

1 ENGROSSED SENATE
JOINT
2 RESOLUTION NO. 10

By: Aldridge of the Senate

3 and

4 Roan of the House
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7 A Joint Resolution relating to a permanent rule of
8 the State Board of Health; disapproving in part
9 permanent Rule OAC 310:641-3-15, regarding
10 requirements for ground ambulance service drivers;
directing promulgation of rules providing for certain
exemption; directing distribution; and declaring an
emergency.

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13 WHEREAS, pursuant to Sections 250.2 and 308 of Title 75 of the
14 Oklahoma Statutes, the Legislature reserves the right to designate
15 the method for rule promulgation, establish policy, determine that a
16 rule is not consistent with legislative intent, and disapprove any
17 rule or portion thereof at any time; and

18 WHEREAS, pursuant to the provisions of Section 1-104 of Title 63
19 of the Oklahoma Statutes, the State Board of Health shall be
20 responsible for adopting and promulgating rules as necessary and
21 appropriate to carry out the duties and responsibilities of the
22 State Department of Health; and

23 WHEREAS, the portion of permanent Rule OAC 310:641-3-15 of the
24 State Department of Health which specifies the requirements of

1 ground ambulance service drivers does not reflect the intent of the
2 Oklahoma Legislature.

3 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF
4 REPRESENTATIVES OF THE 1ST SESSION OF THE 53RD OKLAHOMA LEGISLATURE:

5 SECTION 1. The Legislature hereby disapproves the following
6 language of subsection (d) of OAC 310:641-3-15 which states:

7 "each ground ambulance service shall have drivers who, at a
8 minimum, are certified as an Emergency Medical Responder".

9 SECTION 2. The Legislature hereby directs the State Board of
10 Health to promulgate rules, pursuant to the Oklahoma Administrative
11 Procedures Act, and advises the following language is consistent
12 with legislative intent: OAC 310:641-3-15 (d). In addition to the
13 requirement of licensed emergency medical technicians, each ground
14 ambulance service shall have drivers who, at a minimum, are
15 certified as an Emergency Medical Responder. Such requirement shall
16 not apply to ground ambulance service drivers who serve communities
17 with a population of less than five thousand (5,000). All drivers
18 of a ground ambulance service shall successfully complete an
19 emergency vehicle operator course approved by the Department within
20 one hundred twenty (120) days of employment. Emergency vehicle
21 operators shall successfully complete a refresher course approved by
22 the Department every two (2) years.

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1 SECTION 3. The Secretary of State is hereby directed to
2 distribute copies of this resolution to the Governor, the State
3 Board of Health, and the Editor of "The Oklahoma Register".

4 SECTION 4. It being immediately necessary for the preservation
5 of the public peace, health and safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

8 Passed the Senate the 14th day of March, 2011.

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Presiding Officer of the Senate

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12 Passed the House of Representatives the ____ day of _____,
13 2011.

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Presiding Officer of the House
of Representatives

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