

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 193

By: Justice

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5
6 AS INTRODUCED

7 An Act relating to emergency response systems; 63
8 O.S. 2011, Section 1-2503, as last amended by Section
9 65, Chapter 229, O.S.L. 2013 (63 O.S. Supp. 2014,
10 Section 1-2503), which relates to definitions;
11 modifying definitions; permitting administration of
12 certain drugs under certain circumstances; removing
13 population requirement from certain definition;
14 amending 63 O.S. 2011, Section 1-2515, which relates
15 to regulation of ambulance transports; permitting
16 Emergency Medical Services regions to contract with
17 certain entities for certain purposes; providing for
18 codification; and providing an effective date.

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

20 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-2503, as
21 last amended by Section 65, Chapter 229, O.S.L. 2013 (63 O.S. Supp.
22 2014, Section 1-2503), is amended to read as follows:

23 Section 1-2503. As used in the Oklahoma Emergency Response
24 Systems Development Act:

25 1. "Ambulance" means any ground, air or water vehicle which is
26 or should be approved by the Commissioner of Health, designed and
27 equipped to transport a patient or patients and to provide
28 appropriate on-scene and en route patient stabilization and care as

1 required. Vehicles used as ambulances shall meet such standards as
2 may be required by the State Board of Health for approval, and shall
3 display evidence of such approval at all times;

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

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

12 4. "Ambulance service" means any private firm or governmental
13 agency which is or should be licensed by the State Department of
14 Health to provide levels of medical care based on certification
15 standards promulgated by the Board;

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

21 6. "Board" means the State Board of Health;

22 7. "Certified emergency medical responder" means an individual
23 certified by the Department to perform emergency medical services in
24 accordance with the Oklahoma Emergency Response Systems Development

1 Act and in accordance with the rules and standards promulgated by
2 the Board;

3 8. "Certified emergency medical response agency" means an
4 organization of any type certified by the Department to provide
5 emergency medical care, but not transport. Certified emergency
6 medical response agencies may utilize certified emergency medical
7 responders or licensed emergency medical personnel; provided,
8 however, that all personnel so utilized shall function under the
9 direction of and consistent with guidelines for medical control;

10 9. "Classification" means an inclusive standardized
11 identification of stabilizing and definitive emergency services
12 provided by each hospital that treats emergency patients;

13 10. "CoAEMSP" means the Committee on Accreditation of
14 Educational Programs for the Emergency Medical Services Professions;

15 11. "Commissioner" means the State Commissioner of Health;

16 12. "Council" means the Trauma and Emergency Response Advisory
17 Council created in Section 44 of this act;

18 13. "Critical care paramedic" or "CCP" means a licensed
19 paramedic who has successfully completed critical care training and
20 testing requirements in accordance with the Oklahoma Emergency
21 Response Systems Development Act and in accordance with the rules
22 and standards promulgated by the Board;

23 14. "Department" means the State Department of Health;

24

1 15. "Emergency medical services system" means a system which
2 provides for the organization and appropriate designation of
3 personnel, facilities and equipment for the effective and
4 coordinated local, regional and statewide delivery of health care
5 services primarily under emergency conditions;

6 16. "Letter of review" means the official designation from
7 CoAEMSP to a paramedic program that is in the "becoming accredited"
8 process;

9 17. "Licensed emergency medical personnel" means an emergency
10 medical technician (EMT), an intermediate, an advanced emergency
11 medical technician (AEMT), or a paramedic licensed by the Department
12 to perform emergency medical services in accordance with the
13 Oklahoma Emergency Response Systems Development Act and the rules
14 and standards promulgated by the Board;

15 18. "Licensure" means the licensing of emergency medical care
16 providers and ambulance services pursuant to rules and standards
17 promulgated by the Board at one or more of the following levels:

- 18 a. Basic life support,
- 19 b. Intermediate life support,
- 20 c. Paramedic life support,
- 21 d. Advanced life support,
- 22 e. Stretcher aid van, and
- 23 f. Specialty care, which shall be used solely for
24 interhospital transport of patients requiring

1 specialized en route medical monitoring and advanced
2 life support which exceed the capabilities of the
3 equipment and personnel provided by paramedic life
4 support.

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

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

13 19. "Medical control" means local, regional or statewide
14 medical direction and quality assurance of health care delivery in
15 an emergency medical service system. On-line medical control is the
16 medical direction given to licensed emergency medical personnel,
17 certified emergency medical responders and stretcher aid van
18 personnel by a physician via radio or telephone. Off-line medical
19 control is the establishment and monitoring of all medical
20 components of an emergency medical service system, which is to
21 include stretcher aid van service including, but not limited to,
22 protocols, standing orders, educational programs, and the quality
23 and delivery of on-line control;
24

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

6 21. "Region" or "emergency medical service region" means two or
7 more municipalities, counties, ambulance districts or other
8 political subdivisions exercising joint control over one or more
9 providers of emergency medical services and stretcher aid van
10 service through common ordinances, authorities, boards or other
11 means;

12 22. "Regional emergency medical services system" means a
13 network of organizations, individuals, facilities and equipment
14 which serves a region, subject to a unified set of regional rules
15 and standards which may exceed, but may not be in contravention of,
16 those required by the state, which is under the medical direction of
17 a single regional medical director, and which participates directly
18 in the delivery of the following services:

- 19 a. medical call-taking and emergency medical services
20 dispatching, emergency and routine, including priority
21 dispatching of first response agencies, stretcher aid
22 van and ambulances,
23 b. emergency medical responder services provided by
24 emergency medical response agencies,

- 1 c. ambulance services, both emergency, routine and
2 stretcher aid van including, but not limited to, the
3 transport of patients in accordance with transport
4 protocols approved by the regional medical director,
5 and
- 6 d. directions given by physicians directly via radio or
7 telephone, or by written protocol, to emergency
8 medical response agencies, stretcher aid van or
9 ambulance personnel at the scene of an emergency or
10 while en route to a hospital;

11 23. "Regional medical director" means a licensed physician, who
12 meets or exceeds the qualifications of a medical director as defined
13 by the Oklahoma Emergency Response Systems Development Act, chosen
14 by an emergency medical service region to provide external medical
15 oversight, quality control and related services to that region;

16 24. "Registration" means the listing of an ambulance service in
17 a registry maintained by the Department; provided, however,
18 registration shall not be deemed to be a license;

19 25. "~~Stretcher aid van~~ Stretcher transport aid team (STAT)"
20 means ~~any ground vehicle~~ an organization which is or should be
21 approved by the State Commissioner of Health, which ~~is designed and~~
22 uses vehicles designed and equipped to transport individuals on a
23 stretcher or gurney type apparatus. Vehicles used as stretcher aid
24 vans shall meet such standards as may be required by the State Board

1 of Health for approval and shall display evidence of such approval
2 at all times. Stretcher transport aid ~~van~~ team services shall only
3 be permitted and approved by the Commissioner in emergency medical
4 service regions, or ambulance service districts, ~~or counties with~~
5 ~~populations in excess of 300,000 people.~~ Notwithstanding the
6 provisions of this paragraph, stretcher aid van transports may be
7 made to and from any federal or state veterans facility;

8 26. "~~Stretcher aid van~~ Stretcher transport aid team (STAT)
9 patient" means any person who is or will be transported in a
10 reclining position on a stretcher or gurney, who is medically
11 stable, nonemergent and does not require any medical monitoring
12 equipment or assistance during transport; and

13 27. "Transport protocol" means the written instructions
14 governing decision-making at the scene of a medical emergency by
15 ambulance personnel regarding the selection of the hospital to which
16 the patient shall be transported. Transport protocols shall be
17 developed by the regional medical director for a regional emergency
18 medical services system or by the Department if no regional
19 emergency medical services system has been established. Such
20 transport protocols shall adhere to, at a minimum, the following
21 guidelines:

- 22 a. nonemergency, routine transport shall be to the
23 facility of the patient's choice,
24

- 1 b. urgent or emergency transport not involving life-
2 threatening medical illness or injury shall be to the
3 nearest facility, or, subject to transport
4 availability and system area coverage, to the facility
5 of the patient's choice, and
- 6 c. life-threatening medical illness or injury shall
7 require transport to the nearest health care facility
8 appropriate to the needs of the patient as established
9 by regional or state guidelines.

10 SECTION 2. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 1-2506.3 of Title 63, unless
12 there is created a duplication in numbering, reads as follows:

13 Stretcher transport aid teams may carry and administer aspirin
14 to persons exhibiting preliminary signs of a heart attack in the
15 event that such symptoms materialize during the performance of
16 transportation services authorized by this act.

17 SECTION 3. AMENDATORY 63 O.S. 2011, Section 1-2515, is
18 amended to read as follows:

19 Section 1-2515. A. Notwithstanding any other provision of this
20 title, Emergency Medical Services (EMS) Regions, Ambulance Service
21 districts or municipalities are hereby authorized to regulate and
22 control, pursuant to duly enacted ordinance or regulation, Ambulance
23 Service transports originating within the jurisdiction of such EMS
24 Regions, Ambulance Service districts or municipalities.

1 B. Any ordinance or regulation adopted pursuant to subsection A
2 of this section shall meet and may exceed, but shall not be in
3 contravention of, the standards promulgated by the State Board of
4 Health for Ambulance Service transports.

5 C. 1. Any ordinance or regulation adopted by an EMS Region,
6 Ambulance Service district or a municipality may establish a sole-
7 provider system for stretcher aid van and/or Ambulance Service
8 transports; provided, however, any such designated or contracted
9 sole-provider which is not an EMS Region, Ambulance Service
10 district, municipality, or other public entity shall be selected by
11 competitive bidding.

12 2. A contract entered into pursuant to such bidding shall be
13 with the lowest and best bidder and may be for an initial term of
14 such duration as deemed operationally and fiscally prudent by the
15 contracting agency. The term of such sole-provider contract shall
16 be made public at the time bids are solicited, which solicitation
17 shall be not less than sixty (60) days prior to the contract start
18 date.

19 D. Any EMS Region, Ambulance Service district or municipality
20 may establish a sole-provider system for stretcher aid van and/or
21 Ambulance Service transports and may allow additional geographic or
22 political subdivisions to join such a system at any time. Whenever
23 such a geographic or political subdivision joins such a sole-
24 provider system, competitive bidding shall not be required and

1 provision for servicing the new jurisdiction may be accomplished by
2 amending the existing sole-provider contract. Furthermore, in the
3 event the expansion of the service area of the EMS Region, Ambulance
4 Service district or the municipality is substantial (in the sole
5 opinion of the governing body of the EMS Region, Ambulance Service
6 district or municipality), the existing sole-provider contract may
7 be extended for a period sufficient to allow reasonable opportunity
8 for recovery of capital costs of expansion, as determined by the
9 contracting agency.

10 E. The provisions of this section shall not be construed or
11 applied to limit the operation of any emergency medical service
12 district established and operating pursuant to Section 9C of Article
13 10 of the Oklahoma Constitution; provided, however, that, upon
14 invitation and approval of a majority of the voters of the district,
15 any such district is hereby authorized to join by appropriate
16 agreement any system established by an EMS Region, Ambulance Service
17 district or a municipality pursuant to the provisions of this
18 section.

19 F. The following types of patient transports shall be exempt
20 from regulation by EMS Regions, Ambulance Service districts or
21 municipalities:

22 1. Any ambulance owned or operated by, or under contract to
23 perform ambulance transport services for, the Federal or State
24 government, or any agency thereof;

1 2. Any ambulance owned and operated by a hospital and in use to
2 transport a patient of the owner-hospital, which patient has been
3 admitted to and not been discharged from the owner-hospital, to or
4 from another hospital or medical care facility at which the patient
5 receives a diagnostic or therapeutic procedure not available at the
6 owner-hospital;

7 3. Any ambulance engaged in a routine transport call to
8 transport a patient from a hospital, nursing home, or dialysis
9 center located within an EMS Region, Ambulance Service district or
10 municipality to any location outside the EMS Region, Ambulance
11 Service district or municipality;

12 4. Any ambulance engaged in the transport of a patient from a
13 location outside an EMS Region, Ambulance Service district or
14 municipality to a location inside an EMS Region, Ambulance Service
15 district or municipality; or

16 5. Any ambulance engaged in the interstate transport of a
17 patient.

18 G. EMS regions may contract with stretcher transport aid teams
19 for the provision of transportation services for transport calls
20 requiring non-emergency medical services. The provisions of this
21 subsection shall only apply to transport calls exclusively requiring
22 stretcher transport and not requiring a level of care beyond the
23 capabilities of stretcher transport aid teams.
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1 H. The State Board of Health shall promulgate rules necessary
2 to implement the provisions of this subsection.

3 SECTION 4. This act shall become effective November 1, 2015.

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