for scope of practice and medical supervision for ~~certified~~
 3 licensed personnel, ambulance services, and nontransport agencies licensed by the department
 4 EMS bureau, and for making disciplinary action recommendations to the ~~department~~ EMS
 5 bureau against ~~certified licensed~~ personnel. Notwithstanding any other provision of law to the
 6 contrary, the commission shall exercise its powers and duties in accordance with the provisions
 7 of sections 56-1011 through 56-1018B, ~~23~~, Idaho Code, relative to scope of practice and medical
 8 supervision of ~~certified licensed~~ personnel.

9 (2) The commission shall be composed of eleven (11) voting members appointed by the
 10 governor upon assurance of equitable geographic and rural representation. Six (6) members
 11 shall be physicians currently licensed in Idaho and appointed as follows: one (1) member
 12 representing the Idaho board of medicine as provided in chapter 18, title 54, Idaho Code,
 13 one (1) member representing the Idaho medical association, one (1) member representing the
 14 ~~emergency medical services (EMS) bureau of the department~~, one (1) member representing the
 15 Idaho chapter of the American college of emergency physicians, one (1) member representing
 16 the Idaho chapter of the American academy of pediatrics and one (1) member representing
 17 the Idaho chapter of the American college of surgeons committee on trauma. Three (3)
 18 members shall be physicians currently licensed in Idaho and practicing as an EMS medical
 19 director representing the following associations: one (1) member representing the Idaho
 20 association of counties, one (1) member representing the Idaho fire chiefs association and one
 21 (1) member representing the Idaho hospital association. Two (2) members shall be Idaho
 22 citizens representing the public interest.

23 (3) Except as provided in this subsection, members of the commission shall be appointed
 24 for a term of three (3) years. The following four (4) members shall be appointed to an
 25 initial term of two (2) years: the member representing the board of medicine, the member
 26 representing the Idaho chapter of the American college of emergency physicians, the member
 27 representing the Idaho chapter of the American college of surgeons committee on trauma and
 28 the member representing the Idaho fire chiefs association. The remaining seven (7) members
 29 shall be appointed for an initial term of three (3) years. Thereafter, all terms shall be for a
 30 period of three (3) years.

31 (4) The commission shall elect a chair and such officers as it may deem necessary and
 32 appropriate. The commission shall meet at least annually and at the call of the chair. Members
 33 of the commission shall be compensated as provided in section 59-509(b), Idaho Code.

34 (5) Prior to the expiration of the regular term of a member of the commission or
 35 upon the occurrence or declaration of a vacancy in the membership of the commission, the
 36 ~~department~~ EMS bureau shall notify the represented entity of that fact in writing and the
 37 represented entity shall, within sixty (60) days thereafter, nominate at least three (3) persons to
 38 fill the vacancy in a manner as shall be determined by the rules and bylaws of the represented
 39 entity and shall forward the nominations to the governor, who shall appoint from among the
 40 nominees a person to be a member of the commission to fill the vacancy. Persons nominated
 41 for a seat held by a physician must be licensed by the state of Idaho to practice medicine.

42 (6) Moneys collected pursuant to rules promulgated by the ~~department~~ board for initial
 43 applications and renewal of EMS certifications personnel licenses are hereby continuously
 44 appropriated and shall be utilized exclusively for the purposes set forth in this section as
 45 determined by the commission.

1 (7) The commission shall prepare a budget on an annual basis indicating that portion of
 2 the funds necessary for the continuous operation of the commission to achieve the purposes of
 3 this section.

4 SECTION 5. That Section 56-1014, Idaho Code, be, and the same is hereby amended to
 5 read as follows:

6 56-1014. LIABILITY. No act or omission of any person who is duly ~~certified~~ licensed
 7 under sections 56-1011 through 56-1018B23, Idaho Code, by the ~~department of health and~~
 8 ~~welfare~~ EMS bureau done or omitted in good faith while rendering emergency medical services
 9 to a person or persons who are perceived to need immediate care in order to prevent loss of
 10 life or aggravation of physiological or psychological illness or injury shall impose any liability
 11 upon those personnel, the supervising physician, the hospital, the organization providing
 12 the service, or upon a federal, state, county, city or other local governmental unit, or upon
 13 employees of such governmental unit, unless such provider of care or such personnel be shown
 14 to have caused injury and damages to such person or persons as a proximate result of his,
 15 her or their reckless or grossly negligent misconduct, which shall be the sole grounds for
 16 civil liability of such persons in the provision of care or assistance under sections 56-1011
 17 through 56-1018B23, Idaho Code, regardless of the circumstance under which such care or
 18 assistance may be provided. This section shall not relieve the organization or agency operating
 19 the service from the duty of securing, maintaining and operating, the equipment and licensure
 20 designated for use in performing the emergency medical services.

21 SECTION 6. That Section 56-1015, Idaho Code, be, and the same is hereby amended to
 22 read as follows:

23 56-1015. FAILURE TO OBTAIN CONSENT. No person ~~certified~~ licensed under
 24 sections 56-1011 through 56-1018B23, Idaho Code, or physician or hospital licensed in this
 25 state shall be subject to civil liability, based solely upon failure to obtain consent in rendering
 26 emergency medical, surgical, hospital or health services to any individual regardless of age
 27 where that individual is unable to give this consent for any reason and there is no other
 28 person reasonably available who is legally authorized to consent to the providing of such care,
 29 provided, however, that such person, physician, or hospital has acted in good faith and without
 30 knowledge of facts negating consent. The provision or refusal of consent under sections
 31 56-1011 through 56-1018B23, Idaho Code, shall be governed by chapter 45, title 39, Idaho
 32 Code.

33 SECTION 7. That Section 56-1016, Idaho Code, be, and the same is hereby amended to
 34 read as follows:

35 56-1016. AMBULANCE AGENCY MINIMUM STANDARDS. Each ambulance
 36 service, air medical service and ~~non-transport~~ nontransport service shall be licensed by the
 37 ~~department~~ EMS bureau based on the level of licensed personnel it utilizes, transport capability
 38 and self-declared geographic coverage area and shall meet the following standards:

39 (1) ~~Ambulance vehicles~~ Each new ambulance vehicle purchased after the effective
 40 ~~date of these standards shall conform to the ambulance vehicle specifications for that type~~

1 ~~established by the board of health and welfare. The patient compartment of each ambulance~~
 2 ~~vehicle shall be maintained in a clean and sanitary condition.~~

3 ~~(2) Ambulance equipment – Each ambulance shall be equipped with the patient care~~
 4 ~~items deemed essential for that type of ambulance by the board of health and welfare.~~

5 ~~(3) Ambulance personnel during transport or transfer – There shall be at least two~~
 6 ~~(2) ambulance crew members on each patient transport or transfer, with the crew member~~
 7 ~~delivering patient care being, at a minimum, a state certified licensed emergency medical~~
 8 ~~technician (EMT), except that with the patient's and the patient's physician's permission, an~~
 9 ~~EMT attendant shall not be required on routine, nonemergency transfer calls.~~

10 ~~(4) Ambulance dispatch – Each ambulance service licensed EMS agency shall have~~
 11 ~~a twenty-four (24) hour dispatch arrangement and shall respond to calls on a twenty-four (24)~~
 12 ~~hour basis.~~

13 ~~(5) Ambulance Agency inspections and licensing – The department of health and~~
 14 ~~welfare, EMS bureau, shall conduct inspections at least annually related to ambulance service~~
 15 ~~agency licensing or shall contract to have the inspections carried out. Each ambulance and~~
 16 ~~non-transport vehicle agency shall have a current state license in order to operate.~~

17 ~~(6) Ambulance service minimum standards waiver – The controlling authority providing~~
 18 ~~ambulance services may petition the board of health and welfare for waiver of the ambulance~~
 19 ~~standards of sections 56-1011 through 56-1018B, 56-1016(2), Idaho Code, if compliance with~~
 20 ~~these standards would cause undue hardship on the community being served, or would result in~~
 21 ~~abandonment of ambulance services.~~

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

29 ~~(7) Supervision – A licensed physician shall supervise the medical activities provided~~
 30 ~~by certified licensed personnel affiliated with the licensed ambulance or non-transport service~~
 31 ~~agency including, but not limited to: establishing standing orders and protocols, reviewing~~
 32 ~~performance of certified licensed personnel, approving methods for certified licensed personnel~~
 33 ~~to receive instructions for patient care via radio, telephone, or in person, and other oversight as~~
 34 ~~provided in the rules of the commission.~~

35 ~~(7) The following applicants must demonstrate that the licensure change requested meets~~
 36 ~~objective criteria related to response time, EMS system costs or projected change in clinical~~
 37 ~~outcome of patients using a data collection system that is validated as compliant by the national~~
 38 ~~emergency medical services information system technical assistance center in accordance with~~
 39 ~~board rules:~~

40 ~~(a) An organization seeking a new license;~~

41 ~~(b) An existing license holder that intends to increase the level of licensed personnel it~~
 42 ~~utilizes;~~

43 ~~(c) An existing nontransport service that intends to implement transport capability.~~

44 SECTION 8. That Chapter 10, Title 56, Idaho Code, be, and the same is hereby amended
 45 by the addition thereto of NEW SECTIONS, to be known and designated as Sections 56-1020,
 46 56-1021 and 56-1022, Idaho Code, and to read as follows:

1 56-1020. PENALTIES FOR PERSONNEL LICENSE VIOLATIONS. Any person who
 2 practices or attempts to practice EMS as a licensed provider of emergency care as provided for
 3 in sections 56-1011 through 56-1023, Idaho Code, without having at the time of so doing a
 4 valid, unexpired, unrestricted, unrevoked and unsuspended license issued by the EMS bureau
 5 under sections 56-1011 through 56-1023, Idaho Code, shall be guilty of a misdemeanor and
 6 shall be subject to a fine of not more than five hundred dollars (\$500) or imprisonment for
 7 not more than six (6) months, or both, for each violation. In the event that the prosecuting
 8 attorney in the county where the alleged violation occurred fails or refuses to act within sixty
 9 (60) days of notification of the alleged violation, the attorney general is authorized to prosecute
 10 the alleged violation.

11 56-1021. PENALTIES FOR AGENCY LICENSE VIOLATIONS. Any person
 12 establishing, conducting, managing or operating any agency as provided for in sections 56-1011
 13 through 56-1023, Idaho Code, without a license issued by the EMS bureau under sections
 14 56-1011 through 56-1023, Idaho Code, shall be guilty of a misdemeanor and shall be subject to
 15 a fine of not more than one thousand dollars (\$1,000) or imprisonment for not more than six (6)
 16 months, or both. Each day of continuing violation shall constitute a separate offense. In the
 17 event that the prosecuting attorney in the county where the alleged violation occurred fails or
 18 refuses to act within sixty (60) days of notification of the alleged violation, the attorney general
 19 is authorized to prosecute the alleged violation.

20 56-1022. PERSONNEL AND AGENCIES LICENSURE ACTIONS – GROUNDS –
 21 PROCEDURE. (1) Subject to the provisions of chapter 52, title 67, Idaho Code, the EMS
 22 bureau, upon recommendation of the commission, may deny a license or refuse to renew a
 23 license for a person, or may suspend or revoke a license or may impose probationary conditions
 24 if the holder of a license or the applicant for a license has engaged in unprofessional conduct
 25 which has endangered or is likely to endanger the health, welfare or safety of the public. Such
 26 unprofessional conduct includes, but is not limited to:

- 27 (a) Obtaining a license by means of fraud, misrepresentation or concealment of a
 28 material fact;
- 29 (b) Being found guilty of unprofessional conduct as defined by rule established by the
 30 board;
- 31 (c) Being convicted of a crime which would have a direct and adverse bearing on the
 32 licensee's ability to practice or perform emergency medical care competently;
- 33 (d) The unauthorized practice of medicine;
- 34 (e) Violating any provisions of sections 56-1011 through 56-1023, Idaho Code, or any of
 35 the rules established by the board or the commission thereunder; or
- 36 (f) Being found mentally incompetent by a court of competent jurisdiction.

37 (2) Subject to the provisions of chapter 52, title 67, Idaho Code, the EMS bureau may
 38 deny, revoke or refuse to renew a license of an agency, or may impose probationary conditions
 39 or fines as a condition of an agency's ability to retain a license in accordance with board rule.

40 (3) A denial, refusal to renew, suspension, revocation or imposition of probationary
 41 conditions upon a license may be ordered by the EMS bureau after opportunity for a hearing
 42 in a manner provided by rule established by the board. An application for reinstatement may
 43 be filed with the EMS bureau one (1) year from the date of license revocation. In the event a
 44 timely application is filed, the EMS bureau shall:

- 1 (a) Hold a hearing to consider such reinstatement; and
 2 (b) Accept or reject the application for reinstatement.

3 SECTION 9. That Section 56-1017, Idaho Code, be, and the same is hereby amended to
 4 read as follows:

5 ~~56-1017~~23. RULES. (1) The commission is authorized and directed to adopt
 6 appropriate rules defining the allowable scope of practice and acts and duties which can be
 7 performed by persons ~~certified~~ licensed by the ~~department~~ EMS bureau and the required level
 8 of supervision by a licensed physician.

9 (2) The board ~~of health and welfare~~ is authorized and directed to adopt appropriate
 10 rules and standards concerning the administration of sections 56-1011 through 56-1018~~B~~22 and
 11 this section, Idaho Code, including criteria for ~~training~~ educational programs, certification and
 12 licensure of personnel, certification of EMS instructors, licensure of ambulance, air medical and
 13 nontransport services, ~~licensure of manufacturing standards for ambulances~~ and nontransport
 14 vehicles, criteria for the use of air medical services by ~~certified~~ licensed EMS personnel at
 15 emergency scenes, establishment of fees for training, inspections, and ~~certifications~~ licensure,
 16 appropriate requirements for ~~recertification~~ renewal of licensure of personnel and ~~equipment~~
 17 agencies and the management of complaints, investigations and ~~certification~~ and license actions
 18 against ~~certified~~ licensed EMS personnel and ~~licensed EMS services agencies~~. The rules of the
 19 board ~~of health and welfare~~ must be consistent with the rules adopted by the commission.

20 (3) Additionally, the department shall develop guidelines, standards and procedures for
 21 reducing exposure to pathogens from human blood, tissue or fluids. Such guidelines, standards
 22 and procedures shall be made available to all law enforcement personnel, all emergency
 23 medical services personnel and agencies, and such other emergency personnel who request such
 24 information.