

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

HOUSE BILL NO. 2251

By: Paulk

AS INTRODUCED

An Act relating to the Oklahoma Emergency Medical Services Act; amending 63 O.S. 1991, Section 1-2503, which relates to definitions; modifying definition; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 1991, Section 1-2503, is amended to read as follows:

Section 1-2503. As used in this act:

1. "Ambulance" means any ground, air or water vehicle which is or should be approved by the Commissioner, designed and equipped to transport a patient or patients and to provide appropriate on-scene and en route patient stabilization and care. Vehicles used as ambulances shall meet such requirements as may be required by the Commissioner for approval, and shall display evidence of such approval at all times;

2. "Ambulance authority" means any public trust or nonprofit corporation established by the state or any unit of local government or combination of units of government for the express purpose of providing, directly or by contract, emergency medical services in a specified area of the state;

3. "Ambulance patient" or "patient" means any person or persons who is or will be transported to or from a health care facility in an ambulance ~~in a reclining position~~;

4. "Ambulance service" means any private firm or governmental agency which is or should be licensed by the Department to provide Basic, Intermediate, Paramedic or Specialized Mobile Intensive Care levels of medical care;

5. "Ambulance service district" means any county, group of counties or parts of counties formed together to provide, operate and finance emergency medical services as provided by Section 9C of Article X of the Oklahoma Constitution or Sections 1201 through 1221 of Title 19 of the Oklahoma Statutes;

6. "Commissioner" means the State Commissioner of Health;

7. "Council" means the Oklahoma Emergency Medical Service Advisory Council;

8. "Department" means the State Department of Health;

9. "Emergency medical services system (EMSS)" means a system which provides for the organization and appropriate designation of personnel, facilities and equipment for the effective and coordinated local, regional and statewide delivery of health care services primarily under emergency conditions;

10. "Emergency Medical Technician/Basic, Emergency Medical Technician/Intermediate, Emergency Medical Technician/Advanced Cardiac, or Emergency Medical Technician/Paramedic" means an individual licensed by the Department to perform emergency medical services in accordance with this act and in accordance with the rules, ~~regulations~~ and standards promulgated by the State Board;

11. "First responder" means an individual certified by the Department to perform emergency medical services in accordance with this act and in accordance with the rules, ~~regulations~~ and standards promulgated by the State Board;

12. "First response agency" means an organization of any type certified by the Department to provide emergency medical care, but not transport. First response agencies may utilize certified first responders or licensed emergency medical technicians; provided, however, that all personnel so utilized shall function under the direction of and consistent with guidelines for medical control;

13. "Licensure" means the licensing of emergency medical care providers and ambulance services pursuant to rules, ~~regulations~~ and standards promulgated by the State Board at one or more of the following levels:

- a. Basic life support,
- b. Intermediate life support,
- c. Paramedic life support, and
- d. Specialized Mobile Intensive Care, which shall be used solely for inter-hospital transport of patients requiring specialized en route medical monitoring and advanced life support which exceed the capabilities of the equipment and personnel provided by paramedic life support.

Requirements for each level of care shall be established by the State Board. Licensure at any level of care includes a license to operate at any lower level, with the exception of licensure for Specialized Mobile Intensive Care; provided, however, that the highest level of care offered by an ambulance service shall be available twenty-four (24) hours each day, three hundred sixty-five (365) days per year.

Licensure shall be granted or renewed for such periods and under such terms and conditions as may be promulgated by the State Board;

14. "Medical control" means local, regional or statewide medical direction and quality assurance of health care delivery in an emergency medical service system. On-line medical control is the medical direction given to emergency medical personnel by a

physician via radio or telephone. Off-line medical control is the establishment and monitoring of all medical components of an emergency medical service system, including protocols, standing orders, educational programs, and the quality and delivery of on-line control;

15. "Medical director" means a physician, fully licensed without restriction, who acts as a paid or volunteer medical advisor to a licensed ambulance service and who monitors and directs the care so provided. Such physicians shall meet such qualifications and requirements as may be promulgated by the State Board;

16. "Region" or "emergency medical service region" means two or more municipalities, counties, ambulance districts or other political subdivisions exercising joint control over one or more providers of emergency medical services through common ordinances, authorities, boards or other means, and which are established pursuant to the provisions of the Oklahoma Interlocal Cooperation Act, Section 1001 et seq. of Title 74 of the Oklahoma Statutes;

17. "Regional emergency medical services system (regional EMSS)" means a network of organizations, individuals, facilities and equipment which serve a region, subject to a unified set of regional standards, and rules ~~and regulations~~ which may exceed, but may not be in contravention of, those required by the state, under the medical direction of a single regional medical director and which participates directly in the delivery of the following services:

- a. medical call-taking and EMS dispatching, emergency and routine, including priority dispatching of first response agencies and ambulances,
- b. first response services provided by first response agencies,
- c. ambulance services, both emergency and routine, including, but not limited to the transport of

patients in accordance with transport protocols approved by the regional medical director, and

- d. directions given by physicians directly via radio or telephone, or by written protocol, to first response agencies or ambulance personnel at the scene of an emergency or while en route to a hospital;

18. "Regional medical director" means a licensed physician, who meets or exceeds the qualifications of a medical director as defined by this act, chosen by an emergency medical service region to provide external medical oversight, quality control and related services to that region;

19. "Registration" means the listing of an ambulance service in a registry maintained by the Department. The registration shall not be deemed to be a license;

20. "State Board" means the State Board of Health; and

21. "Transport protocol" means the written instructions governing decision-making at the scene of medical emergencies by ambulance personnel regarding the selection of the hospital to which the patient shall be transported. Transport protocols shall be developed by the regional medical director for a regional EMSS or by the Department if no regional EMSS has been established. Such transport protocols shall adhere to, at a minimum, the following guidelines:

- a. nonemergency, routine transport shall be to the facility of the patient's choice,
- b. urgent or emergency transport not involving life-threatening medical illness or injury shall be to the nearest facility, or, subject to transport availability and system area coverage, to the facility of the patient's choice.
- c. life-threatening medical illness or injury shall require transport to the nearest health care facility

appropriate to the needs of the patient as established
by regional or state guidelines.

SECTION 2. It being immediately necessary for the preservation
of the public peace, health and safety, an emergency is hereby
declared to exist, by reason whereof this act shall take effect and
be in full force from and after its passage and approval.

45-2-8323

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