

Dear Senators LODGE, Broadsword and Bock, and
Representatives McGEACHIN, Bilbao and Rusche:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the
Department of Health and Welfare - :

- 16.01.01 - Emergency Medical Services (EMS) - Advisory Committee (EMSAC) (New Chapter)
(Docket No. 16-0101-1101)
- 16.01.07 - Emergency Medical Services (EMS) - Personnel Licensing Requirements (New Chapter)
(Docket No. 16-0107-1101)
- 16.01.07 - Emergency Medical Services (EMS) - Personnel Licensing Requirements (Fee Rule)
(Docket No. 16-0107-1102)
- 16.01.12 - Emergency Medical Services (EMS) - Complaints, Investigations, and Disciplinary
Actions (New Chapter) (Docket No. 16-0112-1101)
- 16.02.03 - Emergency Medical Services (Docket No. 16-0203-1101)

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research
and Legislation no later than fourteen (14) days after receipt of the rules analysis from Legislative
Services. The final date to call a meeting on the enclosed rules is no later than 08/01/2011. If a meeting is
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules analysis
from Legislative Services. The final date to hold a meeting on the enclosed rules is 08/29/2011.

The germane joint subcommittee may request a statement of economic impact with respect to a
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has
been held.

To notify Research and Legislation, call 334-4845, or send a written request to the address or FAX
number indicated on the memorandum enclosed.



Jeff Youtz
Director

Legislative Services Office Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Health & Welfare Committee and the House Health & Welfare Committee
FROM: Principal Legislative Research Analyst - Brooke Murdoch
DATE: July 13, 2011
SUBJECT: Department of Health and Welfare -

- 16.01.01 - Emergency Medical Services (EMS) - Advisory Committee (EMSAC) (New Chapter) (Docket No. 16-0101-1101)
- 16.01.07 - Emergency Medical Services (EMS) - Personnel Licensing Requirements (New Chapter) (Docket No. 16-0107-1101)
- 16.01.07 - Emergency Medical Services (EMS) - Personnel Licensing Requirements (Fee Rule) (Docket No. 16-0107-1102)
- 16.01.12 - Emergency Medical Services (EMS) - Complaints, Investigations, and Disciplinary Actions (New Chapter) (Docket No. 16-0112-1101)
- 16.02.03 - Emergency Medical Services (Docket No. 16-0203-1101)

(1) 16.01.01 - Emergency Medical Services (EMS) - Advisory Committee (EMSAC) (New Chapter) (Docket No. 16-0101-1101)

The Department of Health and Welfare submits notice of proposed rulemaking at IDAPA 16.01.01 - Emergency Medical Services (EMS) - Advisory Committee (EMSAC). This rulemaking constitutes a new chapter. Existing rules promulgated at IDAPA 16.02.03, Section 100, establish a statewide EMS Advisory Committee (EMSAC) and specify committee membership and responsibilities. According to the Department, Section 100 of IDAPA 16.02.03 will be removed at the pending stage of the rulemaking and be replaced with this new chapter. This rulemaking revises the membership representation on the EMSAC to reflect the addition of an EMSAC representative recommended by the Idaho Transportation Department and the removal of an EMSAC representative recommended by the State Board of Medicine. Additionally, this rulemaking defines the terms "Emergency Medical Services Advisory Committee (EMSAC)" and "Third Service" and adds to the responsibilities of the EMSAC.

We point out one of the new responsibilities of the EMSAC in Section 120.02, on page 46, which tasks the EMSAC with "establishing standard protocols for EMS personnel to respond to advance DNR directives." We question whether establishing such protocols is an appropriate task for an advisory committee and whether this responsibility overlaps with that of the Idaho Emergency Medical Services Physician Commission, established in Section 56-1013A, Idaho Code.

Mike Nugent Manager
Research & Legislation

Cathy Holland-Smith, Manager
Budget & Policy Analysis

Don H. Berg, Manager
Legislative Audits

Glenn Harris, Manager
Information Technology

The Department states that negotiated rulemaking was conducted. The "Notice of Intent to Promulgate Rules - Negotiated Rulemaking" was published in the March 2, 2011, Idaho Administrative Bulletin, Vol. 11-3, pages 14 and 15. Public hearings concerning this rulemaking will be held at 6:00 p.m. on August 2 through 6, 2011, at various locations around the state.

Aside from the above comment, the proposed rule appears to be within the authority granted to the Idaho Board of Health and Welfare in Section 56-1023, Idaho Code.

**(2) 16.01.07 - Emergency Medical Services (EMS) - Personnel Licensing Requirements (New Chapter)
(Docket No. 16-0107-1101)**

The Department of Health and Welfare submits notice of temporary and proposed rulemaking at IDAPA 16.01.07 - Emergency Medical Services (EMS) - Personnel Licensing Requirements. This rulemaking constitutes a new chapter. The Department states that it is updating rules relating to Emergency Medical Services and the Idaho EMS system to reflect current national standards for safety and quality of services. The Department is thereby reorganizing current rules at IDAPA 16.02.03 relating to Emergency Medical Services. As part of the reorganization, this temporary and proposed rulemaking establishes a new chapter that provides licensing requirements for emergency medical services (EMS) personnel. Specifically, this rulemaking provides the following:

- (1) Standards for professional conduct for EMS personnel;
- (2) Personnel licensure requirements for emergency medical responders, emergency medical technicians, advanced emergency medical technicians and paramedics;
- (3) Personnel license transition requirements, which are the result of a change in the scope of practice and license levels for EMS personnel as provided in the EMS Physician Commission Standards Manual;
- (4) EMS personnel license renewal requirements;
- (5) Requirements for reinstating a lapsed EMS personnel license;
- (6) Requirements relating to registration, certification or licensure from other jurisdictions;
- (7) Requirements relating to changes to an existing license;
- (8) Certificate of eligibility requirements; and
- (9) Continuing education and skills proficiency requirements for EMS personnel licensure.

The Department states that negotiated rulemaking was conducted over the course of several years. The negotiated rulemaking notice was published in the March 2, 2011, Idaho Administrative Bulletin, Vol. 11-3, page 14. Public hearings concerning this rulemaking will be held at 6:00 p.m. on August 2 through 6, 2011, at various locations around the state.

The temporary and proposed rule appears to be within the authority granted to the Idaho Board of Health and Welfare in Section 56-1023, Idaho Code.

**(3) 16.01.07 - Emergency Medical Services (EMS) - Personnel Licensing Requirements (Fee Rule)
(Docket No. 16-0107-1102)**

The Department of Health and Welfare submits notice of temporary and proposed fee rulemaking at IDAPA 16.01.07 - Emergency Medical Services (EMS) - Personnel Licensing Requirements. This fee rule specifies application fees for EMS personnel licensure. According to the Department, the personnel licensing fees in this rule are the same as in current rule.

The Department states that negotiated rulemaking was conducted over the course of several years. The negotiated rulemaking notice was published in the March 2, 2011, Idaho Administrative Bulletin, Vol. 11-3, page 14. Public hearings concerning this rulemaking will be held at 6:00 p.m. on August 2 through 6, 2011, at various locations around the state.

The temporary and proposed fee rule appears to be within the authority granted to the Idaho Board of Health and Welfare in Section 56-1023, Idaho Code.

(4) 16.01.12 - Emergency Medical Services (EMS) - Complaints, Investigations, and Disciplinary Actions (New Chapter) (Docket No. 16-0112-1101)

The Department of Health and Welfare submits notice of temporary and proposed rulemaking at IDAPA 16.01.12 - Emergency Medical Services (EMS) - Complaints, Investigations, and Disciplinary Actions. This rulemaking constitutes a new chapter. The Department states that it is updating rules relating to Emergency Medical Services and the Idaho EMS system to reflect current national standards for safety and quality of services. The Department is thereby reorganizing current rules at IDAPA 16.02.03 relating to Emergency Medical Services. As part of the reorganization, this temporary and proposed rulemaking establishes a new chapter that provides for the management of complaints, investigations, enforcement and disciplinary actions by the EMS Bureau for personnel and agency licensing and certification. Specifically, this rulemaking accomplishes the following:

- (1) Permits the EMS Bureau to conduct a peer review for an alleged statute or rule violation, provides for the formation of a four-member peer review team and provides a process by which the peer review team is to review and evaluate cases before it;
- (2) Provides a process for reporting and investigating complaints and suspected violations;
- (3) Specifies the disciplinary and corrective actions the EMS Bureau may take, including the imposition of fines; and
- (4) Provides a process for the reinstatement of any revoked EMS agency or personnel license.

We note that Section 56-1022, Idaho Code, provides that "the EMS bureau, upon recommendation of the commission, may deny a license or refuse to renew a license for a person, or may suspend or revoke a license or may impose probationary conditions if the holder of a license or the applicant for a license has engaged in unprofessional conduct...." Further, Section 56-1013A, Idaho Code, specifically tasks the Idaho Emergency Medical Services Commission with the responsibility "for making disciplinary action recommendations to the EMS bureau against licensed personnel." Turning to this rulemaking, Sections 330.01.d. on page 82, 330.05.c. on page 83 and 330.06.c. on page 83 of the rule state that decisions of the EMS Bureau to suspend, deny, revoke or refuse to renew an EMS personnel license will be reviewed by the Idaho EMS Physicians Commission at the Commission's next available meeting. Pursuant to statute, the EMS Physician Commission's recommendation must come before any such decision of the EMS Bureau. Therefore, the rules are not consistent with the governing statutes. We may suggest that the Department remove the language in the rule sections cited above and add language clarifying that the imposition of these types of administrative license actions by the EMS Bureau may occur only upon the recommendation of the EMS Physician Commission.

We also note a minor typographical error on page 81 of the rule. "310. - 319. (RESERVED)" should read "311. - 319. (RESERVED)".

The Department states that negotiated rulemaking was conducted over the course of several years. The negotiated rulemaking notice was published in the March 2, 2011, Idaho Administrative Bulletin, Vol. 11-3,

page 14. Public hearings concerning this rulemaking will be held at 6:00 p.m. on August 2 through 6, 2011, at various locations around the state.

Aside from the above comment, the temporary and proposed rule appears to be within the authority granted to the Idaho Board of Health and Welfare in Section 56-1023, Idaho Code.

(5) 16.02.03 - Emergency Medical Services (Docket No. 16-0203-1101)

The Department of Health and Welfare submits notice of temporary and proposed rulemaking at IDAPA 16.02.03 - Emergency Medical Services. The Department states that it is updating rules relating to Emergency Medical Services and the Idaho EMS system to reflect current national standards for safety and quality of services. Through the process of implementing new rules, the Department is reorganizing the EMS rules. Specifically, this rulemaking accomplishes the following:

- (1) Revises definitions and defines additional terms;
- (2) Removes provisions relating to EMS personnel certification and licensing standards, requirements, scope of practice, application and fees;
- (3) Removes provisions relating to investigations, enforcement and compliance requirements for agency and personnel licensing;
- (4) Adds references to new rule chapters for personnel licensure, complaints, investigations, compliance and enforcement of all EMS rules; and
- (5) According to the Department, amends sections to meet statutory requirements, standards and terminology from previous rulemaking under Docket 16-0203-0901 that is being rescinded and vacated in this bulletin.

The Department states that negotiated rulemaking was conducted over the course of several years. The negotiated rulemaking notice was published in the March 2, 2011, Idaho Administrative Bulletin, Vol. 11-3, page 14. Public hearings concerning this rulemaking will be held at 6:00 p.m. on August 2 through 6, 2011, at various locations around the state.

The temporary and proposed rule appears to be within the authority granted to the Idaho Board of Health and Welfare in Section 56-1023, Idaho Code.

cc: Department of Health and Welfare - Administrative Procedures Section
Tamara Prisock
Wayne Denny

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.01.01 - EMERGENCY MEDICAL SERVICES (EMS) -- ADVISORY COMMITTEE (EMSAC)

DOCKET NO. 16-0101-1101 (NEW CHAPTER)

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 56-1003 and 56-1023, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearings concerning this rulemaking will be held as follows:

| Tuesday, August 2, 2011 at 6:00 p.m. (Local) | |
|--|--|
| Central Fire District 697 Annis Hwy. Rigby, ID | Kamiah Emergency Services 515 Main Street Kamiah, ID |
| Wednesday, August 3, 2011 at 6:00 p.m. (Local) | |
| Caribou County Fire Station 665 E. 2nd S. Soda Springs, ID | New Meadows Fire Station 200 Hwy. 95 New Meadows, ID |
| Thursday, August 4, 2011 at 6:00 p.m. (Local) | |
| Jerome City Fire/Rescue 110 W. Yakima Ave. Jerome, ID | EMS Bureau Conf. Rm. B25 LBJ Office Bldg. 650 W. State St. Boise, ID |
| Friday, August 5, 2011 at 6 p.m. (Local) | Saturday, August 6, 2011 at 6 p.m. (Local) |
| Bonner County EMS 521 3rd Ave. Sandpoint, ID | Moscow Fire Station #3 229 Pintail Ln. Moscow, ID |

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The current EMS rules establish a statewide EMS Advisory Committee (EMSAC) to provide counsel to the Department in administering the Emergency Medical Services Act (Sections 56-1011 through 56-1023, Idaho Code).

The membership requirements and organizational representation on the EMSAC need to be updated in these rules to reflect the addition of the Idaho Transportation Department. The Department is writing this new chapter to provide the representation on the committee, and the committee's duties and responsibilities.

Under Section 56-1013A, Idaho Code, the Idaho EMS Physician Commission was created and assumed responsibility for the provider scopes of practice from the Board of Medicine. Because of this change, the representation of the Board of Medicine will be removed from the EMS Advisory Committee and replaced with

representation from the Idaho Transportation Department (ITD), Office of Highway Operations and Safety, since the majority of EMS requests for services are related to traffic accidents.

This new chapter of rules will provide the following for EMS Advisory Committee:

1. Establish the required membership and organizational representation, including the addition of the Idaho Transportation Department (ITD), and removal of the Idaho Board of Medicine representation;
2. Provide length of terms of membership;
3. Provide guidelines, duties, and responsibilities of the committee; and
4. Provide definitions and other required sections needed to meet APA requirements for rules.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: NA

FISCAL IMPACT: The following is a specific description, if applicable, of any fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

This rulemaking has no fiscal impact to the state general fund. The Emergency Medical Services (EMS) program is funded through dedicated funds.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220, Idaho Code, negotiated rulemaking was conducted. The "Notice of Intent to Promulgate Rules - Negotiated Rulemaking," was published in the [March 2, 2011, Idaho Administrative Bulletin, Vol. 11-3, pages 14 and 15](#).

INCORPORATION BY REFERENCE: No materials are being incorporated by reference into these rules.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Wayne Denny at (208) 334-4000.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 12, 2011.

DATED this 3rd day of June, 2011.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5564; fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

THE FOLLOWING IS THE TEXT OF THE PROPOSED RULE FOR DOCKET NO. 16-0101-1101

IDAPA 16, TITLE 01, CHAPTER 01

16.01.01 - EMERGENCY MEDICAL SERVICES (EMS) -- ADVISORY COMMITTEE (EMSAC)

000. LEGAL AUTHORITY.

The Idaho Board of Health and Welfare is authorized under Section 56-1023, Idaho Code, to adopt rules concerning the administration of the Idaho Emergency Medical Services Act. The Director is authorized under Section 56-1003, Idaho Code, to supervise and administer an emergency medical service program. ()

001. TITLE AND SCOPE.

01. Title. The title of these rules is IDAPA 16.01.01, "Emergency Medical Services (EMS) -- Advisory Committee (EMSAC)." ()

02. Scope. These rules define the membership duties and responsibilities of the Emergency Medical Services Advisory Committee. ()

002. WRITTEN INTERPRETATIONS.

There are no written interpretations for these rules. ()

003. ADMINISTRATIVE APPEALS.

All contested cases are governed by the provisions of IDAPA 16.05.03, "Rules Governing Contested Case Proceedings and Declaratory Rulings." ()

004. INCORPORATION BY REFERENCE.

There are no documents incorporated by reference into this chapter of rules. ()

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS -- STREET ADDRESS -- TELEPHONE NUMBER -- INTERNET WEBSITE.

01. Office Hours. Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays designated by the state of Idaho. ()

02. Mailing Address. The mailing address for the business office is Idaho Department of Health and Welfare, P.O. Box 83720, Boise, Idaho 83720-0036. ()

03. Street Address. ()

a. The business office of the Idaho Department of Health and Welfare is located at 450 West State Street, Boise, Idaho 83702. ()

b. The EMS Bureau is located at 650 W. State Street, Suite B-17, Boise, Idaho 83702. ()

04. Telephone. ()

a. The telephone number for the Idaho Department of Health and Welfare is (208) 334-5500. ()

b. The telephone number for the EMS Bureau is (208) 334-4000. The toll-free, phone number is 1-877-554-3367. ()

05. Internet Websites. ()

a. The Department's internet website is found at <http://www.healthandwelfare.idaho.gov>. ()

b. The Emergency Medical Services Bureau's internet website is found at <http://www.idahoems.org>. ()

006. CONFIDENTIALITY OF RECORDS AND PUBLIC RECORDS ACT REQUESTS.

01. Confidentiality of Records. Any information about an individual covered by these rules and contained in the Department's records must comply with IDAPA 16.05.01, "Use and Disclosure of Department

Records.” ()

02. Public Records Act. The Department will comply with Sections 9-337 through 9-350, Idaho Code, when requests for the examination and copying of public records are made. Unless otherwise exempted, all public records in the custody of the Department are subject to disclosure. ()

007. -- 009. (RESERVED)

010. DEFINITIONS AND ABBREVIATIONS.

For the purposes of this chapter of rules the following terms apply: ()

01. Emergency Medical Services Advisory Committee (EMSAC). The statewide advisory board of the EMS Bureau whose members are appointed by the Director of the Idaho Department of Health and Welfare to provide counsel to the Department on administering the EMS Act. ()

02. Third Service. An EMS agency that is neither fire- nor law enforcement-based. ()

011. -- 099. (RESERVED)

**STATEWIDE EMS ADVISORY COMMITTEE
(Sections 100 through 130)**

100. APPOINTMENT OF EMS ADVISORY COMMITTEE AND TERMS OF SERVICE.

The Director will appoint a Statewide EMS Advisory Committee to provide counsel to the Department in administering the EMS Act. The Committee members will have a normal tenure of three (3) years after which time they may be excused or reappointed. However, in order to afford continuity, initial appointments will be made to one-third (1/3) of the membership for two (2) years, one-third (1/3) for three (3) years, and one-third (1/3) of the membership for four (4) years. The Committee chairman will be selected by the State Health Officer. ()

101. -- 109. (RESERVED)

110. EMS ADVISORY COMMITTEE MEMBERSHIP.

The Statewide EMS Advisory Committee must include the following representatives: ()

01. Idaho Transportation Department. One (1) representative recommended by the Idaho Transportation Department, Office of Highway Operations and Safety. ()

02. American College of Emergency Physicians (ACEP). One (1) representative recommended by the Idaho Chapter of American College of Emergency Physicians (ACEP). ()

03. American College of Surgeons. One (1) representative recommended by the Committee on Trauma of the Idaho Chapter of the American College of Surgeons. ()

04. Idaho Board of Nursing. One (1) representative recommended by the Idaho Board of Nursing. ()

05. Idaho Medical Association. One (1) representative recommended by the Idaho Medical Association. ()

06. Idaho Hospital Association. One (1) representative recommended by the Idaho Hospital Association. ()

07. Idaho Association of Counties. One (1) representative of local government recommended by the Idaho Association of Counties. ()

08. Career Third Service EMS/Ambulance Service. One (1) representative of a Career Third Service

EMS/Ambulance Service. ()

09. Volunteer Third Service EMS/Ambulance Service. One (1) representative of a volunteer third service EMS/ambulance service. ()

10. Third Service Nontransport EMS Service. One (1) representative of a third service nontransport EMS service. ()

11. Idaho Fire Chiefs Association. One (1) representative of a fire department-based EMS/ambulance service recommended by the Idaho Fire Chiefs Association. ()

12. Fire Department-Based Nontransport EMS Service. One (1) representative of a fire department-based nontransport EMS service. ()

13. Air Medical Service. One (1) representative of an air medical service. ()

14. Emergency Medical Technician. One (1) Emergency Medical Technician who represents the interests of Idaho personnel licensed at that level. ()

15. Advanced Emergency Medical Technician. One (1) Advanced Emergency Medical Technician who represents the interests of Idaho personnel licensed at that level. ()

16. Paramedic. One (1) paramedic who represents the interests of Idaho personnel licensed at that level. ()

17. Administrative County EMS Director. One (1) representative who is an Administrative County EMS Director. ()

18. EMS Instructor. One (1) EMS instructor who represents the interests of Idaho EMS educators and evaluators. ()

19. Consumer. One (1) Idaho citizen with experience involving EMS; ()

20. Private EMS Ambulance Service. One (1) representative of a private EMS ambulance service. ()

21. American Academy of Pediatrics. One (1) pediatrician who represents the interests of children in the EMS system recommended by the Idaho Chapter of the American Academy of Pediatrics. ()

22. Pediatric Emergency Medicine Physician. One (1) board-certified, or equivalent, Pediatric Emergency Medicine Physician. ()

111. -- 119. (RESERVED)

120. RESPONSIBILITIES OF THE EMS ADVISORY COMMITTEE.

The EMS Advisory Committee will meet at least annually, or as needed, for the purposes of: ()

01. Reviewing Policies and Procedures. Reviewing policies and procedures for provision of emergency medical services and recommending same to the EMS Bureau; ()

02. Establishing Standard Protocols for EMS Personnel to Respond to Advance DNR Directives. The protocols will be reviewed at least annually to determine if changes in protocol need to be made in order to reflect technological advances. ()

03. Reviewing Educational Curricula and Standards. Reviewing EMS education curricula, education standards, and examination processes and recommending same to the EMS Bureau. ()

04. Personnel Licensing Policies and Standards. Making recommendations to the EMS Bureau regarding implementation of personnel licensing policy and standards. ()

05. Reviewing Grant Applications. Reviewing grant applications and making recommendations for eligibility and awards for the dedicated grant funds program in accordance with IDAPA 16.02.04, "Rules Governing Emergency Medical Services Account III Grants," Section 300. ()

06. Ambulance and Nontransport Services. Reviewing and making recommendations on the licensing of ambulance and of nontransport services in Idaho. ()

121. -- 999. (RESERVED)

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.01.07 - EMERGENCY MEDICAL SERVICES (EMS) -- PERSONNEL LICENSING REQUIREMENTS

DOCKET NO. 16-0107-1101 (NEW CHAPTER)

NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of this temporary rule is July 1, 2011.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. This action is authorized pursuant to Section 56-1023, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearings concerning this rulemaking will be held as follows:

| Tuesday, August 2, 2011 at 6:00 p.m. (Local) | |
|---|---|
| Central Fire District 697 Annis Hwy. Rigby, ID | Kamiah Emergency Services 515 Main Street Kamiah, ID |
| Wednesday, August 3, 2011 at 6:00 p.m. (Local) | |
| Caribou County Fire Station 665 E. 2nd S. Soda Springs, ID | New Meadows Fire Station 200 Hwy. 95 New Meadows, ID |
| Thursday, August 4, 2011 at 6:00 p.m. (Local) | |
| Jerome City Fire/Rescue 110 W. Yakima Ave. Jerome, ID | EMS Bureau Conf. Rm. B25 LBJ Office Bldg. 650 W. State St. Boise, ID |
| Friday, August 5, 2011 at 6 p.m. (Local) | Saturday, August 6, 2011 at 6 p.m. (Local) |
| Bonner County EMS 521 3rd Ave. Sandpoint, ID | Moscow Fire Station #3 229 Pintail Ln. Moscow, ID |

The hearing sites will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the meeting, to the agency address below.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The Department is updating the Emergency Medical Services rules and the Idaho EMS system to reflect current national standards for safety and quality of services. Through the process of implementing new rules, the Department is reorganizing the EMS rules. This new chapter of rule in IDAPA 16.01.07, is part of that reorganization and provides for the licensing of EMS personnel:

1. Standards and requirements for personnel licensure;
2. Application process;

3. Scope of practice including definitions and terminology for best practice of national standards;
4. Records management,
5. References to chapters for complaints, investigations, compliance and enforcement of these rules; and
6. Required sections for rule requirements of the Administrative Procedures Act.

Other dockets publishing in this bulletin that implement the reorganization of EMS services are: 16-0203-1101, 16-0107-1102, 16-0112-1101, and 16-0101-1101.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(a), Idaho Code, the Governor has found that temporary adoption of these rules are appropriate in order to protect the public health, safety or welfare.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: N/A

FISCAL IMPACT: The following is a specific description, if applicable, of any fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

This rulemaking has no fiscal impact to the state general fund. The Emergency Medical Services (EMS) program is funded through dedicated funds.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was conducted over several years. The negotiated rulemaking notice for this rulemaking published in the [March 2, 2011, Idaho Administrative Bulletin, Vol. 11-3, page 14](#), under the current rule, IDAPA 16.02.03, "Emergency Medical Services," Docket No. 16-0203-1101.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

The Department incorporated by reference the "Idaho Emergency Medical Services (EMS) Physician Commission Standards Manual," edition 2011-1, because this manual sets the scope of practice for Emergency Medical Services in Idaho.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Wayne Denny at (208) 334-4000.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 12, 2011.

DATED this 3rd day of June, 2011.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5564; fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

THE FOLLOWING IS THE TEMPORARY RULE & PROPOSED TEXT OF DOCKET NO. 16-0107-1101

IDAPA 16, TITLE 01, CHAPTER 07

16.01.07 -- EMERGENCY MEDICAL SERVICES (EMS) -- PERSONNEL LICENSING REQUIREMENTS

000. LEGAL AUTHORITY.

The Idaho Board of Health and Welfare is authorized under Section 56-1023, Idaho Code, to adopt rules and standards concerning the administration of the Idaho Emergency Medical Services Act, Sections 56-1011 through 56-1023, Idaho Code. The Director is authorized under Section 56-1003, Idaho Code, to supervise and administer an emergency medical service program. (7-1-11)T

001. TITLE AND SCOPE.

01. Title. The title of these rules is IDAPA 16.01.07, "Emergency Medical Services (EMS) -- Personnel Licensing Requirements." (7-1-11)T

02. Scope. These rules include requirements and standards for certification and licensure of emergency medical personnel, the establishment of fees for licensure, renewals of licensure, and education criteria for needed skills to perform duties of specific types of licensure. Emergency medical personnel licensed under these rules work or provide EMS services for agencies licensed by the state. (7-1-11)T

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, the Department may have written statements that pertain to the interpretation of this chapter, or to the documentation of compliance with these rules. (7-1-11)T

003. ADMINISTRATIVE APPEALS.

Administrative appeals and contested cases are governed by the provisions of IDAPA 16.05.03, "Rules Governing Contested Case Proceedings and Declaratory Rulings." (7-1-11)T

004. INCORPORATION BY REFERENCE.

The Department has incorporated by reference the "Idaho Emergency Medical Services (EMS) Physician Commission Standards Manual," edition 2011-1. Copies of this Standards Manual may be obtained from the EMS Bureau described in Section 005 of these rules, or online at: <http://www.emspc.dhw.idaho.gov>. (7-1-11)T

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS -- STREET ADDRESS -- TELEPHONE NUMBER -- INTERNET WEBSITE.

01. Office Hours. Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays designated by the state of Idaho. (7-1-11)T

02. Mailing Address. The mailing address for the business office is Idaho Department of Health and Welfare, P.O. Box 83720, Boise, Idaho 83720-0036. (7-1-11)T

03. Street Address. (7-1-11)T

a. The business office of the Idaho Department of Health and Welfare is located at 450 West State Street, Boise, Idaho 83702. (7-1-11)T

b. The EMS Bureau is located at 650 W. State Street, Suite B-17, Boise, Idaho 83702. (7-1-11)T

04. Telephone. (7-1-11)T

a. The telephone number for the Idaho Department of Health and Welfare is (208) 334-5500.

(7-1-11)T

b. The telephone number for the EMS Bureau is (208) 334-4000. The toll-free, phone number is 1-877-554-3367. (7-1-11)T

05. Internet Websites. (7-1-11)T

a. The Department's internet website is found at <http://www.healthandwelfare.idaho.gov>. (7-1-11)T

b. The Emergency Medical Services Bureau's internet website is found at <http://www.idahoems.org>. (7-1-11)T

006. CONFIDENTIALITY OF RECORDS AND PUBLIC RECORDS ACT COMPLIANCE AND REQUESTS.

01. Confidentiality of Records. Any information about an individual covered by these rules and contained in the Department's records must comply with IDAPA 16.05.01, "Use and Disclosure of Department Records." (7-1-11)T

02. Public Records Act. The Department will comply with Sections 9-337 through 9-350, Idaho Code, when requests for the examination and copying of public records are made. Unless otherwise exempted, all public records in the custody of the Department are subject to disclosure. (7-1-11)T

007. -- 008. (RESERVED)

009. CRIMINAL HISTORY AND BACKGROUND CHECK REQUIREMENTS.

Licensed EMS personnel must comply with the provisions in IDAPA 16.05.06, "Criminal History and Background Checks," to include: (7-1-11)T

01. Initial Licensure. An individual applying for initial licensure described in Section 110 of these rules. (7-1-11)T

02. Reinstatement of Licensure. An individual applying for reinstatement of licensure described in Section 131 of these rules. (7-1-11)T

03. Certificate of Eligibility. An individual applying for a certificate of eligibility described in Section 150 of these rules. (7-1-11)T

04. Additional Criminal Background Check. The EMS Bureau may require an updated or additional criminal background check at any time, without expense to the candidate, if there is cause to believe new or additional information will be disclosed. (7-1-11)T

010. DEFINITIONS AND ABBREVIATIONS.

For the purposes of this chapter of rules, the following terms apply: (7-1-11)T

01. Advanced Emergency Medical Technician (AEMT). An AEMT is a person who: (7-1-11)T

a. Has met the qualifications for licensure in Sections 56-1011 through 56-1023, Idaho Code, and these rules; (7-1-11)T

b. Is licensed by the EMS Bureau under Sections 56-1011 through 56-1023, Idaho Code; (7-1-11)T

c. Carries out the practice of emergency medical care within the scope of practice for AEMT determined by the Idaho Emergency Medical Services Physicians Commission (EMSPC), under IDAPA 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physicians Commission;" and (7-1-11)T

d. Practices under the supervision of a physician licensed in Idaho. (7-1-11)T

- 02. Affiliation.** The formal association that exists between an agency and those licensed personnel who appear on the agency's roster, which includes active participation, collaboration, and involvement. Affiliation can be demonstrated by the credentialing of licensed personnel by the agency medical director. (7-1-11)T
- 03. EMS Agency.** Any organization required to be licensed under the provisions in IDAPA 16.02.03, "Emergency Medical Services," by the EMS Bureau that operates an air medical service, ambulance service, or nontransport service. (7-1-11)T
- 04. Board.** The Idaho Board of Health and Welfare. (7-1-11)T
- 05. Candidate.** Any individual who is requesting an EMS personnel license under Sections 56-1011 through 56-1023, Idaho Code. (7-1-11)T
- 06. Certificate of Eligibility.** Documentation that an individual is eligible for affiliation with an EMS agency, having satisfied all requirements for an EMS Personnel Licensure except for affiliation, but is not licensed to practice. (7-1-11)T
- 07. Commission.** The Idaho Emergency Medical Services Physician Commission. (7-1-11)T
- 08. Competency.** The expected behavior, skill performance and knowledge identified in the description of the profession and the allowable skills and interventions as defined by the scope of practice in the EMS Physicians Commissions Standards Manual incorporated in Section 004 of these rules. (7-1-11)T
- 09. Department.** The Idaho Department of Health and Welfare. (7-1-11)T
- 10. Emergency Medical Care.** The care provided to a person suffering from a medical condition, the onset of which is sudden, that manifests itself by symptoms of sufficient severity, including severe pain, that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to result in placing the person's health in serious jeopardy, or in causing serious impairments of bodily function or serious dysfunction of any bodily organ or part. (7-1-11)T
- 11. Emergency Medical Responder (EMR).** An EMR is a person who: (7-1-11)T
- a.** Has met the qualifications for licensure in Sections 56-1011 through 56-1023, Idaho Code, and these rules; (7-1-11)T
 - b.** Is licensed by the EMS Bureau under Sections 56-1011 through 56-1023, Idaho Code; (7-1-11)T
 - c.** Carries out the practice of emergency medical care within the scope of practice for EMR determined by the Idaho Emergency Medical Services Physicians Commission (EMSPC), under IDAPA 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physicians Commission"; and (7-1-11)T
 - d.** Practices under the supervision of a physician licensed in Idaho. (7-1-11)T
- 12. Emergency Medical Services (EMS).** The services 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. (7-1-11)T
- 13. EMS Bureau.** The Emergency Medical Services (EMS) Bureau of the Idaho Department of Health and Welfare. (7-1-11)T
- 14. Emergency Medical Technician (EMT).** An EMT is a person who: (7-1-11)T
- a.** Has met the qualifications for licensure in Sections 56-1011 through 56-1023, Idaho Code, and these rules; (7-1-11)T

- b. Is licensed by the EMS Bureau under Sections 56-1011 through 56-1023, Idaho Code; (7-1-11)T
 - c. Carries out the practice of emergency medical care within the scope of practice for EMT determined by the Idaho Emergency Medical Services Physicians Commission (EMSPC), under IDAPA 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physicians Commission"; and (7-1-11)T
 - d. Practices under the supervision of a physician licensed in Idaho. (7-1-11)T
 - 15. Licensed Personnel.** Those individuals who are emergency medical responders, emergency medical technicians, advanced emergency medical technicians, and paramedics. (7-1-11)T
 - 16. National Registry of Emergency Medical Technicians (NREMT).** An independent, non-governmental, not for profit organization which prepares validated examinations for the state's use in evaluating candidates for licensure. (7-1-11)T
 - 17. Paramedic.** A paramedic is a person who: (7-1-11)T
 - a. Has met the qualifications for licensure in Sections 56-1011 through 56-1023, Idaho Code, and these rules; (7-1-11)T
 - b. Is licensed by the EMS Bureau under Sections 56-1011 through 56-1023, Idaho Code; (7-1-11)T
 - c. Carries out the practice of emergency medical care within the scope of practice for paramedic determined by the Idaho Emergency Medical Services Physicians Commission (EMSPC), under IDAPA 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physicians Commission"; and (7-1-11)T
 - d. Practices under the supervision of a physician licensed in Idaho. (7-1-11)T
 - 18. Patient.** A sick, injured, incapacitated, or helpless person who is under medical care or treatment. (7-1-11)T
 - 19. Patient Assessment.** The evaluation of a patient by EMS licensed personnel intending to provide treatment or transportation to that patient. (7-1-11)T
 - 20. Patient Care.** The performance of acts or procedures under emergency conditions 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. (7-1-11)T
 - 21. Skills Proficiency.** The process overseen by an EMS agency medical director to verify competency in psychomotor skills. (7-1-11)T
 - 22. Supervision.** The medical direction by a licensed physician of activities provided by licensed personnel affiliated with a licensed ambulance, air medical, or nontransport service, including: establishing standing orders and protocols, reviewing performance of licensed personnel, providing instructions for patient care via radio or telephone, and other oversight. (7-1-11)T
 - 23. State Health Officer.** The Administrator of the Division of Public Health. (7-1-11)T
- 011. -- 074. (RESERVED)**
- 075. STANDARDS OF PROFESSIONAL CONDUCT FOR EMS PERSONNEL.**
- 01. Method of Treatment.** EMS personnel must practice medically acceptable methods of treatment and must not endeavor to extend their practice beyond their competence and the authority vested in them by the medical director. (7-1-11)T
 - 02. Commitment to Self-Improvement.** EMS personnel must continually strive to increase and

improve their knowledge and skills and render to each patient the full measure of their abilities. (7-1-11)T

03. Respect for the Patient. EMS personnel must provide all services with respect for the dignity of the patient, unrestricted by considerations of social or economic status, personal attributes, or the nature of health problems. (7-1-11)T

04. Confidentiality. EMS personnel must hold in strict confidence all privileged information concerning the patient except as disclosure or use of this information is permitted or required by law or Department rule. (7-1-11)T

05. Conflict of Interest. EMS personnel must not accept gratuities for preferential consideration of the patient and must guard against conflicts of interest. (7-1-11)T

06. Professionalism. EMS personnel must uphold the dignity and honor of the profession and abide by its ethical principles and should be familiar with existing laws governing the practice of emergency medical services and comply with those laws. (7-1-11)T

07. Cooperation and Participation. EMS personnel must cooperate with other health care professionals and participate in activities to promote community and national efforts to meet the health needs of the public. (7-1-11)T

08. Ethical Responsibility. EMS personnel must refuse to participate in unethical procedures, and assume the responsibility to expose incompetence or unethical conduct of others to the appropriate authority in a proper and professional manner. (7-1-11)T

076. -- 099. (RESERVED)

**PERSONNEL LICENSURE REQUIREMENTS
(Sections 100-199)**

100. PERSONNEL LICENSURE REQUIRED.

Any individual who provides emergency medical care must obtain and maintain a current EMS personnel license issued by the EMS Bureau, or recognition by the EMS Bureau described under Section 140 of these rules. The levels of Idaho personnel licensure are: (7-1-11)T

01. Emergency Medical Responder (EMR). (7-1-11)T

02. Emergency Medical Technician (EMT). (7-1-11)T

03. Advanced Emergency Medical Technician (AEMT). (7-1-11)T

04. Paramedic. (7-1-11)T

101. AFFILIATION REQUIRED TO PRACTICE.

Licensed EMS personnel must be affiliated with an EMS agency, and only practice under the supervision of the agency medical director as required in IDAPA 16.02.02, "Rules of the Idaho EMS Physician Commission." (7-1-11)T

102. -- 104. (RESERVED)

105. APPLICATION AND INSTRUCTIONS FOR EMS PERSONNEL LICENSURE.

A personnel license or certificate of eligibility application and instructions may be obtained from the EMS Bureau described in Section 005 of these rules, or online at: <http://www.idahoems.org>. (7-1-11)T

106. TIME FRAME FOR PERSONNEL LICENSURE AFTER SUCCESSFUL COMPLETION OF EDUCATION COURSE.

An individual who has successfully completed an EMS education course is eligible to attempt the certification examination for the appropriate level of licensure. (7-1-11)T

01. Complete Standardized Certification Examination. A candidate must successfully complete all components of the standardized certification examination within twenty-four (24) months of completing an EMS training course in order to be eligible for an Idaho EMS personnel license. (7-1-11)T

02. Certification Examination Not Completed. If all components of the standardized certification examination are not completed within twenty-four (24) months of course completion, the candidate must repeat the initial training course and all components of the certification examination in order to be eligible for and Idaho EMS personnel license. (7-1-11)T

106. -- 109. (RESERVED)

110. INITIAL PERSONNEL LICENSURE.

Upon successful completion of an approved course recognized by the EMS Bureau under IDAPA 16.02.03, "Emergency Medical Services," an individual may apply to the EMS Bureau for licensure. The candidate must meet the following: (7-1-11)T

01. Candidate Age Requirements. An individual applying for licensure must meet the following age requirements: (7-1-11)T

a. An EMR and EMT candidate must be either sixteen (16) or seventeen (17) years old with parental or legal guardian consent, or eighteen (18) years old. (7-1-11)T

b. An AEMT and Paramedic candidate must be eighteen (18) year old. (7-1-11)T

02. Declaration of Previous Applications and Licensures. A candidate must declare each state or jurisdiction in which he has applied for, been denied, or held an EMS license or certification. (7-1-11)T

03. Authorization for Release of Information. A candidate must provide authorization for the EMS authority in other states or jurisdictions to release the candidate's registration, licensure, and certification information to the Idaho EMS Bureau. (7-1-11)T

04. Provide Current Affiliation with EMS Agency. A candidate must declare all organizations in which they are allowed to practice as licensed personnel. A candidate must have: (7-1-11)T

a. Current affiliation with a licensed EMS agency that functions at, or above, the level of licensure being sought by the candidate; or (7-1-11)T

b. A certificate of eligibility issued by the EMS Bureau described in Section 150 of these rules. (7-1-11)T

05. Valid Identification. A candidate must have a valid state driver's license, an Idaho identification card issued by a county driver's license examining station, or an identification card issued by the Armed Forces of the United States. (7-1-11)T

06. Criminal History and Background Check. A candidate must successfully complete a criminal history and background check according to the provisions in IDAPA 16.05.06, "Criminal History and Background Checks." Denial without the grant of an exemption under the provisions in IDAPA 16.05.06, "Criminal History and Background Checks," will result in denial or revocation of licensure. (7-1-11)T

07. Pass Standardized Examination. A candidate must successfully complete the standardized examination for the level of licensure on the application required under IDAPA 16.02.03, "Emergency Medical Services." (7-1-11)T

a. A candidate for EMR licensure must have successfully completed the standardized certification

examination at the EMR or EMT level within the preceding thirty-six (36) months. (7-1-11)T

b. A candidate for EMT licensure must have successfully completed the standardized certification examination at the EMT or Paramedic level within the preceding thirty-six (36) months. (7-1-11)T

c. A candidate for AEMT or Paramedic licensure must have successfully completed the standardized certification examination at the level being sought within the preceding twenty-four (24) months. (7-1-11)T

08. Standardized Exam Attempts For Initial Licensure. A candidate for initial licensure is allowed to attempt to successfully pass the standardized exam as follows: (7-1-11)T

a. An EMR candidate is allowed three (3) attempts to pass the exam, after which the initial EMR course must be successfully completed again before another three (3) attempts are allowed. (7-1-11)T

b. An EMT candidate is allowed three (3) attempts to pass the exam, after which twenty-four (24) hours of remedial education must be successfully completed before another three (3) attempts are allowed. (7-1-11)T

c. An AEMT candidate is allowed three (3) attempts to pass the exam, after which thirty-six (36) hours of remedial education must be successfully completed before another three (3) attempts are allowed. (7-1-11)T

d. A Paramedic candidate is allowed three (3) attempts to pass the exam, after which forty-eight (48) hours of remedial education must be successfully completed before another three (3) attempts are allowed. (7-1-11)T

09. Submit Required Licensure Fee. A candidate must submit the applicable initial licensure fee provided in Section 111 of these rules. A candidate for EMR or EMT level of licensure has no fee requirement. (7-1-11)T

111. -- 114. (RESERVED)

115. EMS PERSONNEL LICENSE DURATION. Duration of a personnel license is determined using the following specified time intervals. (7-1-11)T

01. Initial License Duration for EMR and EMT Level Licensure. EMR and EMT personnel licenses expire on March 31 or September 30. Expiration dates for EMR and EMT initial licenses are set for not less than thirty-six (36) months and not more than forty-two (42) months from the date of successful certification examination completion in order to establish an expiration date of March 31 or September 30. (7-1-11)T

02. Initial License Duration for AEMT and Paramedic Level Licensure. AEMT and Paramedic personnel licenses expire on March 31 or September 30. Expiration dates for AEMT and Paramedic initial licenses are set for not less than twenty-four (24) months and not more than thirty (30) months from the date of successful certification examination completion in order to establish an expiration date of March 31 or September 30. (7-1-11)T

03. EMS Personnel License Renewal Duration for EMR and EMT Level Licensure. An EMR and EMT level personnel license is renewed for three (3) years. (7-1-11)T

04. EMS Personnel License Renewal Duration for AEMT and Paramedic Level Licensure. An AEMT and Paramedic level personnel license is renewed for two (2) years. (7-1-11)T

116. PERSONNEL LICENSE TRANSITION. Between the years of 2011 and 2016, the scope of practice and the accompanying license levels for EMS personnel will change. The scope of practice for licensed EMS personnel is provided in the EMS Physician Commission Standards Manual incorporated by reference under Section 004 of these rules. Personnel licensed at the AEMT level can opt to either transition to the AEMT-2011 level, or they may remain at the AEMT-1985 level. In order to renew a license, personnel licensed at the EMR, EMT, or Paramedic level must transition and meet the following requirements. (7-1-11)T

01. General Transition Requirements for Licensed Personnel. Licensed personnel transitioning to a

new licensure level must: (7-1-11)T

a. Successfully complete an Idaho-approved transition course appropriate for the level of licensure; (7-1-11)T

b. Provide documentation of verification by the course physician of competency in the knowledge and skills identified in the appropriate transition course curriculum; and (7-1-11)T

c. Include proof of completion of transition requirements with the license renewal application. All other license renewal requirements listed in Section 120 of these rules must be completed. The transition course may be counted towards the renewal continuing education requirements. (7-1-11)T

02. Transition Options Specific for Personnel Licensed at the AEMT Level. Personnel licensed at the AEMT level have options specific to transitioning as follows: (7-1-11)T

a. In addition to the general transition requirements under Subsection 116.01 of this rule, personnel licensed at the AEMT level may choose to transition to the AEMT-2011. To transition to the AEMT-2011 level, the applicant must successfully pass the Idaho-approved written and practical examinations for that level of licensure by the deadlines provided in Subsection 116.03.b of this rule. (7-1-11)T

b. Personnel licensed at the AEMT level who choose not to complete the transition requirements according to Subsection 116.03.b. of this rule, will be allowed to renew their personnel license at the AEMT-1985 level, if the all other license renewal requirements listed in Section 120 of these rules are met. (7-1-11)T

03. Application Deadlines for Transition of Licensed Personnel. Licensed personnel who choose to transition must submit an “EMS Personnel License Transition Application” according to the following deadline dates: (7-1-11)T

a. For personnel licensed at the EMR and EMT levels, an application for transition must be submitted after January 1, 2012, and before September 30, 2016, according to the effective date of the initial license or renewal date provided in the table below:

| Table 116.03.a. PERSONNEL LICENSED AT EMR AND EMT LEVELS - TRANSITION DEADLINE DATES | |
|---|---|
| Effective Date of Initial License | Date Transition Requirements MUST be Completed |
| April 1, 2011 - September 30, 2011 | September 30, 2014 |
| October 1, 2011 - December 31, 2011 | March 31, 2015 |
| Effective Date of Renewed License | Date Transition Requirements MUST be Completed |
| April 1, 2011 | March 31, 2014 |
| October 1, 2011 | September 30, 2014 |
| April 1, 2012 | March 31, 2015 |
| October 1, 2012 | September 30, 2015 |
| April 1, 2013 | March 31, 2016 |
| October 1, 2013 | September 30, 2016 |

(7-1-11)T

b. For personnel licensed at the AEMT and Paramedic levels, an application for transition must be submitted after January 1, 2013, and before September 30, 2015, according to the effective date of the initial license or renewal date provided in the table below:

| Table 116.03.b. PERSONNEL LICENSED AT AEMT AND PARAMEDIC LEVELS - TRANSITION DEADLINE DATES | |
|--|---|
| Effective Date of Initial License | Date Transition Requirements MUST be Completed |
| April 1, 2012 - September 30, 2012 | September 30, 2014 |
| October 1, 2012 - December 31, 2012 | March 31, 2015 |
| Effective Date of Renewed License | Date Transition Requirements MUST be Completed |
| April 1, 2012 | March 31, 2014 |
| October 1, 2012 | September 30, 2014 |
| April 1, 2013 | March 31, 2015 |
| October 1, 2013 | September 30, 2015 |

(7-1-11)T

04. Early Transition of Licensed Personnel. Licensed personnel who meet all transition requirements and choose to transition prior to their license renewal date will be issued a license as follows: (7-1-11)T

a. Continuing education completed during the period between the effective and the expiration date of the current license may be used to meet requirements listed in Section 120 of these rules for renewal of the transition license; (7-1-11)T

b. The new license will have the same expiration date as the current license; and (7-1-11)T

c. The new license will have a new effective date, based on the date the transition was approved by the EMS Bureau. (7-1-11)T

117. -- 119. (RESERVED)

120. PERSONNEL LICENSE RENEWAL.

Licensed personnel must provide documentation that they meet the following requirements: (7-1-11)T

01. Documentation of Affiliation with EMS Agency. A candidate applying for renewal of licensure must be affiliated with a licensed EMS agency which functions at, or above, the level of licensure being renewed. Documentation that the license holder is currently credentialed or undergoing credentialing by an affiliating EMS agency medical director must be submitted as assurance of affiliation for license renewal. (7-1-11)T

02. Documentation of Continuing Education for Level of Licensure Renewal. A candidate for renewal of licensure must provide documentation of continuing education consistent with the license holder's level of licensure. All continuing education and skill proficiency requirements must be completed under the provisions in Sections 300 through 335 of these rules. The time frame for continuing education courses must meet the following requirements: (7-1-11)T

a. All continuing education and skill proficiency requirements for renewal of an initial Idaho

personnel license must be completed as follows: (7-1-11)T

- i. For EMR or EMT, within the thirty-six (36) months preceding renewal. (7-1-11)T
 - ii. For AEMT and Paramedic, within the twenty-four (24) months preceding renewal. (7-1-11)T
- b.** All continuing education and skill proficiency requirements for successive licenses must be completed between the effective and expiration dates of the license being renewed. (7-1-11)T

03. Declarations of Convictions or Adjudications. A candidate for renewal of licensure must provide a declaration of any misdemeanor or felony adjudications. (7-1-11)T

04. Time Frame for Application of Licensure Renewals. Documentation of license renewal requirements is due to the EMS Bureau prior to the license expiration date. Failure to submit a complete renewal application by the license expiration date renders the license invalid and the individual must not practice or represent himself as a license holder. (7-1-11)T

05. Submit Required Licensure Renewal Fees. A candidate must submit the applicable license renewal fee provided in Section 111 of these rules. A candidate for EMR or EMT level of licensure has no fee requirement. (7-1-11)T

121. -- 124. (RESERVED)

125. SUBMISSION OF EMS PERSONNEL LICENSURE APPLICATION AND DOCUMENTATION. Each EMS personnel license holder or candidate is responsible for meeting license renewal requirements and submitting completed license renewal documentation to the EMS Bureau by the current license expiration date. (7-1-11)T

01. Earliest Submission Date for License Renewal. Licensed EMS personnel may submit renewal application and documentation to the EMS Bureau up to six (6) months prior to the current license expiration date. (7-1-11)T

02. EMS Personnel License Expiration Date Falls on a Non-Work Day. When a license expiration date falls on a weekend, holiday, or other day the EMS Bureau is closed, the EMS Bureau will accept applications until the close of the next regular business day following the non-work day. (7-1-11)T

126. -- 129. (RESERVED)

130. LAPSED LICENSE. Licensed personnel who fail to submit a complete renewal application prior to the expiration date of their license cannot practice or represent themselves as licensed EMS personnel. (7-1-11)T

01. Failure to Submit an Application and Renewal Documentation. No grace periods or extensions to an expiration date may be granted. After the expiration date the EMS personnel license will no longer be valid. (7-1-11)T

02. Application Under Review by the EMS Bureau. Provided the license renewal candidate submitted the renewal application to the EMS Bureau prior to the application deadline, a personnel license does not lapse while under review by the EMS Bureau. (7-1-11)T

03. Failure to Provide Application Information Requested by the EMS Bureau. After the expiration date of a license, a candidate for license renewal who does not provide the information requested by the EMS Bureau within twenty-one (21) days from the date of notification to the last known address, will be considered to have a lapsed license. (7-1-11)T

04. Reinstatement of Lapsed EMS Personnel License. In order to reinstate at lapsed license, a candidate must submit an application for license reinstatement to the EMS Bureau within twenty-four (24) months of

the expiration date of the lapsed license. (7-1-11)T

131. REINSTATEMENT OF A LAPSED EMS PERSONNEL LICENSE.

An individual desiring to reinstate a lapsed personnel license must provide documentation that he meets the following requirements: (7-1-11)T

01. Documentation of Affiliation with EMS Agency for Reinstatement. Affiliation with a licensed EMS agency which functions at, or higher than, the level of the lapsed license being reinstated. (7-1-11)T

02. Documentation of Continuing Education for Lapsed License Reinstatement. A candidate for reinstatement of a lapsed license must provide documentation of continuing education consistent with the license holder's lapsed license. Continuing education requirements are provided in Sections 300 through 335 of these rules. The time frame for meeting the continuing education requirements for reinstatement are as follows: (7-1-11)T

a. The candidate must meet continuing education requirements under Sections 320 through 335 of these rules for the last valid licensure cycle; and (7-1-11)T

b. Additional continuing education hours in any combination of categories and venues, proportionate to the amount of time since the expiration date of the lapsed license, as follows: (7-1-11)T

i. EMR -- Three-quarters (3/4) of one (1) hour of continuing education per month of lapsed time. (7-1-11)T

ii. EMT -- One and one-half (1 ½) hours of continuing education per month of lapsed time. (7-1-11)T

iii. AEMT -- Two and one-quarter (2 ¼) hours of continuing education per month of lapsed time. (7-1-11)T

iv. Paramedic -- Three (3) hours of continuing education per month of lapsed time. (7-1-11)T

03. Valid Identification for Reinstatement of Lapsed License. A reinstatement candidate must have a valid state driver's license, an Idaho identification card which is issued by a county driver's license examining station, or identification card issued by the Armed Forces of the United States. (7-1-11)T

04. Criminal History and Background Check for Reinstatement of Lapsed License. A reinstatement candidate must successfully complete a criminal background check under the provisions in IDAPA 16.05.06, "Criminal History and Background Checks." Denial without the grant of an exemption under IDAPA 16.05.06 will result in denial of reinstatement of licensure. (7-1-11)T

05. Pass Standardized Examination for Reinstatement. A reinstatement candidate must successfully complete the standardized examination for the lapsed level of licensure required under IDAPA 16.02.03, "Emergency Medical Services." A candidate for reinstatement must successfully complete the standardized certification examination within the time period during which the license was lapsed. (7-1-11)T

06. Standardized Exam Attempts For Reinstatement. A candidate for licensure reinstatement is allowed to attempt to successfully pass the standardized exam for initial licensure as follows: (7-1-11)T

a. An EMR candidate is allowed three (3) attempts to pass the exam, after which the initial EMR course must be successfully completed again before another three (3) attempts are allowed. (7-1-11)T

b. An EMT candidate is allowed three (3) attempts to pass the exam, after which twenty-four (24) hours of remedial education must be successfully completed before another three (3) attempts are allowed. (7-1-11)T

c. An AEMT candidate is allowed three (3) attempts to pass the exam, after which thirty-six (36) hours of remedial education must be successfully completed before another three (3) attempts are allowed. (7-1-11)T

d. A Paramedic candidate is allowed three (3) attempts to pass the exam, after which forty-eight (48)

hours of remedial education must be successfully completed before another three (3) attempts are allowed. (7-1-11)T

07. Submit Required Licensure Fee for Reinstatement. A candidate must submit the applicable reinstatement license fee provided in Section 111 of these rules. A candidate for reinstatement of an EMR or EMT level of licensure has no fee requirement. (7-1-11)T

08. Expiration Date of a Reinstated License. The expiration date for a lapsed license that is reinstated is determined as provided in Section 115 of these rules. (7-1-11)T

09. Reinstatement of an EMS Personnel License Lapsed for More Than Twenty-Four Months. An individual whose license lapsed for more than twenty-four (24) months must meet all the initial licensure requirements in Section 110 of these rules. This includes attending and successfully completing an initial education course for the level of licensure for reinstatement. (7-1-11)T

132. -- 139. (RESERVED)

140. RECOGNITION OF REGISTRATION, CERTIFICATION OR LICENSURE FROM OTHER JURISDICTIONS.

01. EMS Personnel Licensed or Certified in Other States. An individual, possessing an EMS personnel license or certification from a state other than Idaho, must have prior recognition or reciprocity granted by the EMS Bureau prior to providing emergency medical care in Idaho. The following applies: (7-1-11)T

a. An individual certified or licensed in a state that has an interstate compact with Idaho that allows reciprocal recognition of EMS personnel may practice as licensed personnel as defined in the interstate compact. (7-1-11)T

b. An individual who is currently licensed or certified by another State to provide emergency medical care can apply to the EMS Bureau for limited recognition to practice in Idaho. Limited recognition does not grant an individual the ability to practice outside of those specified and approved by the EMS Bureau. (7-1-11)T

c. An individual, possessing a current NREMT registration or a current EMS certification or license from another state at or above the level of licensure they are seeking in Idaho, is eligible for an Idaho EMS personnel licensure if they satisfy the requirements in Section 110 of these rules prior to providing emergency medical care in Idaho. (7-1-11)T

02. Personnel Licensure Candidate Trained in Other States. A candidate trained outside of Idaho must apply for and obtain an Idaho EMS license as required in Section 110 of these rules prior to providing emergency medical care in Idaho. A declaration that the candidate is fully eligible for EMS licensure in the state in which he was trained, must be obtained from the EMS licensing authority in that state and submitted to the EMS Bureau. (7-1-11)T

03. Individual With a NREMT Registration. An individual possessing only a registration with the National Registry of Emergency Medical Technicians (NREMT) must obtain an Idaho EMS personnel license as required in Section 110 of these rules prior to providing emergency medical care in Idaho. (7-1-11)T

141. -- 144. (RESERVED)

145. CHANGES TO AN EXISTING LICENSE.

01. Surrender of a Current EMS Personnel License. An individual who possesses a current EMS personnel license may surrender that license at any time by submitting a letter of intent and his license, to the EMS Bureau. (7-1-11)T

02. Surrender of License to Prevent Investigation or Disciplinary Action. Surrendering or expiration of a license does not prevent an investigation or disciplinary action against the individual. (7-1-11)T

03. Relinquish a Current EMS Personnel License for a Lower Level License. An individual who possesses a current license may relinquish that license and receive a license at a lower level with the same expiration date as the original license. The individual must have current affiliation with a licensed EMS agency which functions at, or higher than, the level of licensure being sought. (7-1-11)T

04. Relinquishment of a License to a Lower Level License to Prevent Investigation or Disciplinary Action. Relinquishing a personnel license does not prevent an investigation or disciplinary action against the individual. (7-1-11)T

05. Reporting Requirements for Changes in Status. Licensed personnel must notify the EMS Bureau within thirty (30) days of a change in name, mailing address, telephone number or agency affiliation. (7-1-11)T

06. Personnel License Duration Shortened. The EMS Bureau will issue a license with a shortened licensure duration upon the request of the license holder. (7-1-11)T

146. MULTIPLE LICENSES.

An individual may hold more than one (1) level of personnel licensure in Idaho, but can only renew one (1) personnel license at one (1) level. (7-1-11)T

147. -- 149. (RESERVED)

150. CERTIFICATE OF ELIGIBILITY REQUIREMENTS.

01. Personnel Licensure Requirements are Met. An individual, who has successfully completed an approved course, and meets all requirements for EMS personnel licensure required in Section 110 of these rules, except for obtaining an agency affiliation provided in Subsection 110.04 of these rules, may apply to the EMS Bureau for a certificate of eligibility. (7-1-11)T

02. Certificate of Eligibility Duration. Duration of a certificate of eligibility is determined using the specified time intervals of the personnel licensure level requirements in Section 115 of these rules. (7-1-11)T

03. Criminal History and Background Check. An individual applying for a certificate of eligibility must successfully complete a criminal history and background check within the six (6) months prior to the issuance or renewal of a certificate of eligibility, according to the provisions in IDAPA 16.05.06, "Criminal History and Background Checks." Denial without the grant of an exemption under the provisions in IDAPA 16.05.06, "Criminal History and Background Checks," will result in denial of a certificate of eligibility. (7-1-11)T

04. Renewal of Certificate of Eligibility. An individual must provide documentation that the following requirements have been met in order to renew a certificate of eligibility: (7-1-11)T

a. Continuing education requirements for the level of licensure listed under the license renewal requirements in Section 120 of these rules have been met; and (7-1-11)T

b. Successful completion of the standardized examination designated by the EMS Bureau for the certificate of eligibility. (7-1-11)T

05. Revocation of Certificate of Eligibility. The EMS Bureau will revoke a certificate of eligibility if the certificate holder is determined to no longer meet eligibility requirements or has obtained a personnel license. (7-1-11)T

175. EMS BUREAU REVIEW OF APPLICATIONS.

01. Review of License Applications. The EMS Bureau reviews each application for completeness and accuracy. Random applications are selected for audit by the EMS Bureau. Applications will also be audited when information declared on the application appears incomplete, inaccurate, or fraudulent. (7-1-11)T

02. EMS Bureau Review of Renewal Application. A personnel license does not expire while under review by the EMS Bureau, provided the license renewal candidate submitted the renewal application to the EMS Bureau prior to the application deadline required under Section 130 of these rules. (7-1-11)T

176. -- 299. (RESERVED)

**CONTINUING EDUCATIONAL AND SKILLS PROFICIENCY REQUIREMENTS
FOR PERSONNEL LICENSURE
(Sections 300 - 399)**

300. CONTINUING EDUCATION AND SKILLS PROFICIENCY.

01. Continuing Education Must Meet Objectives of Initial Course Curriculum. All continuing education and skills proficiency assurance must be consistent with the objectives of the initial course curriculum or be a logical progression of those objectives. (7-1-11)T

02. Documentation of Continuing Education. Licensed personnel must maintain documentation of all continuing education as follows: (7-1-11)T

a. An EMR and EMT must maintain documentation of continuing education for four (4) years. (7-1-11)T

b. An AEMT and Paramedic must maintain documentation of continuing education for three (3) years. (7-1-11)T

03. Transition to New Scope of Practice. Education required to transition to a new scope of practice must meet the following: (7-1-11)T

a. Within the same level of licensure, all transition education may count on an hour-for-hour basis in the appropriate categories within a single venue. When transition education hours exceed seventy-five percent (75%) of the total continuing education hours required, all continuing education hours can be in a single venue; and (7-1-11)T

b. Education must be completed during a single license duration. (7-1-11)T

04. Continuing Education Records are Subject to Audit. The EMS Bureau reserves the right to audit continuing education records to verify that renewal requirements have been met. (7-1-11)T

301. -- 304. (RESERVED)

305. CONTINUING EDUCATION CATEGORIES FOR PERSONNEL LICENSURE RENEWAL.

01. Pediatric Assessment and Management. (7-1-11)T

02. Anatomy and Physiology. (7-1-11)T

03. Medical Terminology. (7-1-11)T

04. Pathophysiology. (7-1-11)T

05. Life Span Development. (7-1-11)T

06. Public Health. (7-1-11)T

07. Pharmacology. (7-1-11)T

- 08. **Airway Management, Ventilation, and Oxygenation.** (7-1-11)T
 - 09. **Patient Assessment.** (7-1-11)T
 - 10. **Medical Conditions.** (7-1-11)T
 - 11. **Shock and Resuscitation.** (7-1-11)T
 - 12. **Trauma.** (7-1-11)T
 - 13. **Special Patient Populations.** Such as bariatric, geriatric, obstetrics, pregnancy, etc. (7-1-11)T
 - 14. **EMS Systems and Operations.** (7-1-11)T
- 306. -- 309. (RESERVED)**
- 310. VENUES OF CONTINUING EDUCATION FOR PERSONNEL LICENSURE RENEWAL.**
- 01. **Structured Classroom Sessions.** (7-1-11)T
 - 02. **Refresher Programs.** Refresher programs that revisit the original curriculum and have an evaluation component. (7-1-11)T
 - 03. **Nationally Recognized Courses.** (7-1-11)T
 - 04. **Regional and National Conferences.** (7-1-11)T
 - 05. **Teaching Continuing Education Topics.** The continuing education topics being taught must fall under the categories in Section 305 of these rules. (7-1-11)T
 - 06. **Agency Medical Director-Approved Self-Study or Directed Study.** This venue is not allowed to be used for a certificate of eligibility continuing education requirement under Section 350 of these rules. (7-1-11)T
 - 07. **Case Reviews and Grand Rounds.** (7-1-11)T
 - 08. **Distributed Education.** This venue includes distance and blended education using computer, video, audio, Internet, and CD resources. (7-1-11)T
 - 09. **Journal Article Review with an Evaluation Instrument.** (7-1-11)T
 - 10. **Author or Co-Author an EMS-Related Article in a Nationally Recognized Publication.** The article must be published in an EMS-specific publication. (7-1-11)T
- 311. -- 319. (RESERVED)**
- 320. EMR LEVEL LICENSE RENEWAL CONTINUING EDUCATION AND SKILLS PROFICIENCY REQUIREMENTS.**
- An EMR level license renewal candidate must provide documentation of the following during each licensure period. (7-1-11)T
- 01. **EMR Level Continuing Education Hours Needed for License Renewal.** A candidate must provide proof of successful completion of twenty-four (24) hours of continuing education. The types of continuing education courses and the number of hours required for EMR level licensure are: (7-1-11)T
 - a. A minimum of two (2) hours in pediatrics; (7-1-11)T
 - b. A minimum of three (3) hours in EMS Systems and Operations earned by completing state-

approved Landing Zone Officer (LZO) and extrication awareness training. Continuing education hours are awarded as follows: (7-1-11)T

- i. For LZO training, two (2) hours in classroom presentation, or one (1) hour in distributed education; (7-1-11)T
- ii. For extrication awareness training, two (2) hours in distributed education; (7-1-11)T
- c. Two (2) hours in six (6) different remaining categories listed in Section 305 of these rules, for twelve (12) continuing education hours; and (7-1-11)T
- d. Seven (7) hours of continuing education can be from any single category or combination of the remaining categories listed in Section 305 of these rules. (7-1-11)T

02. Venues Where Continuing Education May be Taken. Continuing education for personnel licensed at the EMR level must include two (2) of the continuing education venues listed in Section 310 of these rules during each licensure period. (7-1-11)T

03. Skills Proficiency for EMR Level License Renewal. A candidate must demonstrate proficiency in the skills necessary to provide safe and effective patient care at the EMR licensure level under the authority of IDAPA 16.02.02, "Rules of the Idaho Emergency Medical Services Physician Commission," as follows: (7-1-11)T

- a. Recognize and manage acute traumatic and medical life threats or conditions based on patient assessment findings for pediatric, adult, geriatric, and special needs patients; and (7-1-11)T
- b. Specific skills for an EMR that includes: (7-1-11)T
 - i. Airway, ventilation, and oxygenation; (7-1-11)T
 - ii. Cardiovascular and circulation; (7-1-11)T
 - iii. Immobilization; (7-1-11)T
 - iv. Medication administration; (7-1-11)T
 - v. Normal childbirth; (7-1-11)T
 - vi. Patient care reporting documentation; and (7-1-11)T
 - vii. Safety and operations. (7-1-11)T

321. -- 324. (RESERVED)

325. EMT LEVEL LICENSE RENEWAL CONTINUING EDUCATION AND SKILLS PROFICIENCY REQUIREMENTS.

An EMT level license renewal candidate must provide documentation of the following during each licensure period. (7-1-11)T

01. EMT Level Continuing Education Hours Needed for License Renewal. A candidate must provide proof of successful completion of forty-eight (48) hours of continuing education. The types of continuing education courses and the number of hours needed for EMT level licensure are: (7-1-11)T

- a. A minimum of four (4) hours in pediatrics; (7-1-11)T
- b. A minimum of three (3) hours in EMS Systems and Operations earned by completing state-approved Landing Zone Officer (LZO) and extrication awareness training. Continuing education hours are awarded as follows: (7-1-11)T

- i. For LZO training, two (2) hours in classroom presentation, or one (1) hour in distributed education; (7-1-11)T
- ii. For extrication awareness training, two (2) hours in distributed education; (7-1-11)T
- c. Four (4) hours in eight (8) different remaining categories listed in Section 305 of these rules for thirty-two (32) hours; and (7-1-11)T
- d. Nine (9) hours can be from any single category or combination of the remaining categories listed in Section 305 of these rules. (7-1-11)T

02. Venues Where Continuing Education May be Taken. Continuing education for personnel licensed at the EMT level must include four (4) of the continuing education venues listed in Section 310 of these rules during each licensure period. (7-1-11)T

03. Skills Proficiency for EMT Level License Renewal. A candidate must demonstrate proficiency in the skills necessary to provide safe and effective patient care at the EMT licensure level under the authority of IDAPA 16.02.02, "Rules of the Idaho Emergency Medical Services Physician Commission," as follows: (7-1-11)T

- a. Recognize and manage acute traumatic and medical life threats or conditions based on patient assessment findings for pediatric, adult, geriatric, and special needs patients; and (7-1-11)T
- b. Specific skills for an EMT that includes: (7-1-11)T
 - i. Airway, ventilation, and oxygenation; (7-1-11)T
 - ii. Cardiovascular and circulation; (7-1-11)T
 - iii. Immobilization; (7-1-11)T
 - iv. Medication administration; (7-1-11)T
 - v. Normal and complicated childbirth; (7-1-11)T
 - vi. Patient care reporting documentation; and (7-1-11)T
 - vii. Safety and transport operations. (7-1-11)T

326. -- 329. (RESERVED)

330. AEMT LEVEL LICENSE RENEWAL CONTINUING EDUCATION AND SKILLS PROFICIENCY REQUIREMENTS.

An AEMT license renewal candidate must provide documentation of the following during each licensure period: (7-1-11)T

01. AEMT Level Continuing Education Hours Needed for License Renewal. A candidate must provide proof of successful completion of fifty-four (54) hours of continuing education. The types of continuing education courses and the number of hours needed for AEMT level licensure are: (7-1-11)T

- a. A minimum of six (6) hours in pediatrics; (7-1-11)T
- b. A minimum of three (3) hours in EMS Systems and Operations earned by completing state-approved Landing Zone Officer (LZO) and extrication awareness training. Continuing education hours are awarded as follows: (7-1-11)T
 - i. For LZO training, two (2) hours in classroom presentation, or one (1) hour in distributed education;

- (7-1-11)T
- ii. For extrication awareness training, two (2) hours in distributed education; (7-1-11)T
 - c. Four (4) hours in nine (9) different remaining categories listed in Section 305 of these rules, for thirty-six (36) hours; and (7-1-11)T
 - d. Nine (9) hours of continuing education can be from any single category or combination of the remaining categories listed in Section 305 of these rules. (7-1-11)T

02. Venues Where Continuing Education for AEMT License Renewal May be Taken. Continuing education for personnel licensed at the AEMT level must include four (4) of the continuing education venues listed in Section 310 of these rules during each licensure period. (7-1-11)T

03. Skills Proficiency for AEMT Level License Renewal. A candidate must demonstrate proficiency in the skills necessary to provide safe and effective patient care at the AEMT licensure level under the authority of IDAPA 16.02.02, "Rules of the Idaho Emergency Medical Services Physician Commission," as follows: (7-1-11)T

- a. Recognize and manage acute traumatic and medical life threats or conditions based on patient assessment findings for pediatric, adult, geriatric, and special needs patients; and (7-1-11)T
- b. Specific skills for an AEMT that includes: (7-1-11)T
 - i. Advanced airway, ventilation, and oxygenation; (7-1-11)T
 - ii. Cardiovascular and circulation; (7-1-11)T
 - iii. Immobilization; (7-1-11)T
 - iv. Medication administration; (7-1-11)T
 - v. Normal and complicated childbirth; (7-1-11)T
 - vi. Patient care reporting documentation; (7-1-11)T
 - vii. Safety and transport operations; and (7-1-11)T
 - viii. Vascular access. (7-1-11)T

331. -- 334. (RESERVED)

335. PARAMEDIC LEVEL LICENSE RENEWAL CONTINUING EDUCATION AND SKILLS PROFICIENCY REQUIREMENTS.

A paramedic license renewal candidate must provide documentation of the following during each licensure period. (7-1-11)T

01. Paramedic Level Continuing Education Hours Needed for License Renewal. A candidate must provide proof of successful completion of seventy-two (72) hours of continuing education. The types of continuing education courses and the number of hours needed for paramedic level licensure are: (7-1-11)T

- a. A minimum of eight (8) hours in pediatrics; (7-1-11)T
- b. A minimum of three (3) hours in EMS Systems and Operations earned by completing state-approved Landing Zone Officer (LZO) and extrication awareness training. Continuing education hours are awarded as follows: (7-1-11)T
 - i. For LZO training, two (2) hours in classroom presentation, or one (1) hour in distributed education;

- (7-1-11)T
- ii. For extrication awareness training, two (2) hours in distributed education; (7-1-11)T
- c. Four (4) hours in eleven (11) different remaining categories listed in Section 305 of these rules, for forty-four (44) hours; and (7-1-11)T
- d. Seventeen (17) hours can be from any single category or a combination of the remaining categories listed in Section 305 of these rules. (7-1-11)T

02. Venues Where Continuing Education for Paramedic Level License Renewal May be Taken. Continuing education for personnel licensed at the paramedic level must include six (6) of the continuing education venues listed in Section 310 of these rules during each licensure period. (7-1-11)T

03. Skills Proficiency for Paramedic Level License Renewal. A candidate must demonstrate proficiency in the skills necessary to provide safe and effective patient care at the Paramedic licensure level under the authority of IDAPA 16.02.02, "Rules of the Idaho Emergency Medical Services Physician Commission," as follows: (7-1-11)T

- a. Recognize and manage acute traumatic and medical life threats or conditions based on patient assessment findings for pediatric, adult, geriatric, and special needs patients; and (7-1-11)T
- b. Specific skills for a Paramedic that includes: (7-1-11)T
 - i. Advanced airway, ventilation, and oxygenation, to include endotracheal intubation; (7-1-11)T
 - ii. Cardiovascular and circulation, to include cardiac rhythm interpretation; (7-1-11)T
 - iii. Immobilization; (7-1-11)T
 - iv. Medication administration, to include parenteral drug administration; (7-1-11)T
 - v. Normal and complicated childbirth; (7-1-11)T
 - vi. Patient care reporting documentation; (7-1-11)T
 - vii. Safety and transport operations; (7-1-11)T
 - viii. Vascular access; and (7-1-11)T
 - ix. Manual defibrillation. (7-1-11)T

336. -- 349. (RESERVED)

350. CONTINUING EDUCATION AND SKILLS PROFICIENCY FOR RENEWAL OF CERTIFICATE OF ELIGIBILITY REQUIREMENTS.

A certificate of eligibility renewal candidate must provide documentation demonstrating completion of the following during each period of eligibility. (7-1-11)T

01. Examination. A candidate must have successfully completed the standardized examination designated by the EMS Bureau for the certificate of eligibility. (7-1-11)T

02. Continuing Education for Certificate of Eligibility Licensure Level. A candidate must provide proof of successful completion of continuing education hours for the types of continuing education courses, the number of hours needed for a specific certificate of eligibility licensure level, and in the venues as required for the following: (7-1-11)T

- a. EMR licensure level renewal required in Section 320 of these rules. (7-1-11)T
- b. EMT licensure level renewal required in Section 325 of these rules. (7-1-11)T
- c. AEMT licensure level renewal required in Section 330 of these rules. (7-1-11)T
- d. Paramedic licensure level renewal required in Section 335 of these rules. (7-1-11)T

351. -- 399. (RESERVED)

400. INVESTIGATION OF COMPLAINTS FOR PERSONNEL LICENSING VIOLATIONS.

Investigation of complaints and disciplinary actions for personnel licensing are provided under IDAPA 16.01.12, "Emergency Medical Services (EMS) - Complaints, Investigations, and Disciplinary Actions." (7-1-11)T

401. ADMINISTRATIVE LICENSE OR CERTIFICATION ACTION.

Any license or certification may be suspended, revoked, denied, or retained with conditions for noncompliance with any standard or rule. Administrative license or certification actions imposed by the EMS Bureau for any action, conduct, or failure to act which is inconsistent with the professionalism, or standards, or both, are provided under Sections 56-1011 through 56-1023, Idaho Code, and IDAPA 16.01.12, "Emergency Medical Services (EMS) - Complaints, Investigations, and Disciplinary Actions." (7-1-11)T

402. -- 999. (RESERVED)

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.01.07 - EMERGENCY MEDICAL SERVICES (EMS) -- PERSONNEL LICENSING REQUIREMENTS

DOCKET NO. 16-0107-1102 (FEE RULE)

NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of this temporary rule is July 1, 2011.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. This action is authorized pursuant to Section 56-1023, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearings concerning this rulemaking will be held as follows:

| Tuesday, August 2, 2011 at 6:00 p.m. (Local) | |
|---|---|
| Central Fire District 697 Annis Hwy. Rigby, ID | Kamiah Emergency Services 515 Main Street Kamiah, ID |
| Wednesday, August 3, 2011 at 6:00 p.m. (Local) | |
| Caribou County Fire Station 665 E. 2nd S. Soda Springs, ID | New Meadows Fire Station 200 Hwy. 95 New Meadows, ID |
| Thursday, August 4, 2011 at 6:00 p.m. (Local) | |
| Jerome City Fire/Rescue 110 W. Yakima Ave. Jerome, ID | EMS Bureau Conf. Rm. B25 LBJ Office Bldg. 650 W. State St. Boise, ID |
| Friday, August 5, 2011 at 6 p.m. (Local) | Saturday, August 6, 2011 at 6 p.m. (Local) |
| Bonner County EMS 521 3rd Ave. Sandpoint, ID | Moscow Fire Station #3 229 Pintail Ln. Moscow, ID |

The hearing sites will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the meeting, to the agency address below.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The Department is updating the Emergency Medical Services rules and the Idaho EMS system to reflect current national standards for safety and quality of services. Through the process of implementing new rules, the Department is adding personnel licensing fees to IDAPA 16.01.07, "Emergency Medical Services (EMS) -- Personnel Licensing Requirements." The personnel licensing fees in this docket are the same as in current rule, with no increase to fees.

Other dockets publishing in this bulletin that implement the reorganization of EMS services are: 16-0203-1101, 16-0107-1101, 16-0112-1101, and 16-0101-1101.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(a), Idaho Code, the Governor has found that temporary adoption of these rules are appropriate in order to protect the public health, safety or welfare.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: EMS personnel are required to be licensed and currently pay fees for licensure. The fees added to this new chapter of rules do not impose any new or additional fees from those currently in rule.

FISCAL IMPACT: The following is a specific description, if applicable, of any fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year.

This rulemaking has no fiscal impact to the state general fund. The Emergency Medical Services (EMS) program is funded through dedicated funds paid for by licensing fees.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was conducted over several years. The negotiated rulemaking notice for this rulemaking published in the [March 2, 2011, Idaho Administrative Bulletin, Vol. 11-3, page 14](#), under the current rule, IDAPA 16.02.03, "Emergency Medical Services," Docket No. 16-0203-1101.

INCORPORATION BY REFERENCE: No materials are being incorporated by reference into these rules.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Wayne Denny at (208) 334-4000.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 12, 2011.

DATED this 3rd day of June, 2011.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5564; fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

**THE FOLLOWING IS THE TEMPORARY RULE AND PROPOSED TEXT
OF FEE DOCKET NO. 16-0107-1102**

111. APPLICATION FEES FOR PERSONNEL LICENSURE.

01. Initial Licensure. A candidate applying for an initial personnel license must submit the following license fee at time of application: (7-1-11)T

a. EMR and EMT have no license fee. (7-1-11)T

- b.** AEMT and Paramedic license fee is thirty-five dollars (\$35). (7-1-11)T
- 02. Renewal.** A candidate applying for personnel license renewal must submit the following amount at the time of application: (7-1-11)T

 - a.** EMR and EMT have no license renewal fee. (7-1-11)T
 - b.** AEMT and Paramedic license renewal fee is twenty-five dollars (\$25). (7-1-11)T
- 03. Reinstatement.** A candidate applying for a personnel license reinstatement must pay the following amount at the time of application: (7-1-11)T

 - a.** EMR and EMT have no reinstatement fee. (7-1-11)T
 - b.** AEMT and Paramedic reinstatement fee is thirty-five dollars (\$35). (7-1-11)T
- 114.2. -- 114. (RESERVED)**

COST/BENEFIT ANALYSIS FORM

Department of Health and Welfare
Administrative Procedures Section (APS)

Docket Number: 16-0107-1102 (fee rule)

Agency Contact: Wayne Denny, EMS
Phone: (208) 334-4000, x2085

Rules Specialist: Bev Barr
Phone: (208) 334-5736

Date Analysis Completed: 12/9/10

IDAPA Chapter Number and Title: IDAPA 16.01.07,
“Emergency Medical Services - Personnel Licensing Requirements”

Fee Rule Status: **Proposed** **Temporary** **Effective date:** July 1, 2011 T

Instructions:

Section 67-5223(3), Idaho Code, adopted by the 2010 Legislature, requires that all proposed rules in which a fee or charge is imposed or increased must include a cost/benefit analysis of the rule change at the time the rule text is submitted for publication. This analysis needs to include an estimated cost to the agency to implement the rule and an estimated cost to be borne by citizens, or the private sector, or both. This statute change is effective July 1, 2010, and must be completed for fee rules published in the *Idaho Administrative Bulletin* after that date.

Cost/Benefit Analysis For This Rule Change:

There will be no change in costs to the Department as a result of this rulemaking. This rulemaking has no fiscal impact to the state general fund. The Emergency Medical Services (EMS) program is funded through dedicated funds.

Though this rulemaking adds a new chapter of rule and makes some changes to the process of collecting licensing fees, the licensing fees for EMS personnel are not being changed in this rulemaking.

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

**16.01.12 - EMERGENCY MEDICAL SERVICES (EMS) -- COMPLAINTS,
INVESTIGATIONS, AND DISCIPLINARY ACTIONS**

DOCKET NO. 16-0112-1101 (NEW CHAPTER)

NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of this temporary rule is July 1, 2011.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. This action is authorized pursuant to Section 56-1023, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearings concerning this rulemaking will be held as follows:

| Tuesday, August 2, 2011 at 6:00 p.m. (Local) | |
|---|---|
| Central Fire District 697 Annis Hwy. Rigby, ID | Kamiah Emergency Services 515 Main Street Kamiah, ID |
| Wednesday, August 3, 2011 at 6:00 p.m. (Local) | |
| Caribou County Fire Station 665 E. 2nd S. Soda Springs, ID | New Meadows Fire Station 200 Hwy. 95 New Meadows, ID |
| Thursday, August 4, 2011 at 6:00 p.m. (Local) | |
| Jerome City Fire/Rescue 110 W. Yakima Ave. Jerome, ID | EMS Bureau Conf. Rm. B25 LBJ Office Bldg. 650 W. State St. Boise, ID |
| Friday, August 5, 2011 at 6 p.m. (Local) | Saturday, August 6, 2011 at 6 p.m. (Local) |
| Bonner County EMS 521 3rd Ave. Sandpoint, ID | Moscow Fire Station #3 229 Pintail Ln. Moscow, ID |

The hearing sites will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the meeting, to the agency address below.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The Department is updating the Emergency Medical Services rules and the Idaho EMS system to reflect current national standards for safety and quality of services. Through the process of implementing new rules, the Department is reorganizing the EMS rules. This new chapter of rule in IDAPA 16.01.12, is part of that reorganization and provides for the investigation of complaints and disciplinary actions for licensure and certification as follows:

1. Requirements for filing complaints, and disclosure of records;
2. Requirements for handling investigations of complaints, and compliance with licensing standards;
3. Enforcement and disciplinary actions;
4. Notification of disciplinary actions,
5. References to chapters that these rules provide disciplinary actions and compliance enforcement for; and
6. Required sections to meet rule requirements of the [Administrative Procedures Act](#).

Other dockets publishing in this bulletin that implement the reorganization of EMS services are: 16-0203-1101, 16-0107-1101, 16-0107-1102, and 16-0101-1101.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(a), Idaho Code, the Governor has found that temporary adoption of these rules are appropriate in order to protect the public health, safety or welfare.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: N/A

FISCAL IMPACT: The following is a specific description, if applicable, of any fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

This rulemaking has no fiscal impact to the state general fund. The Emergency Medical Services (EMS) program is funded through dedicated funds.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was conducted over several years. The negotiated rulemaking for these rules published in the [March 2, 2011, Idaho Administrative Bulletin, Vol. 11-3, page 14](#), under the current rule, IDAPA 16.02.03, "Emergency Medical Services," Docket No. 16-0203-1101.

INCORPORATION BY REFERENCE: No materials are being incorporated by reference into these rules.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Wayne Denny at (208) 334-4000.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 12, 2011.

DATED this 3rd day of June, 2011.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5564; fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

THE FOLLOWING IS THE TEMPORARY RULE & PROPOSED TEXT OF DOCKET NO. 16-0112-1101

IDAPA 16, TITLE 01, CHAPTER 12

**16.01.12 - EMERGENCY MEDICAL SERVICES (EMS) -- COMPLAINTS,
INVESTIGATIONS, AND DISCIPLINARY ACTIONS**

000. LEGAL AUTHORITY.

The Idaho Board of Health and Welfare is authorized under Sections 56-1005 and 56-1023, Idaho Code, to adopt rules concerning the administration of the Idaho Emergency Medical Services Act. The Director is authorized under Section 56-1003, Idaho Code, to supervise and administer an emergency medical service program. The EMS Bureau is authorized under Section 56-1022, Idaho Code, to manage complaints and investigations, and implement license actions against EMS personnel and agencies, that includes levying fines against an EMS agency. (7-1-11)T

001. TITLE AND SCOPE.

01. Title. The title of these rules is IDAPA 16.01.12, "Emergency Medical Services (EMS) -- Complaints, Investigations, and Disciplinary Actions." (7-1-11)T

02. Scope. These rules provide for the management of complaints, investigations, enforcement, and disciplinary actions by the EMS Bureau for personnel and agency licensure and certification. (7-1-11)T

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, the Department may have written statements that pertain to the interpretation of the rules of this chapter, or to the documentation of compliance with the rules of this chapter. (7-1-11)T

003. ADMINISTRATIVE APPEALS.

Administrative appeals and contested cases are governed by the provisions of IDAPA 16.05.03, "Rules Governing Contested Case Proceedings and Declaratory Rulings." (7-1-11)T

004. INCORPORATION BY REFERENCE.

No documents are incorporated in this chapter of rule. (7-1-11)T

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS -- STREET ADDRESS -- TELEPHONE NUMBER -- INTERNET WEBSITE.

01. Office Hours. Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays designated by the state of Idaho. (7-1-11)T

02. Mailing Address. The mailing address for the business office is Idaho Department of Health and Welfare, P.O. Box 83720, Boise, Idaho 83720-0036. (7-1-11)T

03. Street Address. (7-1-11)T

a. The business office of the Idaho Department of Health and Welfare is located at 450 West State Street, Boise, Idaho 83702. (7-1-11)T

b. The EMS Bureau is located at 650 W. State Street, Suite B-17, Boise, Idaho 83702. (7-1-11)T

04. Telephone. (7-1-11)T

a. The telephone number for the Idaho Department of Health and Welfare is (208) 334-5500. (7-1-11)T

b. The telephone number for the EMS Bureau is (208) 334-4000. The toll-free, phone number is 1-

877-554-3367. (7-1-11)T

05. Internet Websites. (7-1-11)T

a. The Department's internet website is found at <http://www.healthandwelfare.idaho.gov>. (7-1-11)T

b. The Emergency Medical Services Bureau's internet website is found at <http://www.idahoems.org>.
(7-1-11)T

006. CONFIDENTIALITY OF RECORDS AND PUBLIC RECORDS ACT COMPLIANCE AND REQUESTS.

01. Confidentiality of Records. (7-1-11)T

a. Any information about an individual covered by these rules and contained in the Department's records must comply with IDAPA 16.05.01, "Use and Disclosure of Department Records." (7-1-11)T

b. Preliminary investigations and related documents are confidential until a notice of certificate or license action is issued by the EMS Bureau. (7-1-11)T

02. Public Records Act. The Department will comply with Sections 9-337 through 9-350, Idaho Code, when requests for the examination and copying of public records are made. Unless otherwise exempted, all public records in the custody of the Department are subject to disclosure. (7-1-11)T

007. -- 009. (RESERVED)

010. DEFINITIONS AND ABBREVIATIONS.

For the purposes of this chapter of rules the following terms apply: (7-1-11)T

01. Affiliating EMS Agency. The licensed EMS agency, or agencies, under which licensed personnel are authorized to provide patient care. (7-1-11)T

02. Board. The Board of Health and Welfare. (7-1-11)T

03. Certified EMS Instructor. An individual approved by the EMS Bureau, who has met the requirements in IDAPA 16.02.03, "Emergency Medical Services," to provide EMS education and training. (7-1-11)T

04. Department. The Idaho Department of Health and Welfare. (7-1-11)T

05. Emergency Medical Services (EMS). The 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. (7-1-11)T

06. EMS Agency. An organization licensed by the EMS Bureau to provide air medical, ambulance, or non-transport services. (7-1-11)T

07. EMS Agency Medical Director. A physician who supervises the medical activities of licensed personnel affiliated with an EMS agency. (7-1-11)T

08. EMS Bureau. The Emergency Medical Services (EMS) Bureau of the Idaho Department of Health and Welfare. (7-1-11)T

09. EMS Physicians Commission (EMSPC). The Idaho Emergency Medical Services Physician Commission as created under Section 56-1013A, Idaho Code, hereafter referred to as "the Commission." (7-1-11)T

10. Investigation. Research of the facts concerning a complaint or issue of non-compliance which may include performing or obtaining interviews, inspections, document review, detailed subject history, phone calls,

witness statements, other evidence and collaboration with other jurisdictions of authority. (7-1-11)T

11. National Registry of Emergency Medical Technicians (NREMT). An independent, non-governmental, not-for-profit organization that prepares validated examinations for the state's use in evaluating candidates for licensure. (7-1-11)T

12. Personnel License or Certificate Holder. Individuals who possess a valid license or certificate issued by the EMS Bureau. Includes individuals who are Emergency Medical Responders (EMR), Emergency Medical Technicians (EMT), Advanced Emergency Medical Technicians (AEMT), Paramedics, and Certified EMS Instructors. (7-1-11)T

13. Physician. In accordance with Section 54-1803, Idaho Code, a person who holds a current active license issued by the State Board of Medicine to practice medicine and surgery, osteopathic medicine and surgery, or osteopathic medicine in Idaho and is in good standing with no restrictions upon, or actions taken against, his license. (7-1-11)T

011. -- 074. (RESERVED)

075. PEER REVIEW TEAM.

The EMS Bureau may elect to conduct a peer review for an alleged statute or rule violation when it determines that a peer review is an appropriate action. The EMS Bureau will determine who serves on a peer review team. (7-1-11)T

076. MEMBERS OF A PEER REVIEW TEAM.

The peer review team will consist of four (4) team members selected by the EMS Bureau as appropriate to the case being considered from the following: (7-1-11)T

- 01. Licensed Personnel.** EMS personnel licensed at, or above, the license level of the subject; or (7-1-11)T
- 02. Agency Administrator.** EMS agency administrator; or (7-1-11)T
- 03. Training Officer.** EMS agency training officer; or (7-1-11)T
- 04. Course Coordinator.** Course coordinator of an EMS Bureau-approved education program or course; or (7-1-11)T
- 05. Instructor.** EMS Bureau-certified EMS instructor; and (7-1-11)T
- 06. Chairman of Peer Review Team.** Each peer review team will be chaired by a licensed Idaho EMS physician as follows: (7-1-11)T
 - a.** An Idaho EMS Physician Commissioner for cases involving EMS personnel; or (7-1-11)T
 - b.** An Idaho EMS agency medical director for cases involving an EMS agency; or (7-1-11)T
 - c.** An Idaho EMS Bureau-approved education program or course sponsoring physician for cases involving educators who are not licensed EMS personnel. (7-1-11)T

077. QUALIFICATIONS REQUIRED OF A PEER REVIEW TEAM MEMBER.

An individual, serving as a member of an EMS peer review team, must have successfully completed an orientation to EMS-related statute, rules and procedures and have signed confidentiality and conflict of interest agreements provided by the EMS Bureau. (7-1-11)T

078. -- 099. (RESERVED)

REPORTING OF COMPLAINTS AND SUSPECTED VIOLATIONS

(Sections 100-199)

100. COMPLAINT SUBMITTED WHEN A VIOLATION IS SUSPECTED.

Complaints must be submitted in writing on a complaint intake form found online at: <http://www.idahoems.org>.

(7-1-11)T

101. -- 109. (RESERVED)

110. REPORTING SUSPECTED VIOLATION.

Any person who suspects a violation of Sections 56-1011 through 56-1023, Idaho Code, IDAPA 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physician Commission," IDAPA 16.01.07, "Emergency Medical Services (EMS) -- Personnel Licensing Requirements," IDAPA 16.02.03, "Emergency Medical Services," may report the violation to the EMS Bureau.

(7-1-11)T

111. ANONYMOUS COMPLAINTS.

Anonymous complaints are accepted; however, the inability to collect further information from the complainant may hinder the progress of the investigation.

(7-1-11)T

112. -- 199. (RESERVED)

**INVESTIGATION OF COMPLAINTS AND SUSPECTED VIOLATIONS
(Sections 200-299)**

200. EMS BUREAU INITIATES OFFICIAL INVESTIGATION.

An official investigation will be initiated when the any of the following occurs:

(7-1-11)T

01. Complaint with Allegations. A complaint with an allegation that, if substantiated, would be in violation of Sections 56-1011 through 56-1023, Idaho Code, IDAPA 16.01.07, "Emergency Medical Services (EMS) -- Personnel Licensing Requirements," IDAPA 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physician Commission," or IDAPA 16.02.03, "Emergency Medical Services."

(7-1-11)T

02. Discovery of Potential Violation of Statute or Administrative Rule. EMS Bureau staff or other authorities discover a potential violation of Sections 56-1011 through 56-1023, Idaho Code, IDAPA 16.01.07, "Emergency Medical Services (EMS) -- Personnel Licensing Requirements," IDAPA 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physician Commission," or IDAPA 16.02.03, "Emergency Medical Services."

(7-1-11)T

201. -- 209. (RESERVED)

210. VIOLATIONS THAT MAY RESULT IN ADMINISTRATIVE ACTIONS.

The EMS Bureau may impose an administrative action, such as denial, revocation, suspension, under conditions that include, but are not limited to, those specified in these rules. Administrative actions may be imposed on any of the following: the holder of a license or certificate, or on an applicant or candidate for an EMS license or certificate. Administrative actions may be imposed on any of the previously mentioned for any action, conduct, or failure to act that is inconsistent with the professionalism, standards, or both, established by statute or rule.

(7-1-11)T

01. Violation of Statute or Administrative Rules.

(7-1-11)T

a. Sections 56-1011 through 56-1023, Idaho Code;

(7-1-11)T

b. IDAPA 16.01.07, "Emergency Medical Services (EMS) -- Personnel Licensing Requirements;" IDAPA 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physician Commission," IDAPA 16.02.03, "Emergency Medical Services," and this chapter of rules.

(7-1-11)T

02. Unprofessional Conduct. Any act that violates professional standards required under IDAPA 16.01.07, "EMS -- Personnel Licensure Requirements."

(7-1-11)T

03. Failure to Maintain Standards of Knowledge, Proficiency, or Both. Failure to maintain standards of knowledge, or proficiency, or both, required under IDAPA 16.01.07, "Emergency Medical Services (EMS) -- Personnel Licensure Requirements," and IDAPA 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physician Commission." (7-1-11)T

04. Mental Incompetency. A lawful finding of mental incompetency by a court of competent jurisdiction. (7-1-11)T

05. Impairment of Function. Performance of duties pursuant to an EMS personnel license while under the influence of alcohol, illegal substance, or legal drug or medication causing impairment of function. (7-1-11)T

06. Denial of Criminal History Clearance. Any conduct, action, or conviction that does or would result in denial of a criminal history clearance under IDAPA 16.05.06, "Criminal History and Background Checks." (7-1-11)T

07. Discipline, Restriction, Suspension, or Revocation. Discipline, restriction, suspension, or revocation by any other jurisdiction. (7-1-11)T

08. Danger or Threat to Persons or Property. Any conduct, condition, or circumstance determined by the EMS Bureau that constitutes a danger or threat to the health, safety, or well-being of persons or property. (7-1-11)T

09. Performing Medical Procedure or Providing Medication that Exceeds the Scope of Practice of the Level of Licensure. Performing any medical procedure or providing medication that deviates from or exceeds the scope of practice for the corresponding level of licensure established under IDAPA 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physician Commission." (7-1-11)T

10. Falsification of Applications or Reports. The submission of fraudulent or false information in any report, application, or documentation to the EMS Bureau. (7-1-11)T

11. Attempting to Obtain a License by Means of Fraud. Misrepresentation in an application, or documentation, for licensure by means of concealment of a material fact. (7-1-11)T

211. -- 219. (RESERVED)

220. REFUSAL TO PARTICIPATE IN AN INVESTIGATION.
The refusal to participate by the subject will not prohibit full investigation or a peer review, nor prevent potential administrative license action. (7-1-11)T

221. -- 229. (RESERVED)

230. SURRENDER OR LAPSE OF LICENSE.
Surrender or lapse of a license will not prohibit full investigation with the potential consequence of EMS Bureau imposing a formal administrative license action or fine. (7-1-11)T

231. -- 239. (RESERVED)

240. INVESTIGATION CONFIDENTIALITY.

01. Informal Resolution. Informal resolution of complaints or non-compliance by guidance or warning letter is considered official correspondence and is public information. (7-1-11)T

02. Administrative License Action. Preliminary investigations and documents supplied or obtained in connection with them are confidential until a formal notice of administrative license action is issued. (7-1-11)T

241. -- 249. (RESERVED)

250. NOTICE OF THE FINAL DISPOSITION OF AN INVESTIGATION.

01. Subject. The EMS Bureau will send notification to the last known address of the subject of the disposition of the investigation, including any pending or current administrative actions. (7-1-11)T

02. Other Jurisdiction for EMS Personnel. A copy of administrative action imposed on EMS personnel will be sent to each agency of affiliation, agency medical director, the National Practitioners Data Base, and the National Registry of Emergency Medical Technicians. (7-1-11)T

03. Other Jurisdictions for EMS Agencies. A copy of administrative action or nature of fines imposed on EMS agencies will be sent to the agency governing authorities and the agency medical director. (7-1-11)T

04. Other Jurisdictions for Educational Programs or Instructors. A copy of any administrative action imposed on an EMS educational program or instructor may be sent to the state Board of Education, the sponsoring physician, the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP), and the National Registry of Emergency Medical Technicians (NREMT). (7-1-11)T

251. -- 299. (RESERVED)

**DISCIPLINARY AND CORRECTIVE ACTIONS
(Sections 300 through 399)**

300. PERSONNEL ACTIONS RESULTING FROM INVESTIGATIONS.

The following actions may be imposed upon the subject of an investigation by the EMS Bureau without peer review: (7-1-11)T

01. Personnel Letter of Guidance. The EMS Bureau may issue a letter of guidance, directing the subject of the investigation to the standards, rules, educational resources, or local jurisdiction for resolution of minor non-compliance issues where no injury or threat of harm to the public, profession, or EMS system occurred. The subject of the investigation must show a willingness to become compliant and correct the issue within thirty (30) days of receipt of the personnel guidance letter. (7-1-11)T

02. Personnel Warning Letter. The EMS Bureau may issue a warning letter for a first offense where an unlicensed individual is providing patient care in violation of Section 56-1020, Idaho Code; or (7-1-11)T

03. Negotiated Resolution for Personnel. The EMS Bureau may negotiate a resolution with the subject of an investigation where allegations of misconduct or medical scope of practice non-compliance, if found to be true, did not cause, or is not likely to cause, injury or harm to the public, profession, or EMS system. The issue must be resolved and corrected within thirty (30) days of the negotiated resolution or settlement agreed to by both the subject of the investigation and the EMS Bureau. (7-1-11)T

a. Negotiated resolution participants will include the subject of the investigation, EMS Bureau staff and other parties deemed appropriate by the EMS Bureau. (7-1-11)T

b. During the negotiated resolution process, the subject of the investigation may be offered specific remediation or disciplinary action by consent, which, if agreed to, will resolve the matter with no further right to appeal unless stipulated and agreed to at the time that the remediation or disciplinary action is agreed upon. (7-1-11)T

c. When the remediation or disciplinary action is not agreed to by consent of both the subject of the investigation and the EMS Bureau, the matter may then be referred to a peer review. (7-1-11)T

301. -- 309. (RESERVED)

310. AGENCY ACTIONS RESULTING FROM INVESTIGATIONS.

The following actions may be imposed upon an EMS agency that is the subject of an investigation by the EMS Bureau without peer review: (7-1-11)T

01. Agency Letter of Guidance. The EMS Bureau may issue a letter of guidance, directing the EMS agency to the standards, rules, educational resources, or local jurisdiction for resolution of minor non-compliance issues where no injury or threat of harm to the public or EMS system occurred. The EMS agency must show a willingness to become compliant and correct the issue within thirty (30) days of receipt the agency guidance letter. (7-1-11)T

02. Agency Warning Letter. The EMS Bureau may issue a warning letter for a first offense where an organization is providing unlicensed emergency medical services in violation of Section 56-1021, Idaho Code; (7-1-11)T

03. Negotiated Resolution for an Agency. The EMS Bureau may negotiate a resolution with the subject of an investigation, where the allegations, if found to be true, did not cause, or is not likely to cause, injury or harm to the public or EMS system. The issue must be resolved within thirty (30) days of the negotiated resolution or a settlement agreed to by both the subject of the investigation and the EMS Bureau. (7-1-11)T

a. Negotiated resolution participants will include representatives from the EMS agency or the subject under investigation, EMS Bureau staff, and other parties deemed appropriate by the EMS Bureau. (7-1-11)T

b. During the negotiated resolution process, the subject of the investigation may be offered specific remediation or disciplinary action by consent, which, if agreed to, will resolve the matter with no further right to appeal unless stipulated and agreed to at the time that the remediation or disciplinary action is agreed upon. (7-1-11)T

c. When remediation or disciplinary action is not agreed to by consent of both the subject of the investigation and the EMS Bureau, the matter may then be referred to a peer review. (7-1-11)T

310. -- 319. (RESERVED)

320. PEER REVIEW.

The EMS Bureau may elect to conduct a peer review for an alleged statute or rule violations when it determines that a peer review is an appropriate action, or a negotiated resolution or settlement agreement described in Sections 300 and 310 of these rules, is not reached. The peer review is conducted as follows: (7-1-11)T

01. Review of Case by Peer Review Team. The peer review team reviews the case details, subject's background, affiliation, licensure history, associated evidence, and documents, and then considers aggravating and mitigating circumstance as follows: (7-1-11)T

a. Aggravating circumstances can include: prior or multiple offenses, vulnerability of victim, obstruction of the investigation, and dishonesty. (7-1-11)T

b. Mitigating circumstances can include: absence of prior offenses, absence of dishonest or selfish motive, timely effort to rectify situation, interim successful rehabilitation, misdirection per agency protocol, or medical direction. (7-1-11)T

02. Subject Given Opportunity to Respond. The subject of the investigation will be given the opportunity to respond in writing, by teleconference, or at the option of the EMS Bureau, in person to the alleged violation. (7-1-11)T

03. Evaluation of Evidence. The peer review team will evaluate the evidence and make a majority decision of the finding for each alleged statute, rule, or standards violation, including any additional detected violations. (7-1-11)T

04. Recommend Action. The peer review team will recommend actions to the EMS Bureau. If subject is found to have violated statutes, rules, or standards, the recommendations may include the following: (7-1-11)T

- a.** Administrative license action, time frames, conditions, and fines, if imposed, on an EMS agency. (7-1-11)T
- b.** Administrative license action, time frames, and conditions, if imposed, on EMS personnel. (7-1-11)T

321. -- 329. (RESERVED)

330. ADMINISTRATIVE ACTIONS IMPOSED FOR LICENSURE OR CERTIFICATION.

The EMS Bureau may impose the following administrative actions: (7-1-11)T

01. Deny or Refuse to Renew EMS Personnel License or Certification. The EMS Bureau may deny an EMS personnel license or certification, or refuse to renew an EMS personnel license or certification: (7-1-11)T

a. When the application for licensure or certification is not complete or the individual does not meet the eligibility requirements provided in Sections 56-1011 through 56-1023, Idaho Code, IDAPA 16.01.07, "Emergency Medical Services (EMS) -- Personnel Licensing Requirements," IDAPA 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physician Commission," IDAPA 16.02.03, "Emergency Medical Services"; or (7-1-11)T

b. Pending final outcome of an EMS investigation or criminal proceeding when criminal charges or allegations indicate an imminent danger or threat to the health, safety, or well being of persons or property. (7-1-11)T

c. For any reason that would justify an administrative action according to Section 210 of these rules. (7-1-11)T

d. Decisions to deny or refuse to renew an EMS license will be reviewed by the Idaho EMS Physicians Commission at the Commission's next available meeting. (7-1-11)T

02. Deny or Refuse to Renew EMS Agency License. The EMS Bureau may deny an EMS agency license or refuse to renew a EMS agency license: (7-1-11)T

a. When the application for licensure is not complete or does not meet the eligibility requirements provided in Sections 56-1011 through 56-1023, Idaho Code, and IDAPA 16.02.03, "Emergency Medical Services"; or (7-1-11)T

b. Pending final outcome of an EMS investigation or criminal proceeding when criminal charges or allegations indicate an imminent danger or threat to the health, safety, or well-being of persons or property. (7-1-11)T

c. For any reason that would justify an administrative action according to Section 210 of these rules. (7-1-11)T

03. Retain with Probationary Conditions for Personnel License or Certification. The EMS Bureau may allow an EMS personnel license or certificate holder to retain a license or certificate as agreed to in a negotiated resolution, settlement, or with conditions imposed by the EMS Bureau. Decisions to retain an EMS personnel license with probationary conditions will be reviewed by the Idaho EMS Physician Commission at the Commission's next available meeting. (7-1-11)T

04. Retain with Probationary Conditions for Agency License. The EMS Bureau may allow an EMS agency to retain a license as agreed to in a negotiated resolution, settlement, or with conditions imposed by the EMS Bureau. (7-1-11)T

05. Suspend EMS Personnel License or Certificate. The EMS Bureau may suspend an EMS personnel license or certificate for: (7-1-11)T

- a. A period of time up to twelve (12) months, with or without conditions; or (7-1-11)T
- b. Pending final outcome of an EMS investigation or criminal proceeding when criminal charges or allegations indicate an imminent danger or threat to the health, safety, or well-being of persons or property. (7-1-11)T
- c. Decisions to suspend an EMS personnel license will be reviewed by the Idaho EMS Physician Commission at the Commission's next available meeting. (7-1-11)T

06. Revoke EMS Personnel License or Certificate. The EMS Bureau may revoke an EMS personnel license or certificate when: (7-1-11)T

- a. A peer review team recommends license or certificate revocation; or (7-1-11)T
- b. The license holder is found to no longer be eligible for criminal history clearance per IDAPA 16.05.06, "Criminal History and Background Checks." (7-1-11)T
- c. Decisions to revoke an EMS personnel license will be reviewed by the Idaho EMS Physician Commission at the Commission's next available meeting. (7-1-11)T

07. Revoke EMS Agency License. The EMS Bureau may revoke an EMS agency license when: (7-1-11)T

- a. A peer review team recommends license revocation; (7-1-11)T
- b. The EMS Bureau will notify the city, fire district, hospital district, ambulance district, dispatch center, and county in which the EMS agency provides emergency prehospital response that the EMS Bureau is considering license revocation. (7-1-11)T

331. -- 339. (RESERVED)

340. VIOLATIONS THAT MAY RESULT IN FINES BEING IMPOSED ON EMS AGENCY.

In addition to administrative license actions provided in Section 56-1022, Idaho Code, and these rules, a fine may be imposed by the EMS Bureau upon recommendation of a peer review team on a licensed EMS agency as a consequence of agency violations. Fines may be imposed for the following violations: (7-1-11)T

01. Operating An Unlicensed EMS Agency. Operating without a license required in IDAPA 16.02.03, "Emergency Medical Services," including: (7-1-11)T

- a. Failure to obtain an initial license; (7-1-11)T
- b. Failure to obtain a license upon change in ownership; or (7-1-11)T
- c. Failure to renew a license and continues to operate as an EMS agency. (7-1-11)T

02. Unlicensed Personnel Providing Patient Care. Allowing an unlicensed individual to provide patient care without first obtaining an EMS personnel license required in IDAPA 16.01.07, "Emergency Medical Services (EMS) -- Personnel Licensing Requirements," at the appropriate level for the EMS agency. (7-1-11)T

03. Failure to Respond. Failure of the EMS agency to respond to a 911 request for service within the agency primary response area in a typical manner of operations when dispatched to a medical illness or injury, under licensure requirements in IDAPA 16.02.03, "Emergency Medical Services," except when the responder reasonably determines that: (7-1-11)T

- a. There are disaster conditions; (7-1-11)T
- b. Scene safety hazards are present or suspected; or (7-1-11)T

c. Law enforcement assistance is necessary to assure scene safety, but has not yet allowed entry to the scene. (7-1-11)T

04. Unauthorized Response by EMS Agency. Responding to a request for service which deviates from or exceeds those authorized by the EMS agency license requirements in IDAPA 16.02.03, "Emergency Medical Services." (7-1-11)T

05. Failure to Allow Inspections. Failure to allow the EMS Bureau or its representative to inspect the agency facility, equipment, records, and other licensure requirements provided in IDAPA 16.02.03, "Emergency Medical Services." (7-1-11)T

06. Failure To Correct Unacceptable Conditions. Failure of the EMS agency to correct unacceptable conditions within the time frame provided in a negotiated resolution settlement, or a warning letter issued by the EMS Bureau. Including the following: (7-1-11)T

- a. Failure to maintain an EMS vehicle in a safe and sanitary condition; (7-1-11)T
- b. Failure to have available minimum EMS Equipment; (7-1-11)T
- c. Failure to correct patient or personnel safety hazards; or (7-1-11)T
- d. Failure to retain an EMS agency medical director: (7-1-11)T

07. Failure to Report Patient Care Data. Failure to submit patient care data as required in IDAPA 16.02.03, "Emergency Medical Services." (7-1-11)T

341. FINES IMPOSED ON EMS AGENCY.

In addition to administrative license action allowed by statute and rule, a fine may be imposed by the EMS Bureau upon the recommendation of a peer review team. Fines are imposed on licensed EMS agency as a consequence of agency licensure violations. (7-1-11)T

01. Maximum Amount of a Fine. A fine may not exceed one thousand dollars (\$1000) for each specified violation. (7-1-11)T

02. Fines Levied After Peer Review. The EMS Bureau may levy a fine against an EMS agency following a peer review that has a majority decision on finding and outcomes, and includes a fine be imposed as part of the recommended action. (7-1-11)T

03. Table for Maximum Fine Amount. The maximum amount of a fine that may be imposed on an EMS agency for certain violations listed in Section 330 of these rules are provided in the table below:

| EMS AGENCY FINE AMOUNT FOR VIOLATIONS Section 341.03 | | |
|---|--|-------------------------------|
| Rule Violation Subsection | TYPE OF VIOLATION | Maximum Fine (each violation) |
| 340.01. | Operating an Unlicensed EMS Agency. | |
| | a. Failure to obtain an initial license: | \$1000 |
| | b. Failure to obtain a license upon change of ownership: | \$ 500 |
| | c. Failure to successfully renew a license: | \$ 500 |
| 340.02. | Unlicensed EMS Personnel Providing Patient Care. | \$ 500 |
| 340.03. | Failure to Respond. | \$ 750 |

| EMS AGENCY FINE AMOUNT FOR VIOLATIONS Section 341.03 | | |
|---|--|--------------------------------------|
| Rule Violation Subsection | TYPE OF VIOLATION | Maximum Fine (each violation) |
| 340.04. | Unauthorized Response by EMS Agency. Licensed EMS agency responds to a request for service which deviates from or exceeds those authorized by the EMS agency license. | \$ 500 |
| 340.05. | Failure to Allow an Inspection of an EMS Agency. | \$ 500 |
| 340.06. | Failure to Correct Unacceptable Conditions. a. Failure to maintain an EMS vehicle in a safe and sanitary condition: b. Failure to have available minimum EMS equipment: c. Failure to correct patient or personnel safety hazards: d. Failure to retain an EMS agency medical director: | \$ 250 \$ 250 \$ 250 \$ 500 |
| 340.07. | Failure to Report Patient Care Data. | \$ 500 |

(7-1-11)T

342. COLLECTED FINES.

Money collected from EMS agency fines will be deposited into the Emergency Medical Services Fund III provided for in Section 56-1018B, Idaho Code, a dedicated fund account for the purpose of providing grants to acquire vehicles and equipment for use by emergency medical services personnel in the performance of their duties. (7-1-11)T

343. -- 349. (RESERVED)

350. REINSTATEMENT OF EMS LICENSE FOLLOWING REVOCATION.

An application of any revoked EMS agency or personnel license may be filed with the EMS Bureau no earlier than one (1) year from the date of the license revocation. (7-1-11)T

01. Peer Review for Reinstatement. The EMS Bureau will conduct a peer review to consider the reinstatement application. (7-1-11)T

02. Recommendation of Peer Review Team. The peer review team will make a recommendation to the EMS Bureau to accept or reject the application for reinstatement. (7-1-11)T

03. Reinstatement Determination. The EMS Bureau will accept or reject the reinstatement application based on the peer review team recommendation and other extenuating circumstances. (7-1-11)T

a. Reinstatement of a revoked EMS personnel license is subject to the lapsed license reinstatement requirements in IDAPA 16.01.07, "Emergency Medical Services (EMS) -- Personnel Licensing Requirements." (7-1-11)T

b. Reinstatement of a revoked EMS agency license will be subject to an initial agency application requirements in IDAPA 16.02.03, "Emergency Medical Services." (7-1-11)T

351. -- 999. (RESERVED)

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.02.03 - EMERGENCY MEDICAL SERVICES

DOCKET NO. 16-0203-1101

NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of this temporary rule is July 1, 2011.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. This action is authorized pursuant to Section 56-1023, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearings concerning this rulemaking will be held as follows:

| Tuesday, August 2, 2011 at 6:00 p.m. (Local) | |
|---|---|
| Central Fire District 697 Annis Hwy. Rigby, ID | Kamiah Emergency Services 515 Main Street Kamiah, ID |
| Wednesday, August 3, 2011 at 6:00 p.m. (Local) | |
| Caribou County Fire Station 665 E. 2nd S. Soda Springs, ID | New Meadows Fire Station 200 Hwy. 95 New Meadows, ID |
| Thursday, August 4, 2011 at 6:00 p.m. (Local) | |
| Jerome City Fire/Rescue 110 W. Yakima Ave. Jerome, ID | EMS Bureau Conf. Rm. B25 LBJ Office Bldg. 650 W. State St. Boise, ID |
| Friday, August 5, 2011 at 6 p.m. (Local) | Saturday, August 6, 2011 at 6 p.m. (Local) |
| Bonner County EMS 521 3rd Ave. Sandpoint, ID | Moscow Fire Station #3 229 Pintail Ln. Moscow, ID |

The hearing sites will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the meeting, to the agency address below.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The Department is updating the Emergency Medical Services rules and the Idaho EMS system to reflect current national standards for safety and quality of services. Through the process of implementing new rules, the Department is reorganizing the EMS rules. The current chapter of rules is being updated as follows:

1. Removes EMS personnel licensure standards, requirements, scope of practice, application, fees, and records management;

2. Amends the scope of practice including definitions and terminology needed to meet agency requirements and rules that stay in this chapter;
3. Removes investigation, enforcement and compliance requirements for agency and personnel licensing;
4. Adds references to new chapters for personnel licensure, complaints, investigations, compliance, and enforcement of all EMS rules; and
5. Amends sections to meet statutory requirements, standards, terminology from previous rulemaking under Docket 16-0203-0901 that is being rescinded and vacated in this bulletin.

Other dockets publishing in this bulletin that implement the reorganization of EMS services are: 16-0107-1101, 16-0107-1102, 16-0112-1101, and 16-0101-1101.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(a), Idaho Code, the Governor has found that temporary adoption of these rules are appropriate in order to protect the public health, safety or welfare.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: N/A

FISCAL IMPACT: The following is a specific description, if applicable, of any fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

This rulemaking has no fiscal impact to the state general fund. The Emergency Medical Services (EMS) program is funded through dedicated funds.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was conducted over several years. The negotiated rulemaking for these rules published in the [March 2, 2011, Idaho Administrative Bulletin, Vol. 11-3, page 14](#), under the current rule, IDAPA 16.02.03, "Emergency Medical Services," Docket No. 16-0203-1101.

INCORPORATION BY REFERENCE: No materials are being incorporated by reference into these rules.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Wayne Denny at (208) 334-4000.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 12, 2011.

DATED this 3rd day of June, 2011.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5564; fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

THE FOLLOWING IS THE TEMPORARY RULE & PROPOSED TEXT OF DOCKET NO. 16-0203-1101

000. LEGAL AUTHORITY.

The Idaho Board of Health and Welfare is authorized under Section 56-10~~723~~, Idaho Code, to adopt rules concerning the administration of the Idaho Emergency Medical Services Act, Sections 56-1011 through 56-1023, Idaho Code. The Director is authorized under Section 56-1003, Idaho Code, to supervise and administer an emergency medical service program. ~~(4-6-05)~~(7-1-11)T

001. TITLE AND SCOPE.

021. Title. ~~These rules shall be cited in full as~~ The title of these rules is IDAPA 16.02.03, Idaho Department of Health and Welfare, "Rules Governing Emergency Medical Services."~~(7-1-97)~~(7-1-11)T

042. Scope. These rules include criteria for training education programs, certification of personnel instructors, licensure of ambulance services and nontransport services including required agency personnel, licensure of ambulances and nontransport vehicles, establishment of fees for training, inspections, and certifications, ~~and appropriate requirements for recertification of personnel.~~ ~~(7-1-97)~~(7-1-11)T

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, this Bureau has an EMS Standards Manual that contains policy and interpretation of these se rules ~~of this Chapter, or to~~ and the documentation of compliance with these se rules ~~of this Chapter~~. Copies of the Standards Manual may be obtained from the EMS Bureau, 650 W. State Street, Suite B-17, Boise, Idaho 83702, P.O. Box 83720, Boise, Idaho 83720-0036. ~~(3-30-01)~~(7-1-11)T

003. ADMINISTRATIVE APPEALS.

~~All~~ Administrative appeals and contested cases ~~shall be~~ are governed by the provisions of IDAPA 16.05.03, "Rules Governing Contested Case Proceedings and Declaratory Rulings."~~(7-1-97)~~(7-1-11)T

004. INCORPORATION BY REFERENCE.

The Board of Health and Welfare has adopted the Minimum Equipment Standards for Licensed EMS Services, 20~~04~~11 edition, Version 41.0, as its standard on required EMS equipment and hereby incorporates the Equipment Standards by reference. Copies of the Equipment Standards may be obtained from the EMS Bureau, 650 W. State Street, Suite B-17, Boise, Idaho 83702, P.O. Box 83720, Boise, Idaho 83720-0036. ~~(4-6-05)~~(7-1-11)T

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS -- STREET ADDRESS -- TELEPHONE NUMBER -- INTERNET WEBSITE.

01. Office Hours. Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays designated by the state of Idaho. (4-6-05)

02. Mailing Address. The mailing address for the business office is Idaho Department of Health and Welfare, P.O. Box 83720, Boise, Idaho 83720-0036. (4-6-05)

03. Street Address. (7-1-11)T

a. The business office of the Idaho Department of Health and Welfare is located at 450 West State Street, Boise, Idaho 83702. (4-6-05)

b. The EMS Bureau is located at 650 W. State Street, Suite B-17, Boise, Idaho 83702. (7-1-11)T

04. Telephone. (7-1-11)T

a. The telephone number for the Idaho Department of Health and Welfare is (208) 334-5500. (4-6-05)

b. The telephone number for the EMS Bureau is (208) 334-4000. The toll-free, phone number is 1-877-554-3367. (7-1-11)T

05. Internet Websites. (4-6-05)

- a. The Department's internet website is found at <http://www.healthandwelfare.idaho.gov>. (4-6-05)
- b. The Emergency Medical Services Bureau's internet website is found at <http://www.idahoems.org>. (4-6-05)

(BREAK IN CONTINUITY OF SECTIONS)

007. -- 009. (RESERVED)

010. DEFINITIONS AND ABBREVIATIONS.

For the purposes of these rules, the following terms and abbreviations will be used, as defined below: (7-1-80)

01. Advanced Emergency Medical Technician-Ambulance (AEMT-A). ~~An individual certified by the EMS Bureau of the Idaho Department of Health and Welfare on the basis of successful completion of an advanced EMT training program, examination, subsequent required continuing training, and recertification. A person who has met the qualifications for AEMT licensure defined in Section 56-1012, Idaho Code, and in IDAPA 16.01.07, "Emergency Medical Services - Personnel Licensing Requirements."~~ ~~(4-6-05)(7-1-11)T~~

02. Advanced Life Support (ALS). The provision of medical care, medication administration and treatment with medical devices ~~which that~~ correspond to the knowledge and skill objectives in the ~~EMT-Paramedic~~ curriculum currently approved by the State Health Officer in accordance with Subsection 201.04 of these rules and within the scope of practice defined in IDAPA ~~22.01.06, "Rules for EMS Personnel," Subsection 011.05, 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physician Commission,"~~ by persons ~~certified licensed~~ as ~~EMT-Paramedics in accordance with these rules~~ ~~by the EMS Bureau.~~ ~~(4-5-00)(7-1-11)T~~

03. Advertise. Communication of information to the public, institutions, or to any person concerned, by any oral, written, or graphic means including handbills, newspapers, television, radio, telephone directories, and billboards. (4-5-00)

04. Agency. ~~An applicant for designation or a licensed EMS service seeking designation~~ Any organization required to be licensed by the EMS Bureau that operates an air medical service, ambulance service, or nontransport service. ~~(4-5-00)(7-1-11)T~~

05. Air Ambulance. Any privately or publicly owned fixed wing aircraft or rotary wing aircraft used for, or intended to be used for, the transportation of persons experiencing physiological or psychological illness or injury who may need medical attention during transport. This may include dual or multipurpose vehicles that comply with Sections 56-1011 through 56-1023, Idaho Code. ~~(7-1-11)T~~

056. Air Medical Response. The deployment of an aircraft licensed as an air ambulance to an emergency scene intended for the purpose of patient treatment and transportation. ~~(4-11-06)(7-1-11)T~~

07. Air Medical Service. An agency required to be licensed by the EMS Bureau that responds to requests for patient care and transportation from hospitals and EMS agencies using a fixed wing aircraft or rotary wing aircraft. ~~(7-1-11)T~~

068. Ambulance. Any privately or publicly owned ground motor vehicle, or nautical vessel, ~~fixed wing aircraft or rotary wing aircraft~~ used for, or intended to be used for, the transportation of sick or injured persons who may need medical attention during transport. This may include dual or multipurpose vehicles that comply with Sections 56-1011 through 56-1023, Idaho Code. ~~(7-1-97)(7-1-11)T~~

079. Ambulance-Based Clinicians. Licensed Professional Nurses, Advanced Practice Professional Nurses, and Physician Assistants with current licenses from the Board of Nursing or the Board of Medicine, who are personnel provided by licensed EMS services. (4-5-00)

10. Ambulance Service. An agency required to be licensed by the EMS Bureau operated with the intent to provide personnel and equipment for medical treatment at an emergency scene, during transportation, or during transfer of persons experiencing physiological or psychological illness or injury who may need medical attention during transport. (7-1-11)T

11. Applicant. Any organization that is requesting an agency license under these rules and includes the following: (7-1-11)T

a. An organization seeking a new license: (7-1-11)T

b. An existing agency that intends to change the level of licensed personnel it utilizes: (7-1-11)T

c. An existing agency that intends to change its geographic coverage area, except by agency annexation: (7-1-11)T

d. An existing nontransport service that intends to provide ambulance service; and (7-1-11)T

e. An existing ambulance service that intends to discontinue transport and become a nontransport service. (7-1-11)T

~~08~~**12.** **Board.** The Idaho ~~State~~ Board of Health and Welfare. (~~12-31-91~~)(7-1-11)T

~~09~~**13.** **Certification.** A credential issued to an individual by the EMS Bureau for a specified period of time indicating that minimum standards ~~corresponding to one (1) or several levels of EMS proficiency~~ have been met. (~~7-1-97~~)(7-1-11)T

~~10.~~ ~~**Certified Personnel.** Individuals who have completed training and successfully passed examinations for training and skills proficiency in one (1) or several levels of emergency medical services.~~ (~~7-1-97~~)

~~14.~~ **Critical Care Transfer (CCT).** The transportation of a patient with continuous care, monitoring, medication or procedures requiring knowledge or skills not contained within the ~~EMT~~ Paramedic curriculum approved by the State Health Officer. Interventions provided by ~~EMT~~ Paramedics are governed by the scope of practice defined in IDAPA ~~22.01.06, "Rules for EMS Personnel~~ 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physicians Commission." (~~4-6-05~~)(7-1-11)T

15. Commission. The Idaho Emergency Medical Services Physician Commission (EMSPC).(7-1-11)T

16. Department. The Idaho Department of Health and Welfare. (7-1-11)T

127. Director. The Director of the Idaho Department of Health and Welfare or ~~designated individual~~ his ~~(12-31-91)~~(7-1-11)T

~~138.~~ **Division.** The Idaho Division of Public Health, Department of Health and Welfare. (~~11-19-76~~)(7-1-11)T

149. Emergency. A medical condition, the onset of which is sudden, that manifests itself by symptoms of sufficient severity, including severe pain, that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to result in placing the person's health in serious jeopardy, or in causing serious impairments of bodily function or serious dysfunction of any bodily organ or part. (4-5-00)

20. Emergency Medical Responder (EMR). A person who has met the qualifications for EMR licensure defined in Section 56-1012, Idaho Code, and in IDAPA 16.01.07, "Emergency Medical Services - Personnel Licensing Requirements." (7-1-11)T

~~1521.~~ **Emergency Medical Services (EMS).** 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. ~~(11-19-76)~~(7-1-11)T

22. Emergency Medical Technician (EMT). A person who has met the qualifications for EMT licensure defined in Section 56-1012, Idaho Code, and in IDAPA 16.01.07, "Emergency Medical Services - Personnel Licensing Requirements." (7-1-11)T

223. **Emergency Scene.** Any setting (including standbys) outside of a hospital, with the exception of the inter-facility transfer, in which the provision of EMS may take place. (4-11-06)

~~16~~**24.** **EMS Bureau.** The Emergency Medical Services (EMS) Bureau of the Idaho Department of Health and Welfare. (11-19-76)

~~17~~**25.** **EMS Standards Manual.** A manual published by the EMS Bureau detailing policy information including EMS education, ~~training~~, certification, licensure, and data collection. ~~(7-1-97)~~(7-1-11)T

~~18.~~ ~~Emergency Medical Technician-Ambulance (EMT-A).~~ A designation issued to an EMT-B by the EMS Bureau of the Idaho Department of Health and Welfare on the basis of successful completion of supervised in-field experience. ~~(7-1-97)~~

~~19.~~ ~~Emergency Medical Technician-Basic (EMT-B).~~ An individual certified by the EMS Bureau of the Idaho Department of Health and Welfare on the basis of successful completion of a basic EMT training program, examination, subsequent required continuing training, and recertification. ~~(7-1-97)~~

~~20.~~ ~~Emergency Medical Technician-Intermediate (EMT-I).~~ An individual certified by the EMS Bureau of the Idaho Department of Health and Welfare on the basis of successful completion of an intermediate training program, examination, subsequent required continuing training, and recertification. ~~(4-6-05)~~

~~21.~~ ~~Emergency Medical Technician-Paramedic (EMT-P).~~ An individual certified by the EMS Bureau of the Idaho Department of Health and Welfare on the basis of successful completion of a paramedic training program, examination, subsequent required continuing training, and recertification. ~~(7-1-97)~~

236. **Glasgow Coma Score (GCS).** A scale used to determine a patient's level of consciousness. It is a rating from three (3) to fifteen (15) of the patient's ability to open his eyes, respond verbally, and move normally. The GCS is used primarily during the examination of patients with trauma or stroke. (4-11-06)

247. **Ground Transport Time.** The total elapsed time calculated from departure of the ambulance from the scene to arrival of the ambulance at the patient destination. (4-11-06)

~~25.~~ ~~First Responder.~~ An individual certified by the EMS Bureau of the Idaho Department of Health and Welfare on the basis of successful completion of a first responder training program, examination, subsequent required continuing training, and recertification. ~~(7-1-97)~~

268. **Licensed EMS Services.** Air medical services, Ambulance services, and nontransport services licensed by the EMS Bureau to function in Idaho. ~~(7-1-97)~~(7-1-11)T

29. Licensed Personnel. Individuals licensed by the EMS Bureau who are Emergency Medical Responders (EMR), Emergency Medical Technicians (EMT), Advanced Emergency Medical Technicians (AEMT), and Paramedics. (7-1-11)T

~~27~~**30.** **Local Incident Management System.** The local system of interagency communications, command, and control established to manage emergencies or demonstrate compliance with the National Incident Management System. (4-11-06)

31. National Emergency Medical Services Information System (NEMSIS) Technical Assistance Center. An organization that validates software for compliance with the EMS data set defined by the United States Department of Transportation National Highway Traffic Safety Administration. (7-1-11)T

~~28~~32. **National Registry of Emergency Medical Technicians (NREMT).** An independent, non-governmental, not for profit organization which prepares validated examinations for the state's use in evaluating candidates for certification licensure. (7-1-97)(7-1-11)T

~~29~~. **Non-Transport.** A vehicle design or organizational configuration which brings EMS personnel or equipment to a location, but does not move any sick or injured person from that location. (7-1-97)

33. Nontransport Service. An agency required to be licensed by the EMS Bureau that is operated with the intent to provide personnel or equipment for medical stabilization at an emergency scene, but that is not intended to be the service that will actually transport sick or injured persons. (7-1-11)T

34. Nontransport Vehicle. Any vehicle that is operated by an agency with the intent to provide personnel or equipment for medical stabilization at an emergency scene, but that is not intended as the vehicle that will actually transport sick or injured persons. (7-1-11)T

35. Out-of-Hospital. Any setting outside of a hospital, including inter-facility transfers, in which the provision of EMS may take place. (4-5-00)

36. Paramedic. A person who has met the qualifications for paramedic licensure defined in Section 56-1012, Idaho Code, and in IDAPA 16.01.07, "Emergency Medical Services - Personnel Licensing Requirements." (7-1-11)T

37. Patient Assessment. The evaluation of a patient by EMS certified licensed personnel intending to provide treatment or transportation to that patient. (4-11-06)(7-1-11)T

38. Patient Care. The performance of acts or procedures under emergency conditions 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. (7-1-11)T

329. Physician. In accordance with Section 54-1803, Idaho Code, A person who holds a current active license issued by the State Board of Medicine to practice medicine ~~or~~ and surgery, ~~or~~ osteopathic medicine ~~or~~ and surgery, or osteopathic medicine in Idaho and is in good standing with no restrictions upon, or actions taken against, his license. (11-17-96)(7-1-11)T

~~33~~40. Pre-Hospital. Any setting, (including standbys), outside of a hospital, with the exception of the inter-facility transfer, in which the provision of EMS may take place. (4-5-00)(7-1-11)T

341. State Health Officer. The Administrator of the Division of Public Health. (11-19-76)(7-1-11)T

42. Supervision. The medical direction by a licensed physician of activities provided by licensed personnel affiliated with a licensed ambulance, air medical, or nontransport service, including: (7-1-11)T

a. Establishing standing orders and protocols; (7-1-11)T

b. Reviewing performance of licensed personnel; (7-1-11)T

c. Providing instructions for patient care via radio or telephone; and (7-1-11)T

d. Other oversight. (7-1-11)T

~~35~~43. Transfer. The transportation of a patient from one (1) medical care facility to another by ambulance. (4-5-00)(7-1-11)T

011. -- ~~099~~74. (RESERVED)

075. INVESTIGATION OF COMPLAINTS FOR EMS LICENSING VIOLATIONS.

Investigation of complaints and disciplinary actions for EMS agency licensing are provided under IDAPA 16.01.12, "Emergency Medical Services (EMS) - Complaints, Investigations, and Disciplinary Actions." (7-1-11)T

076. ADMINISTRATIVE LICENSE OR CERTIFICATION ACTION.

Any license or certification may be suspended, revoked, denied, or retained with conditions for noncompliance with any standard or rule. Administrative license or certification actions, including fines, imposed by the EMS Bureau for any action, conduct, or failure to act which is inconsistent with the professionalism, or standards, or both, are provided under Sections 56-1011 through 56-1023, Idaho Code, and IDAPA 16.01.12, "Emergency Medical Services (EMS) - Complaints, Investigations, and Disciplinary Actions." (7-1-11)T

077. -- 099. (RESERVED)

100. STATEWIDE EMS ADVISORY COMMITTEE.

The Director will appoint a Statewide EMS Advisory Committee to provide counsel to the Department in administering the EMS Act. The Committee members will have a normal tenure of three (3) years after which time they may be excused or reappointed. However, in order to afford continuity, initial appointments will be made to one-third (1/3) of the membership for two (2) years, one-third (1/3) for three (3) years, and one-third (1/3) of the membership for four (4) years. The Committee chairman will be selected by the State Health Officer. (7-1-97)

- 01. Committee Membership.** The Statewide EMS Advisory Committee will be constituted as follows: (7-1-80)
- a. One (1) representative recommended by the State Board of Medicine; *and* (4-8-94)(7-1-11)T
 - b. One (1) representative recommended by the Idaho Chapter of ACEP; *and* (4-8-94)(7-1-11)T
 - c. One (1) representative recommended by the Committee on Trauma of the Idaho Chapter of the American College of Surgeons; *and* (4-8-94)(7-1-11)T
 - d. One (1) representative recommended by the State Board of Nursing; *and* (4-8-94)(7-1-11)T
 - e. One (1) representative recommended by the Idaho Medical Association; *and* (4-8-94)(7-1-11)T
 - f. One (1) representative recommended by the Idaho Hospital Association; *and* (4-8-94)(7-1-11)T
 - and* g. One (1) representative of local government recommended by the Idaho Association of Counties; (4-8-94)(7-1-11)T
 - h. One (1) representative of a career third service EMS/Ambulance *organization service*; *and* (4-8-94)(7-1-11)T
 - i. One (1) representative of a volunteer third service EMS/Ambulance *organization service*; *and* (4-8-94)(7-1-11)T
 - j. One (1) representative of a third service nontransport EMS *organization service*; *and* (4-8-94)(7-1-11)T
 - k. One (1) representative of a fire department-based EMS/Ambulance *service* recommended by the Idaho Fire Chiefs Association; *and* (4-8-94)(7-1-11)T
 - l. One (1) representative of a fire department-based nontransport EMS *organization service*; *and* (4-8-94)(7-1-11)T
 - m. One (1) representative of an air medical *EMS organization service*; *and* (7-1-97)(7-1-11)T
 - n. One (1) Emergency Medical Technician *Basic* who represents the interests of Idaho *providers certified personnel licensed* at that level; *and* (4-8-94)(7-1-11)T

~~o.~~ One (1) Advanced Emergency Medical Technician-~~Ambulance~~ who represents the interests of Idaho ~~providers certified~~ personnel licensed at that level; ~~and~~ (7-1-97)(7-1-11)T

~~p.~~ One (1) ~~Emergency Medical Technician Intermediate~~ who represents the interests of Idaho ~~providers certified at that level; and~~ (4-6-05)

~~q.~~ One (1) ~~Emergency Medical Technician~~ Paramedic who represents the interests of Idaho ~~providers certified~~ personnel licensed at that level; ~~and~~ (4-8-94)(7-1-11)T

~~r.~~ One (1) representative who is an administrative county EMS director; ~~and~~ (4-8-94)(7-1-11)T

~~s.~~ One (1) EMS instructor who represents the interests of Idaho EMS educators and evaluators; ~~and~~ (4-8-94)(7-1-11)T

~~t.~~ One (1) consumer; ~~and~~ (4-5-00)(7-1-11)T

~~u.~~ One (1) representative of a private EMS transport ~~organization~~ service; ~~and~~ (4-5-00)(7-1-11)T

~~v.~~ One (1) pediatrician who represents the interests of children in the EMS system recommended by the Idaho Chapter of the American Academy of Pediatrics; and (3-30-01)

~~w.~~ One (1) board certified or equivalent pediatric emergency medicine physician. (3-30-01)

02. Responsibilities of Committee. The EMS Advisory Committee will meet at least annually or as needed for the purposes of: (7-1-80)

a. Reviewing policies and procedures for provision of emergency medical services and recommending same to the ~~Division~~ EMS Bureau; (11-19-76)(7-1-11)T

b. Reviewing EMS training education curricula, training education standards, and examination processes and recommending same to the ~~Division~~ EMS Bureau; (4-8-94)(7-1-11)T

c. Reviewing EMS candidate selection policy and candidate performance requirements and recommending to the ~~Division~~ EMS Bureau certification ~~of~~ and standards for EMS personnel; (7-1-97)(7-1-11)T

~~d.~~ ~~Reviewing and making recommendations for disciplinary action regarding EMS personnel who have not complied with EMS policies;~~ (11-19-76)

~~e.~~ Reviewing and making recommendations on the licensing of ambulance services in Idaho. (11-19-76)

~~f.~~ Reviewing and making recommendations on the licensing of nontransport services in Idaho. (7-1-97)

101. -- 199. (RESERVED)

200. EMS TRAINING EDUCATION PROGRAMS.

EMS training education programs must meet all requirements ~~in accordance with~~ under the standards listed in Section 201 of these rules. In order for the EMS Bureau to verify compliance, the course coordinator must submit an application to the EMS Bureau before the course begins. The EMS Training Education Program may be approved by the EMS Bureau only if all requirements are met. The EMS Training education Program must be approved in order for candidates to qualify for access to a certification examination. (7-1-97)(7-1-11)T

201. STANDARDS.

All initial training education programs must be conducted ~~in accordance~~ using with the following criteria: (4-6-05)(7-1-11)T

01. **Course Coordinator.** Each EMS ~~training~~ education program must have a designated course coordinator who has overall responsibility for management of the course and specific duties, including:

~~(4-6-05)~~(7-1-11)T

- a. Documentation of candidate qualifications, attendance, skill proficiency, and clinical sessions; (7-1-97)
- b. Advance scheduling and prior orientation of all other instructors and guest lecturers to the knowledge and skills objectives of the session being taught; (7-1-97)
- c. Coordination of access for candidates into health care facilities and licensed EMS services ~~in accordance with~~ using the curriculum of the course; ~~(7-1-97)~~(7-1-11)T
- d. Acquisition of equipment for all skills objectives within the curriculum being taught. (7-1-97)

02. **Instructor Qualifications.** The course instructor(s) conducting EMS ~~training~~ education courses must meet the appropriate qualifications established in Sections 225 through 230 of these rules. ~~(4-6-05)~~(7-1-11)T

03. **Physician Oversight.** AEMT-A, EMT-I, and EMT-Paramedic ~~training~~ education courses must be conducted under the direction of a physician. ~~(4-6-05)~~(7-1-11)T

04. **Curriculum and Equipment.** Training Education courses must use course curricula approved by the State Health Officer and have access to equipment related to all skills objectives within the curricula. ~~(7-1-97)~~(7-1-11)T

202. CERTIFICATION EXAMINATIONS.

Certification examinations ~~shall~~ will be approved by the State Health Officer and conducted by individuals who are certified or licensed at or above the skill level being examined, or by registered nurses, or by licensed physicians.

~~(7-1-97)~~(7-1-11)T

203. MONITORING OF INSTRUCTOR PERFORMANCE.

The EMS Bureau ~~shall~~ will monitor instructor performance for all EMS ~~training~~ education programs, including candidates' performance on National Registry and other standardized examinations, surveys of candidate satisfaction, and results of other evaluation instruments. Summary findings ~~shall~~ will be made available to licensed EMS services and other organizations sponsoring EMS ~~training~~ education programs.

~~(7-1-97)~~(7-1-11)T

(BREAK IN CONTINUITY OF SECTIONS)

205. CONSISTENCY WITH SCOPE OF PRACTICE.

All curricula approved for use in Idaho or used as the basis for certification licensure by a candidate trained elsewhere must be consistent with the scope of practice established by the ~~Board of Medicine~~ Commission for the level of certification licensure requested by the candidate.

~~(7-1-97)~~(7-1-11)T

206. CONSISTENCY WITH NATIONAL STANDARDS.

The EMS Bureau considers the National Standard Curriculum and the National EMS Scope of Practice Model as models for design or adaptation of EMS ~~training~~ education program content and EMS certification licensure levels.

~~(4-6-05)~~(7-1-11)T

207. -- 224. (RESERVED)

225. QUALIFICATIONS OF FIRST EMERGENCY MEDICAL RESPONDER COURSE INSTRUCTORS.

First Emergency Medical Responder Course Instructors must be approved by the EMS Bureau, based on being

~~certified~~ licensed for at least three (3) years at or above the level of the session of the curriculum being taught.

~~(7-1-97)~~(7-1-11)T

226. QUALIFICATIONS OF EMT-~~BASIC~~ COURSE INSTRUCTORS.

EMT-~~Basic~~ course instructors must be approved by the EMS Bureau, based on the following requirements:

~~(7-1-97)~~(7-1-11)T

- 01. Application.** Submission of an application to the EMS Bureau; (7-1-97)
- 02. Adult Instructional Methodology.** Completion of one (1) or more courses approved by the EMS Bureau based on content that includes the following instructional methodologies: (4-6-05)
 - a. The adult learner; (4-6-05)
 - b. Learning objectives; (4-6-05)
 - c. Learning process; (4-6-05)
 - d. Lesson plans; (4-6-05)
 - e. Course materials; (4-6-05)
 - f. Preparation; (4-6-05)
 - g. Teaching aids; (4-6-05)
 - h. Teaching methods; and (4-6-05)
 - i. Evaluations. (4-6-05)
- 03. EMS Instructor Orientation.** Completion of the EMS Bureau orientation program for EMS instructors or equivalent; and (4-6-05)
- 04. ~~Certification~~ Licensure.** ~~Certification~~ Licensure at or above the level of curriculum being taught, for at least three (3) years. Licensed individuals and other health care providers must also be ~~certified~~ licensed at the EMT level. ~~(7-1-97)~~(7-1-11)T

227. PRIMARY OR LEAD EMT-~~BASIC~~ INSTRUCTORS.

Primary or lead instructors must be approved as EMT-~~Basic~~ Course Instructors, personally instruct at least seventy-five percent (75%) of the didactic ~~training~~ instruction of the course, and instruct or oversee the skills training in the curriculum. ~~(4-6-05)~~(7-1-11)T

228. EMT-~~BASIC~~ SKILLS INSTRUCTORS.

EMT-~~Basic~~ skills instructors ~~shall~~ must be approved as EMT-~~Basic~~ Course Instructors and shall personally instruct the psychomotor portions of the curriculum. ~~(7-1-97)~~(7-1-11)T

229. ADVANCED EMT AND ~~EMT~~-PARAMEDIC INSTRUCTORS.

AEMT-~~A~~ and ~~EMT~~-Paramedic Instructors must be approved by the EMS Bureau based on having credentials, education, or experience that correspond to the knowledge and skills objectives being taught. ~~(7-1-97)~~(7-1-11)T

~~230. EMT-INTERMEDIATE INSTRUCTORS.~~

~~All EMT-I primary or lead instructors must meet the following criteria:~~

~~(4-6-05)~~

- ~~01. Certification.~~** ~~One (1) of the following must be documented:~~ (4-6-05)
 - ~~a. Three (3) or more years of certification at or above the EMT-I level;~~ (4-6-05)

~~b. Idaho licensure as a physician, licensed professional nurse or other mid-level health care provider; and current certification at any EMS provider level; (4-6-05)~~

~~e. Employment as an instructor by a college or university and teaching an accredited paramedic program. (4-6-05)~~

~~02. **Adult Instructional Methodology.** Completion of one (1) or more courses approved by the EMS Bureau based on content as listed in Subsection 226.02 of these rules. (4-6-05)~~

~~03. **EMS Instructor Orientation.** Completion of an EMS Bureau orientation program for EMS instructors, or equivalent, within eighteen (18) months of the proposed course start date or instructor application submission. (4-6-05)~~

~~04. **Application.** Submission of an application to the EMS Bureau documenting credentials, education or experience that correspond to the knowledge and skills objectives being taught. (4-6-05)~~

~~05. **Bureau Approval.** Approval will be verified for every primary or lead EMT Intermediate instructor listed on each EMT Intermediate course application. (4-6-05)~~

~~06. **Primary or Lead Instructors.** Primary or lead instructors must personally instruct or monitor at least ninety percent (90%) of the didactic training of the course, and must instruct or oversee the skills training in the curriculum. (4-6-05)~~

~~2310. -- 299. (RESERVED)~~

300. AMBULANCE SERVICE STANDARDS.

To qualify for licensing as an ambulance service under Section 56-1016, Idaho Code, the applicant must demonstrate compliance with the following: (4-6-05)

01. Ambulance Vehicles. All ambulance and air ambulance vehicles must meet one (1) of the following conditions to be licensed: ~~(4-6-05)~~(7-1-11)T

a. The vehicle meets or exceeds any federal, industry, or trade specifications or standards for ambulance and air ambulance vehicles as identified by the applicant. ~~(7-1-97)~~(7-1-11)T

b. The vehicle has been uniquely configured or modified to meet specialized needs and has been inspected and approved by the EMS Bureau. (7-1-97)

02. Required Ambulance and Air Ambulance Equipment. Each ambulance must be equipped with the following: ~~(7-1-97)~~(7-1-11)T

a. Medical care supplies and devices as specified in the Minimum Equipment Standards for Licensed EMS Services. Exceptions to the minimum equipment requirements may be granted by the EMS Bureau upon inspection, when the circumstances and available alternatives assure that appropriate patient care will be provided for all foreseeable incidents. (7-1-97)

b. Mobile radio on 155.340 MHZ and 155.280 MHZ frequencies with encoding capabilities to allow access to the Idaho EMS radio communications system; and (11-19-76)

c. Safety equipment and personal protective supplies for certified licensed personnel and other vehicle occupants as specified in the Minimum Equipment Standards, including materials to provide for body substance isolation and protection from exposure to communicable diseases and pathogens under Section 56-1017, Idaho Code. ~~(4-6-05)~~(7-1-11)T

03. Ambulance Personnel. The ambulance service must demonstrate that a sufficient number of personnel are affiliated with the service to accomplish a twenty-four (24) hour a day, seven (7) day a week response capability in accordance with Section 56-1016, Idaho Code. The service must describe its anticipated staffing patterns

per vehicle and shift on the application supplied by the EMS Bureau. The annual inspection by the EMS Bureau must include a review of the ambulance service personnel staffing configuration. (4-6-05)

04. Records to be Maintained. The ambulance service must maintain records of each ambulance and air ambulance response and submit them to the EMS Bureau at least quarterly in a form approved by the EMS Bureau. These records must include at least the following information: ~~(7-1-97)~~(7-1-11)T

- a. Name of ambulance service; and ~~(11-19-76)~~(7-1-11)T
 - b. Date of response; and ~~(7-1-97)~~(7-1-11)T
 - c. Time call received; and ~~(11-19-76)~~(7-1-11)T
 - d. Time en route to scene; and ~~(7-1-97)~~(7-1-11)T
 - e. Time arrival at scene; and ~~(11-19-76)~~(7-1-11)T
 - f. Time service departed scene; and ~~(7-1-97)~~(7-1-11)T
 - g. Time arrival at hospital; and ~~(11-19-76)~~(7-1-11)T
 - h. Location of incident; and ~~(11-19-76)~~(7-1-11)T
 - i. Description of illness/injury; and ~~(11-19-76)~~(7-1-11)T
 - j. Description of patient management; and ~~(11-19-76)~~(7-1-11)T
 - k. Patient destination; and ~~(11-19-76)~~(7-1-11)T
 - l. Ambulance unit identification; and ~~(11-19-76)~~(7-1-11)T
 - m. Identification and certification licensure level of each ambulance crew member on the response; ~~(7-1-97)~~(7-1-11)T
- and
- n. Response outcome. (7-1-97)

05. Communications. Ambulance service dispatch must be in accordance with Section 56-1016, Idaho Code. The application for licensure must describe the radio, telephonic, or other electronic means by which patient care instructions from an authorized medical source will be obtained. The annual inspection by the EMS Bureau will include a review of the ambulance service dispatch and communications configuration. (4-6-05)

06. Medical Control Plan. The ambulance service must describe the extent and type of supervision by a licensed physician that is available to certified licensed personnel. The annual inspection by the EMS Bureau will include a review of the ambulance service medical control configuration. ~~(4-6-05)~~(7-1-11)T

07. Medical Treatment Protocols. The ambulance service must submit a complete copy of the medical treatment protocols and written standing orders under which its certified licensed personnel will function with the application for licensure. ~~(4-6-05)~~(7-1-11)T

08. Training Facility Access. The applicant must describe the arrangements which will provide access to clinical and didactic training locations, in the initial application for service licensure. (4-6-05)

09. Geographic Coverage Description. Each application for initial licensure must contain a specific description of the Idaho jurisdiction(s) that the ambulance service will serve using known geopolitical boundaries or geographic coordinates. (4-6-05)

10. Required Application. The applicant must submit a completed application to the EMS Bureau to

be considered for licensure. The most current standardized form will be available from the EMS Bureau. An additional application may be required prior to subsequent annual inspection by the EMS Bureau. (4-6-05)

11. Inspection. Representatives of the EMS Bureau are authorized to enter the applicant's facility or other location as designated by the applicant at reasonable times, for the purpose of inspecting the ambulance services' vehicle(s) and equipment, ambulance and air ambulance response records, and other necessary items to determine eligibility for licensing by the state of Idaho in relation to the minimum standards in Section 56-1016, Idaho Code. ~~(4-6-05)~~(7-1-11)T

12. License. Ambulance services must be licensed on an annual basis by the EMS Bureau. (7-1-97)

301. NONTRANSPORT SERVICE STANDARDS.

In order to qualify for licensing as a nontransport service under Section 56-1016, Idaho Code, the applicant must demonstrate compliance with the following: (4-6-05)

01. Vehicles. All vehicles must meet one (1) of the following conditions to be licensed: (7-1-97)

a. The vehicle meets or exceeds standards for that type vehicle, including federal, industry, or trade specifications, as identified by the applicant and recognized and approved by the EMS Bureau. (7-1-97)

b. The vehicle has been uniquely configured or modified to meet specialized needs and has been inspected and approved by the EMS Bureau. (7-1-97)

02. Required Equipment for Nontransport Services. Certified Licensed personnel must have access to required equipment. The equipment must be stored on a dedicated response vehicle, or in the possession of certified licensed personnel. The application for licensure as a nontransport service must include a description of the following: ~~(4-6-05)~~(7-1-11)T

a. Medical care supplies and devices as specified in the Minimum Equipment Standards for Licensed EMS Services. Exceptions to the minimum equipment requirements may be granted by the EMS Bureau upon inspection, when the circumstances and available alternatives assure that appropriate patient care will be provided for all foreseeable incidents. (7-1-97)

b. Mobile or portable radio(s) on 155.340 MHZ and 155.280 MHZ frequencies with encoding capabilities to allow access to the Idaho EMS radio communications system; and (7-1-97)

c. Safety equipment and personal protective supplies for certified licensed personnel and other vehicle occupants as specified in the Minimum Equipment Standards for Licensed EMS Services, including materials to provide for body substance isolation and protection from exposure to communicable diseases under Section 56-101723, Idaho Code. ~~(4-6-05)~~(7-1-11)T

03. Nontransport Service Personnel. The nontransport service must demonstrate that a sufficient number of certified licensed personnel are affiliated with the service to accomplish a twenty-four (24) hour a day, seven (7) day a week response capability. Exceptions to this requirement may be granted by the EMS Bureau when strict compliance with the requirement would cause undue hardship on the community being served, or would result in abandonment of the service. The annual inspection by the EMS Bureau will include a review of the personnel staffing configuration. ~~(4-6-05)~~(7-1-11)T

04. Records to Be Maintained. The nontransport service must maintain records of each EMS response in a form approved by the EMS Bureau. that All applicant nontransport services who submit an application to the EMS Bureau after July 1, 2009, must submit records of each EMS response to the EMS Bureau at least quarterly in a form approved by the EMS Bureau. These records must include at least the following information: ~~(7-1-97)~~(7-1-11)T

a. Identification of nontransport service; *and* ~~(7-1-97)~~(7-1-11)T

b. Date of response; *and* ~~(7-1-97)~~(7-1-11)T

- c. Time call received; *and* (7-1-97)(7-1-11)T
- d. Time en route to scene; *and* (7-1-97)(7-1-11)T
- e. Time arrival at scene; *and* (7-1-97)(7-1-11)T
- f. Time service departed scene; *and* (7-1-97)(7-1-11)T
- g. Location of incident; *and* (7-1-97)(7-1-11)T
- h. Description of illness/injury; *and* (7-1-97)(7-1-11)T
- i. Description of patient management; *and* (7-1-97)(7-1-11)T
- j. Patient destination; *and* (7-1-97)(7-1-11)T
- k. Identification and licensure level of nontransport service personnel on response ~~and certification~~; (7-1-97)(7-1-11)T
- and
- l. Response outcome. (7-1-97)
- 05. Communications.** The application for licensure must describe the radio, telephonic, or other electronic means by which patient care instructions from an authorized medical source will be obtained. The annual inspection by the EMS Bureau will include a review of the nontransport service dispatch and communications configuration. (4-6-05)
- 06. Medical Control Plan.** The nontransport service must describe the extent and type of supervision by a licensed physician that is available to certified licensed personnel. The annual inspection by the EMS Bureau will include a review of the nontransport service medical control configuration. (4-6-05)(7-1-11)T
- 07. Medical Treatment Protocols.** The nontransport service must submit a complete copy of the medical treatment protocols and written standing orders under which its certified licensed personnel will function with the initial application for licensure. (4-6-05)(7-1-11)T
- 08. Training Facility Access.** The applicant must describe the arrangements which will provide access to clinical and didactic training locations in the initial application for service licensure. (4-6-05)
- 09. Geographic Coverage Description.** Each application for initial licensure must contain a specific description of the Idaho jurisdiction(s) that the nontransport service will serve using known geopolitical boundaries or geographic coordinates. (4-6-05)
- 10. Required Application.** The applicant must submit a completed application to the EMS Bureau to be considered for licensure. The most current standardized form is available from the EMS Bureau. An additional application may be required prior to subsequent annual inspection by the EMS Bureau. (4-6-05)
- 11. Inspection.** Representatives of the Department are authorized to enter the applicant's facility or other location as designated by the applicant at reasonable times, for the purpose of inspecting the nontransport services' vehicle(s) and equipment, nontransport response records, and other necessary items to determine eligibility for licensing by the state of Idaho. (7-1-97)
- ~~12. Nontransport Service Minimum Standards Waiver. The controlling authority providing nontransport services may petition the EMS Bureau for waiver of the nontransport service standards of these rules, if compliance with the service standards would cause undue hardship on the community being served. (7-1-97)~~
- 132. License.** Nontransport services must be licensed on an annual basis by the EMS Bureau. (7-1-97)
302. -- 319. (RESERVED)

320. DESIGNATION OF CLINICAL CAPABILITY.

All ambulance and nontransport licenses issued by the EMS Bureau must indicate the clinical level of service which can be provided by the ambulance or nontransport service after verification of compliance with Section 300 or Section 301 of these rules. Agencies which provide ~~certified licensed~~ personnel at the ~~First Responder, EMR or EMT-B, or EMT-A~~ level will be designated as Basic Life Support services. Agencies which provide ~~certified licensed~~ personnel at the ~~AEMT-A or EMT-Intermediate~~ level will be designated as Intermediate Life Support services. ~~Designation of services Agencies which function provide licensed personnel at or above the paramedic level will be designated as Advanced Life Support services level will be issued in accordance with under~~ Section 340 of these rules. Licensed EMS Services may function at one (1) or more ALS levels corresponding to the designation issued by the EMS Bureau as a result of the application and inspection process required in Sections 300 and 301 of these rules.

~~(4-6-05)(7-1-11)T~~

321. -- 3234. (RESERVED)

~~**324. STANDARDS FOR AGENCIES UTILIZING EMT-INTERMEDIATE PERSONNEL.**~~

~~An agency which has demonstrated compliance with Section 300 or Section 301 of these rules may qualify to utilize EMT-Intermediate personnel if the following criteria are met:~~ (4-6-05)

~~**01. Personnel.** The agency must have one (1) or more EMT-Intermediates listed on the agency personnel roster. The agency is specifically prohibited from utilizing other licensed health care providers unless they are accompanied by or are cross-trained and certified as an EMS provider.~~ (4-6-05)

~~**a.** EMT-Intermediate personnel must hold current certification issued by the EMS Bureau in accordance with Sections 501 and 510 of these rules.~~ (4-6-05)

~~**b.** An agency may use Ambulance-Based Clinicians who function with an EMT-I or are cross-trained and certified as an EMT-I. The agency must verify that all Ambulance-Based Clinicians have successfully completed a formal training program of pre-hospital medical care which meets or exceeds the objectives of the curriculum approved by the State Health Officer. The agency must assure that any Ambulance-Based Clinicians meet additional requirements of the corresponding licensing board.~~ (4-6-05)

~~**c.** Personnel must initiate intermediate life support as authorized by the physician designated as the medical director of the agency, and other physicians providing on-line medical direction as specified in IDAPA 22.01.06, "Rules for EMS Personnel."~~ (4-6-05)

~~**d.** Personnel must initiate requests for on-line medical direction as dictated by the EMS agency's protocols.~~ (4-6-05)

~~**02. Required Documentation.** The affiliation status and ongoing proficiency maintenance of the certified personnel and Ambulance-Based Clinicians associated with the agency must be documented on a periodic basis to the EMS Bureau.~~ (4-6-05)

~~**a.** The agency must submit a roster of all certified personnel and Ambulance-Based Clinicians with the initial and renewal application for licensure.~~ (4-6-05)

~~**b.** The agency must maintain documentation of proficiency assurance of all certified personnel and Ambulance-Based Clinicians in accordance with the EMS Standards Manual in effect at the time of certification.~~ (4-6-05)

~~**03. Required Equipment.** The agency vehicle(s) must be equipped with the minimum required equipment listed in the EMT-Intermediate Services section of the Minimum Equipment Standards incorporated in these rules. The agency must disclose all additional medical equipment routinely carried on the agency vehicle(s) not included in the Minimum Equipment Standards in the application provided by the EMS Bureau.~~ (4-6-05)

325. PRE-HOSPITAL ADVANCED LIFE SUPPORT (ALS) STANDARDS.

Pre-hospital ALS designation of an agency by the EMS Bureau is required for any agency which will advertise or

supply clinical personnel and equipment capabilities which are within the scope of practice established for ALS under IDAPA ~~22.01.06, "Rules for EMS Personnel," Subsection 011.05,~~ 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physician Commission," for the purposes of responding to emergencies in any 911 service area, standby, or other area on an emergency basis. Designation is for the same duration as the license issued to the EMS agency. An agency which has demonstrated compliance with Section 300 or Section 301 of these rules may qualify for Pre-hospital ALS designation if the following criteria are met: ~~(4-6-05)(7-1-11)T~~

01. Personnel. The agency must have a sufficient number of ~~EMT~~-Paramedics to assure availability of such personnel corresponding to the anticipated call volume of the agency. The agency is specifically prohibited from utilizing other licensed health care providers for pre-hospital and emergency responses to requests for EMS unless they are accompanied by or cross-trained and ~~certified~~ licensed as an ~~EMT~~-Paramedic. ~~(4-5-00)(7-1-11)T~~

a. ~~EMT~~-Paramedic personnel must hold a current ~~certification~~ paramedic license issued by the EMS Bureau ~~in accordance with Sections 501 and 510 of these rules under IDAPA 16.01.07, "Emergency Medical Services (EMS) -- Personnel Licensing Requirements."~~ ~~(4-5-00)(7-1-11)T~~

b. An agency may use Ambulance-Based Clinicians who function with an ~~EMT~~-Paramedic or are cross-trained and ~~certified~~ licensed as an ~~EMT~~-Paramedic. The agency must verify that all Ambulance-Based Clinicians have successfully completed a formal ~~training~~ education program of pre-hospital medical care which meets or exceeds the objectives of the curriculum approved by the State Health Officer. The agency ~~shall~~ must assure that any Ambulance-Based Clinicians meet additional requirements of the corresponding licensing board. ~~(4-6-05)(7-1-11)T~~

c. Personnel must initiate advanced life support as authorized by the physician designated as the Medical Director of the agency, and other physicians providing on-line medical ~~direction~~ supervision as specified in IDAPA ~~22.01.06, "Rules for EMS Personnel," Subsection 011.05,~~ 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physician Commission." ~~(4-6-05)(7-1-11)T~~

02. Required Documentation. The employment status and ongoing proficiency maintenance of the ~~certified~~ licensed personnel and Ambulance-Based Clinicians associated with the agency must be documented on a periodic basis to the EMS Bureau. ~~(4-5-00)(7-1-11)T~~

a. The agency must submit a roster of all ~~certified~~ licensed personnel and Ambulance-Based Clinicians with the application for licensure. Any change in the roster due to attrition or hiring must be documented to the EMS Bureau in writing within sixty (60) calendar days of the change. ~~(4-5-00)(7-1-11)T~~

b. The agency must maintain documentation of continuing education, refresher courses, and proficiency assurance of all ~~certified~~ licensed personnel and Ambulance-Based Clinicians in accordance with the EMS Standards Manual in effect at the time of designation and any EMS Standards Manual which takes effect during the designation period. ~~(4-5-00)(7-1-11)T~~

03. Required Equipment. The agency vehicle(s) must be equipped with the Minimum Required Equipment listed in the ALS section of the Minimum Equipment Standards incorporated in these rules. The agency must disclose all additional medical equipment routinely carried on the agency vehicle(s) not included in the Minimum Equipment Standards in the application provided by the EMS Bureau. (4-6-05)

04. Administrative License Action. A pre-hospital ALS designation may be ~~suspended or~~ revoked ~~in accordance with Section 515 of these rules under IDAPA 16.01.12, "Emergency Medical Services (EMS) -- Complaints, Investigations, and Disciplinary Actions."~~ The agency is specifically prohibited from advertising or responding to requests for critical care transfer service unless the agency also holds a Critical Care Transfer Service designation ~~in accordance with~~ under Section 335 of these rules. ~~(4-5-00)(7-1-11)T~~

326. -- 329. (RESERVED)

330. ADVANCED LIFE SUPPORT (ALS) TRANSFER STANDARDS.

ALS Transfer designation of an agency by the EMS Bureau is required for any agency which will advertise or supply clinical personnel and equipment capabilities which are within the scope of practice established for ALS under

IDAPA ~~22.01.06, "Rules for EMS Personnel," Subsection 011-05,~~ 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physician Commission," for the purposes of providing medical care and transportation between medical care facilities. Designation is for the same duration as the license issued to the EMS agency. An agency which has demonstrated compliance with Section 300 or Section 301 of these rules may qualify for ALS Transfer designation if the following criteria are met: ~~(4-6-05)(7-1-11)T~~

01. Personnel. The agency must have a sufficient number of personnel to assure availability corresponding to the anticipated call volume of the agency. (4-5-00)

a. ~~EMT~~ Paramedic personnel must hold a current certification paramedic license issued by the EMS Bureau ~~in accordance with Sections 501 and 510 of these rules under IDAPA 16.01.07, "Emergency Medical Services (EMS) -- Personnel Licensing Requirements."~~ ~~(4-5-00)(7-1-11)T~~

b. An agency which will advertise or provide ALS transfer of patients may use Ambulance-Based Clinicians as the medical care provider for those patients. The agency ~~shall~~ must verify that all Ambulance-Based Clinicians have successfully completed a formal training education program of out-of-hospital medical care which meets or exceeds the objectives of the curriculum approved by the State Health Officer. The agency ~~shall~~ must assure that any Ambulance-Based Clinicians meet additional requirements of the corresponding licensing board. ~~(4-5-00)(7-1-11)T~~

c. Personnel ~~shall~~ will initiate advanced life support as authorized by the physician designated as the Medical Director of the agency, and other physicians providing on-line medical direction supervision as specified in IDAPA ~~22.01.06, "Rules for EMS Personnel," Subsection 011-05~~ 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physician Commission." ~~(4-5-00)(7-1-11)T~~

02. Required Documentation. The employment status and ongoing proficiency maintenance of the certified licensed personnel and Ambulance-Based Clinicians associated with the agency must be documented on a periodic basis to the EMS Bureau. ~~(4-5-00)(7-1-11)T~~

a. The agency must submit a roster of all certified licensed personnel and Ambulance-Based Clinicians with the application for licensure. Any change in the roster due to attrition or hiring must be documented to the EMS Bureau in writing within sixty (60) calendar days of the change. ~~(4-5-00)(7-1-11)T~~

b. The agency must maintain documentation of continuing education, refresher courses, and proficiency assurance of all certified licensed personnel and Ambulance-Based Clinicians in accordance with the EMS Standards Manual in effect at the time of designation and any EMS Standards Manual which takes effect during the designation period. ~~(4-5-00)(7-1-11)T~~

03. Required Equipment. The agency vehicle(s) must be equipped with the Minimum Required Equipment listed in the ALS section of the Minimum Equipment Standards incorporated in these rules. The agency must disclose all additional medical equipment routinely carried on the agency vehicle(s) not included in the Minimum Equipment Standards in the application provided by the EMS Bureau. (4-6-05)

04. Administrative License Action. An ALS Transfer designation may be ~~suspended or~~ revoked in accordance with Section 515 of these rules under IDAPA 16.01.12, "Emergency Medical Services (EMS) -- Complaints, Investigations, and Disciplinary Actions." The agency is specifically prohibited from advertising or responding to pre-hospital and emergency requests for ALS unless the agency also holds a pre-hospital ALS designation in accordance with Section 325 of these rules. The agency is specifically prohibited from advertising as or responding to requests for critical care transfer service unless the agency also holds a Critical Care Transfer (CCT) Service designation in accordance with Section 335 of these rules. ~~(4-5-00)(7-1-11)T~~

331. -- 334. (RESERVED)

335. CRITICAL CARE TRANSFER (CCT) SERVICE STANDARDS.

Critical Care Transfer (CCT) Service designation of an agency by the EMS Bureau is required for any agency which will advertise or supply clinical personnel and equipment capabilities requiring knowledge or skills not contained within the ~~EMT~~ Paramedic curriculum approved by the State Health Officer. Designation ~~shall~~ will be for the same

duration as the license issued to the EMS agency. An agency which has demonstrated compliance with Section 300 of these rules may qualify for Critical Care Transfer (CCT) Service designation if the following criteria are met:

~~(4-5-00)~~(7-1-11)T

01. Personnel. The agency must have a sufficient number of personnel to assure availability corresponding to the anticipated call volume of the agency. (4-5-00)

a. ~~EMT~~ Paramedic personnel must hold a current ~~certification~~ paramedic license issued by the EMS Bureau ~~in accordance with Sections 501 and 510 of these rules~~ under IDAPA 16.01.07, "Emergency Medical Services (EMS) - Personnel Licensing Requirements." All ~~EMT~~ Paramedics who will be the primary or the only care provider during critical care transfers must have successfully completed a formal ~~training~~ education program in critical care transport which meets or exceeds the objectives of the curriculum approved by the State Health Officer.

~~(4-5-00)~~(7-1-11)T

b. An agency which will advertise or provide ~~ALS~~ CCT transfer of patients may use Ambulance-Based Clinicians as the medical care provider for those patients. The agency ~~shall~~ must verify that all Ambulance-Based Clinicians have successfully completed a formal ~~training~~ education program of out-of-hospital medical care which meets or exceeds the objectives of the curriculum approved by the State Health Officer. The agency ~~shall~~ must assure that any Ambulance-Based Clinicians meet additional requirements of the corresponding licensing board.

~~(4-5-00)~~(7-1-11)T

c. Personnel ~~shall~~ will initiate critical care as authorized by the physician designated as the Medical Director of the agency, and other physicians providing on-line medical ~~direction~~ supervision as specified in IDAPA 22.01.06, ~~"Rules for EMS Personnel," Subsection 011.05~~ 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physician Commission."

~~(4-5-00)~~(7-1-11)T

02. Required Documentation. The employment status and ongoing proficiency maintenance of the ~~certified~~ licensed personnel and Ambulance-Based Clinicians associated with the agency must be documented on a periodic basis to the EMS Bureau.

~~(4-5-00)~~(7-1-11)T

a. The agency must submit a roster of all ~~certified~~ licensed personnel and Ambulance-Based Clinicians with the application for licensure. Any change in the roster due to attrition or hiring must be documented to the EMS Bureau in writing within sixty (60) calendar days of the change.

~~(4-5-00)~~(7-1-11)T

b. The agency must maintain documentation of continuing education, refresher courses, and proficiency assurance of all ~~certified~~ licensed personnel and Ambulance-Based Clinicians in accordance with the EMS Standards Manual in effect at the time of designation and any EMS Standards Manual which takes effect during the designation period.

~~(4-5-00)~~(7-1-11)T

03. Required Equipment. The agency vehicle(s) must be equipped with the Minimum Required Equipment listed in the ALS section of the Minimum Equipment Standards incorporated in these rules. The agency must disclose all additional medical equipment routinely carried on the agency vehicle(s) not included in the Minimum Equipment Standards in the application provided by the EMS Bureau. (4-6-05)

04. Administrative License Action. A Critical Care Transfer Service designation may be ~~suspended~~ or revoked ~~in accordance with Section 515 of these rules~~ under IDAPA 16.01.12, "Emergency Medical Services (EMS) -- Complaints, Investigations, and Disciplinary Actions." The agency is specifically prohibited from advertising or responding to pre-hospital and emergency requests for ALS unless the agency also holds pre-hospital ALS designation ~~in accordance with~~ under Section 325 of these rules.

~~(4-5-00)~~(7-1-11)T

(BREAK IN CONTINUITY OF SECTIONS)

400. ADVANCE DO NOT RESUSCITATE (DNR) DIRECTIVES.

- 01. Protocols.** (11-10-94)
- a.** The EMS Advisory Committee will establish standard protocols for EMS personnel to respond to advance DNR directives. (11-10-94)
- b.** The protocol will be reviewed at least annually by the EMS Advisory Committee to determine if changes in protocol should be made to reflect technological advances. (11-10-94)
- c.** The Department will notify Idaho EMS ~~providers~~ personnel of DNR protocols and any subsequent changes. ~~(11-10-94)~~(7-1-11)T
- 02. Do Not Resuscitate (DNR) Order.** ~~(11-10-94)~~(7-1-11)T
- a.** A standard DNR form will be made available to physicians by the Department or its designee. (11-10-94)
- b.** One (1) copy will be maintained in the patient's file and one (1) copy will be kept by the patient. (11-10-94)
- 03. Do Not Resuscitate (DNR) Identification.** ~~(11-10-94)~~(7-1-11)T
- a.** Only a physician signed DNR order or a Department approved bracelet or necklace will be honored by EMS personnel. (11-10-94)
- b.** The bracelet or necklace will have an easily identifiable logo that solely represents a DNR code. (11-10-94)
- c.** The Department will advise EMS personnel of what constitutes an acceptable identification. (11-10-94)
- d.** No DNR identification may be issued without a valid DNR order in place. (11-10-94)
- e.** Only vendors authorized by the Department may sell or distribute DNR identifications. (11-10-94)
- 401. -- 404. (RESERVED)**
- 405. STANDARDS FOR THE APPROPRIATE USE OF AIR MEDICAL AGENCIES BY CERTIFIED LICENSED EMS PERSONNEL AT EMERGENCY SCENES.**
- 01. Who Establishes Training Education Curricula and Continuing Education Requirements for Air Medical Criteria?** The EMS Bureau will incorporate education and training regarding the air medical criteria established in Section 425 of ~~this~~ these rules into initial training curricula and required continuing education of certified licensed EMS personnel. ~~(4-11-06)~~(7-1-11)T
- 02. Who Must Establish Written Criteria Guiding Decisions to Request an Air Medical Response?** Each licensed EMS service must establish written criteria, approved by the EMS service medical director, to guide the decisions of the service's certified licensed EMS personnel to request an air medical response to an emergency scene. The criteria will include patient conditions found in Section 415 of these rules. ~~(4-11-06)~~(7-1-11)T
- 03. What Written Criteria is Required for EMS Service Licensure?** Written criteria guiding decisions to request an air medical response will be required for all initial and renewal applications for EMS service licensure for licenses effective on November 1, 2006, or later. (4-11-06)
- 04. Who Is Responsible for Requesting an Air Medical Response?** Certified Licensed EMS personnel en route to or at the emergency scene have the primary responsibility and authority to request the response of air medical services in accordance with using the local incident management system and licensed EMS service written criteria. ~~(4-11-06)~~(7-1-11)T

05. When Can ~~Certified~~ **Licensed** EMS Personnel Cancel an Air Medical Response? ~~Certified~~ **Licensed** EMS personnel must complete a patient assessment prior to their cancellation of an air medical response. ~~(4-11-06)~~(7-1-11)T

06. Who May Establish Criteria for Simultaneous Dispatch? The licensed EMS service may establish criteria for simultaneous dispatch for air and ground medical response. Air medical services will not respond to an emergency scene unless requested. (4-11-06)

07. Who Is Responsible for Selecting an Appropriate Air Medical Service? Selection of an appropriate air medical service is the responsibility of the licensed EMS service. (4-11-06)

a. The licensed EMS service, through written policy, will establish a process of air medical selection. (4-11-06)

b. The written policy must direct EMS personnel to honor a patient request for a specific air medical service when the circumstances will not jeopardize patient safety or delay patient care. (4-11-06)

406. -- 414. (RESERVED)

415. AIR MEDICAL RESPONSE CRITERIA.

The need for an air medical request will be determined by the licensed EMS service ~~certified~~ **licensed** personnel based on their patient assessment and transport time. Each licensed EMS service must develop written criteria based on best medical practice principles. The following conditions must be included in the criteria: ~~(4-11-06)~~(7-1-11)T

01. What Clinical Conditions Require Written Criteria? The licensed EMS service written criteria will provide guidance to the ~~certified~~ **licensed** EMS personnel for the following clinical conditions: ~~(4-11-06)~~(7-1-11)T

- a. The patient has a penetrating or crush injury to head, neck, chest, abdomen, or pelvis; (4-11-06)
- b. Neurological presentation suggestive of spinal cord injury; (4-11-06)
- c. Evidence of a skull fracture (depressed, open, or basilar) as detected visually or by palpation; (4-11-06)
- d. Fracture or dislocation with absent distal pulse; (4-11-06)
- e. A Glasgow Coma Score of ten (10) or less; (4-11-06)
- f. Unstable vital signs with evidence of shock; (4-11-06)
- g. Cardiac arrest; (4-11-06)
- h. Respiratory arrest; (4-11-06)
- i. Respiratory distress; (4-11-06)
- j. Upper airway compromise; (4-11-06)
- k. Anaphylaxis; (4-11-06)
- l. Near drowning; (4-11-06)
- m. Changes in level of consciousness; (4-11-06)
- n. Amputation of an extremity; and (4-11-06)

- o.** Burns greater than twenty percent (20%) of body surface or with suspected airway compromise. (4-11-06)

02. What Complicating Conditions Require Written Criteria? When associated with clinical conditions in Subsection 415.01 of these rules, the following complicating conditions require written guidance for EMS personnel: (4-11-06)

- a.** Extremes of age; (4-11-06)
- b.** Pregnancy; and (4-11-06)
- c.** Patient “do not resuscitate” status as described in Section 400 of these rules. (4-11-06)

03. What Operational Conditions Require Written Guidance for an Air Medical Response? The licensed EMS service written criteria will provide guidance to the ~~certified~~ licensed EMS personnel for the following operational conditions: ~~(4-11-06)~~(7-1-11)T

- a.** Availability of local hospitals and regional medical centers; (4-11-06)
- b.** Air medical response to the scene and transport to an appropriate hospital will be significantly shorter than ground transport time; (4-11-06)
- c.** Access to time sensitive medical interventions such as percutaneous coronary intervention, thrombolytic administration for stroke, or cardiac care; (4-11-06)
- d.** When the patient's clinical condition indicates the need for advanced life support and air medical is the most readily available access to advanced life support capabilities; (4-11-06)
- e.** As an additional resource for a multiple patient incident; (4-11-06)
- f.** Remote location of the patient; and (4-11-06)
- g.** Local destination protocols. (4-11-06)

(BREAK IN CONTINUITY OF SECTIONS)

425. LANDING ZONE AND SAFETY.

01. Who Is Responsible for Setting Up Landing Zone Procedures? The licensed EMS service in conjunction with the air medical service(s) must have written procedures for establishment of landing zones. Such procedures will be compatible with the local incident management system. (4-11-06)

02. What Are the Responsibilities of Landing Zone Officers? The procedures for establishment of landing zones must include identification of Landing Zone Officers with responsibility for the following: (4-11-06)

- a.** Landing zone preparation; (4-11-06)
- b.** Landing zone safety; and (4-11-06)
- c.** Communication between ground and air agencies. (4-11-06)

03. What Training Is Required for Landing Zone Officers? The licensed EMS service will assure that EMS ~~certified~~ licensed personnel, designated as Landing Zone Officers, have completed training in establishing

an air medical landing zone based on the following elements:

~~(4-11-06)~~(7-1-11)T

- a. The required size of a landing zone; (4-11-06)
- b. The allowable slope of a landing zone; (4-11-06)
- c. The allowable surface conditions; (4-11-06)
- d. Hazards and obstructions; (4-11-06)
- e. Marking and lighting; (4-11-06)
- f. Landing zone communications; and (4-11-06)
- g. Landing zone safety. (4-11-06)

04. What Is the Deadline for Obtaining Training as Landing Zone Officers? Current EMS ~~certified~~ licensed personnel, designated as Landing Zone Officers, must complete the required training described in Subsection 425.03 of ~~these~~ this rules by June 30, 2007. ~~(4-11-06)~~(7-1-11)T

05. What Is the Deadline for Training as a Landing Zone Officer for EMS Recertification License Renewal? All EMS certified personnel will complete training described in Subsection 425.03 of ~~these~~ this rules as a component of required continuing education for recertification license renewal not later than ~~June~~ September 30, 2010. ~~(4-11-06)~~(7-1-11)T

06. Who Has the Final Decision to Use an Established Landing Zone? The air medical pilot may refuse the use of an established landing zone. In the event of pilot refusal, the landing zone officer will initiate communications to identify an alternate landing zone. (4-11-06)

426. -- 429. (RESERVED)

430. PATIENT DESTINATION.

The air medical service must have written procedures for determination of patient destination. (4-11-06)

01. Procedures for Destination Protocol and Medical Direction Supervision. The air medical service written procedure will consider the licensed EMS service destination protocol and medical direction supervision received. ~~(4-11-06)~~(7-1-11)T

02. Availability of Written Procedures. The air medical service must make the written procedures available to licensed EMS services that utilize their services. (4-11-06)

03. Determination of Destination Will Honor Patient Preference. The air medical procedures for determination of destination will honor patient preference if the requested facility is capable of providing the necessary medical care and if the requested facility is located within a reasonable distance not compromising patient care or the EMS system. (4-11-06)

(BREAK IN CONTINUITY OF SECTIONS)

436. -- ~~499~~. (RESERVED)

~~500. CERTIFICATION.~~

~~In order to practice or represent himself as a First Responder, EMT-B, AEMT-A, EMT-I, or EMT-P, an individual must maintain current certification issued by the EMS Bureau. (4-6-05)~~

~~501. INITIAL CERTIFICATION.~~

~~Upon successful completion of an EMS training program, a candidate may apply for certification to the EMS Bureau. In addition, candidates must satisfy the following requirements: (4-6-05)~~

~~01. **Affiliation Required.** Candidates for certification at the EMT B, AEMT A, EMT I, and EMT Paramedic levels must have current affiliation with a licensed EMS service which functions at, or higher than, the level of certification being sought by the applicant; (4-6-05)~~

~~02. **Required Identification.** Candidates for certification at any level must have a state driver's license, an Idaho identification card which is issued by a county driver's license examining station, or identification card issued by the Armed Forces of the United States; and (7-1-97)~~

~~03. **Criminal Background Check.** A criminal background check must be conducted for all applicants for initial certification in accordance with the standards and procedures established in IDAPA 16.05.06, "Criminal History and Background Checks." The Division or the EMS Bureau may require an updated or additional criminal background check at any time, without expense to the applicant, if there is cause to believe new or additional information will be disclosed. Denial without the grant of an exemption under IDAPA 16.05.06, will result in denial or revocation of certification. (4-6-05)~~

~~04. **Fee for Initial Certification.** The fee for initial certification for AEMT A, EMT I, and EMT P is thirty five dollars (\$35). (4-6-05)~~

~~05. **Required Examination.** Candidates for certification at any level must obtain a passing score on the standardized examination designated by the EMS Bureau. The examination type must correspond to the level of certification being sought in accordance with the EMS Standards Manual in effect at the time of application. (4-6-05)~~

~~502.—509. (RESERVED)~~

~~510. CERTIFICATION DURATION AND RECERTIFICATION.~~

~~All certification is for the following specified intervals of time, during which time required continuing education, refresher courses and other proficiency assurances must be completed in order to renew the certification. (4-6-05)~~

~~01. **First Responder Certification.** A First Responder will be issued certification for three (3) years. The duration of initial certification may be up to forty two (42) months from the date of examination. Continuing education and refresher course must be conducted in accordance with the EMS Standards Manual in effect at the beginning of the certification interval. (4-6-05)~~

~~02. **EMT B Certification.** An EMT B will be issued certification for three (3) years. The duration of initial certification may be up to forty two (42) months from the date of examination. Continuing education, refresher course, and proficiency assurance documentation must be conducted in accordance with the EMS Standards Manual in effect at the beginning of the certification interval. (4-6-05)~~

~~03. **AEMT A Certification.** An AEMT A will be issued certification for two (2) years. The duration of initial certification may be up to thirty (30) months from the date of examination. Continuing education, refresher course, and proficiency assurance documentation must be conducted in accordance with the EMS Standards Manual in effect at the beginning of the certification interval. The fee for recertification is twenty five dollars (\$25). (4-6-05)~~

~~04. **EMT I Certification.** An EMT I will be issued certification for two (2) years. The duration of initial certification may be up to thirty (30) months from the date of examination. Continuing education, refresher course, and proficiency assurance documentation must be conducted in accordance with the EMS Standards Manual in effect at the beginning of the certification interval. The fee for recertification is twenty five dollars (\$25). (4-6-05)~~

~~05. **EMT P Certification.** An EMT P will be issued certification for two (2) years. The duration of initial certification may be up to thirty (30) months from the date of examination. Continuing education, refresher courses, and proficiency assurance documentation will be conducted in accordance with the EMS Standards Manual in effect at the beginning of the certification interval. The fee for recertification is twenty five dollars (\$25). (4-6-05)~~

~~06. **Required Documentation.** Documentation of recertification requirements is due to the EMS Bureau prior to the certification expiration date. Failure to submit complete documentation of requirements by the certification expiration date renders the certification invalid and the candidate must not practice or represent himself as certified personnel. (4-6-05)~~

~~07. **Affiliation Required.** Candidates for recertification at the EMT-B, AEMT-A, EMT-I, and EMT-P levels must have current affiliation with a licensed EMS service. (4-6-05)~~

~~511. **LAPSED CERTIFICATION.**~~

~~After the expiration date of certification issued by the EMS Bureau, the certification will no longer be valid unless required recertification documentation has been submitted. No grace periods or extensions to an expiration date may be granted. (4-6-05)~~

~~01. **Reinstatement of Certification.** An individual may submit recertification documentation up to a maximum of two (2) years following the certification expiration date. In order for certification to be reinstated individuals must meet the requirements for initial certification. Continuing education proportionate to the amount of time since the last recertification must be documented. (7-1-97)~~

~~02. **Re-Entry.** An individual whose certification has been expired for more than two (2) years must attend and successfully complete an initial training program for the level of certification being sought. All other requirements for initial certification must be met. (4-6-05)~~

~~512. **SURRENDER OF CERTIFICATION.**~~

~~An individual who possesses current certification may relinquish that certification at any time by submitting a letter of intent to the EMS Bureau. This action may not prevent investigative or disciplinary action against the individual, which may take place thereafter. (7-1-97)~~

~~513. **REVERSION.**~~

~~An individual who possesses current certification may relinquish that certification and receive a certification at a lower level with the same expiration date as the original certification. The individual must meet all requirements for initial certification. This action may not prevent investigative or disciplinary action against the individual which may take place thereafter. (7-1-97)~~

~~514. **RECIPROCITY.**~~

~~An individual who has successfully completed an EMS training program approved by another state, U.S. Territory, or branch of the U.S. Armed Services may apply for EMS certification if the individual satisfies the criteria for initial certification and has current NREMT registration or state EMS certification at or above the level of certification being sought. (7-1-97)~~

~~515. **ADMINISTRATIVE LICENSE ACTION.**~~

~~Any license or certification may be suspended, revoked, denied, or retained only upon compliance with conditions imposed by the Bureau Chief, for any action, conduct, or failure to act which is inconsistent with the professionalism and/or standards established by these rules including, but not limited to the following: (7-1-97)~~

~~01. **Any Violation.** Any violation of these rules. (7-1-97)~~

~~02. **Failure to Maintain Standards of Knowledge and/or Proficiency.** Failure to maintain standards of knowledge, and/or proficiency required under these rules; (7-1-97)~~

~~03. **A Lawful Finding.** A lawful finding of mental incompetency. (7-1-97)~~

~~04. **Performance of Duties.** Performance of duties pursuant to said license or certificate while under the influence of alcohol or any illegal substance. (7-1-97)~~

~~05. **Any Conduct, Action, or Conviction.** Any conduct, action, or conviction which does or would result in denial without exemption of a criminal history clearance under IDAPA 16.05.06, "Criminal History and Background Checks." (7-1-97)~~

~~06. **Discipline, Restriction, Suspension or Revocation.** Discipline, restriction, suspension or revocation in any other jurisdiction. (7-1-97)~~

~~07. **Any Conduct, Condition, or Circumstance.** Any conduct, condition, or circumstance determined by the Bureau Chief which constitutes a danger or threat to the health, safety, or well-being of persons or property. (7-1-97)~~

~~08. **Performing Any Medical Procedure or Providing Medication.** Performing any medical procedure or providing medication which deviates from or exceeds the scope of practice for the corresponding level of certification established under IDAPA 22.01.06, "Rules for EMS Personnel." (7-1-97)~~

~~09. **Providing Any Service Without Licensure or Designation.** Advertising or providing any service which exceeds the level of licensure and ALS designation; responding to any jurisdiction outside of the coverage area declared on the current EMS service application, with the exception of responses to any locally declared disaster when the response is specifically requested by the incident commander or his designee; or responding in a manner which is in violation of the county EMS ordinance in which the call originates. (4-5-00)~~

~~10. **Falsification of Applications or Reports.** The submission of fraudulent or false information in any report, application, or documentation to the EMS Bureau. (4-5-00)~~

~~516.—599. (RESERVED)~~

~~600. **WHO MAY REPORT A DISCIPLINARY VIOLATION.**
Any person who knows of a violation of any law or rule by the holder of an emergency medical services certificate issued pursuant to these rules may report the violation to the EMS Bureau. (7-1-97)~~

~~601. **PRELIMINARY INVESTIGATION.**
The EMS Bureau shall make a preliminary investigation of all the facts and circumstances surrounding the reported facts and events and shall make a report of such facts to the Emergency Medical Services Advisory Committee Disciplinary Subcommittee for a recommendation of appropriate action. The subject of the investigation shall be given an opportunity to respond in writing, or at the option of the EMS Bureau, in person, to the reported violation. (7-1-97)~~

~~602. **CONFIDENTIALITY OF INVESTIGATION.**
Preliminary investigations and papers in connection with them shall be confidential until a notice of certificate action is issued. (7-1-97)~~

~~603. **NOTICE OF CERTIFICATE ACTION.**
The Bureau Chief shall notify the certificate holder of any intended license action, or shall notify the certificate holder that no action will be taken. If the certificate holder fails to file an administrative appeal, the intended license action shall become effective without further notice. (7-1-97)~~

~~604.—999. (RESERVED)~~