

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 2760

By: Osborn (Leslie)

COMMITTEE SUBSTITUTE

An Act relating to public health; amending 63 O.S. 2011, Section 1-2503, as last amended by Section 1, Chapter 30, O.S.L. 2017 (63 O.S. Supp. 2017, Section 1-2503), which relates to definitions used in the Oklahoma Emergency Response Systems Development Act; limiting authority related to the establishment of certain standards; requiring State Board of Health to promulgate certain rules; providing for codification; and declaring an emergency.

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

SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-2503, as last amended by Section 1, Chapter 30, O.S.L. 2017 (63 O.S. Supp. 2017, Section 1-2503), is amended to read as follows:

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

1. "Ambulance" means any ground, air or water vehicle which is or should be approved by the Commissioner of Health, designed and equipped to transport a patient or patients and to provide

1 appropriate on-scene and en route patient stabilization and care as
2 required. Vehicles used as ambulances shall meet such standards as
3 may be required by the State Board of Health for approval, and shall
4 display evidence of such approval at all times;

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

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

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

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

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

23 7. "Certified emergency medical responder" means an individual
24 certified by the Department to perform emergency medical services in

1 accordance with the Oklahoma Emergency Response Systems Development
2 Act and in accordance with the rules and standards promulgated by
3 the Board;

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

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

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

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

17 12. "Council" means the Trauma and Emergency Response Advisory
18 Council created in Section 1-103a.1 of this title;

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

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

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 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 van personnel
18 by a physician via radio or telephone. Off-line medical control is
19 the establishment and monitoring of all medical components of an
20 emergency medical service system, which is to include stretcher van
21 service including, but not limited to, protocols, standing orders,
22 educational programs, and the quality and delivery of on-line
23 control;

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 van service
10 through common ordinances, authorities, boards or other means;

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

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

1 c. ambulance services, both emergency, routine and
2 stretcher 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 van or ambulance
9 personnel at the scene of an emergency or while en
10 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 van" means any ground vehicle which is or should
20 be approved by the State Commissioner of Health, which is designed
21 and equipped to transport individuals on a stretcher or gurney type
22 apparatus. Vehicles used as stretcher vans shall meet such
23 standards as may be required by the Board for approval; provided,
24 that the Board shall not establish Federal Specification KKK-A-1822

1 ambulance standards for stretcher aid vans and shall display
2 evidence of ~~such approval~~ licensure at all times. Stretcher van
3 services shall only be permitted and approved by the Commissioner in
4 emergency medical service regions, ambulance service districts, or
5 counties with populations in excess of five hundred thousand
6 (500,000) people. Notwithstanding the provisions of this paragraph,
7 stretcher van transports may be made to and from any federal or
8 state veterans facility;

9 26. "Stretcher van passenger" means any person who is or will
10 be transported in a reclining position on a stretcher or gurney, who
11 is medically stable, nonemergent and does not require any medical
12 monitoring equipment or assistance during transport, except oxygen
13 in instances where the patient has a standing medical order for
14 oxygen. Passengers must be authorized as qualified to be
15 transported by stretcher van. Passengers shall be authorized
16 through screening provided by a certified medical dispatching
17 protocol approved by the Department. All patients being transported
18 to or from any medically licensed facility shall be screened before
19 transport. Any patient transported without screening shall be a
20 violation of Board rule by the transporting company and subject to
21 administrative procedures of the Department; and

22 27. "Transport protocol" means the written instructions
23 governing decision-making at the scene of a medical emergency by
24 ambulance personnel regarding the selection of the hospital to which

1 the patient shall be transported. Transport protocols shall be
2 developed by the regional medical director for a regional emergency
3 medical services system or by the Department if no regional
4 emergency medical services system has been established. Such
5 transport protocols shall adhere to, at a minimum, the following
6 guidelines:

- 7 a. nonemergency, routine transport shall be to the
8 facility of the patient's choice,
- 9 b. urgent or emergency transport not involving life-
10 threatening medical illness or injury shall be to the
11 nearest facility, or, subject to transport
12 availability and system area coverage, to the facility
13 of the patient's choice, and
- 14 c. life-threatening medical illness or injury shall
15 require transport to the nearest health care facility
16 appropriate to the needs of the patient as established
17 by regional or state guidelines.

18 SECTION 2. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 1-2512A of Title 63, unless
20 there is created a duplication in numbering, reads as follows:

21 The State Board of Health shall promulgate rules that permit
22 stretcher aid vans to carry oxygen and associated administration
23 equipment and to administer them.

SECTION 3. It being immediately necessary for the preservation
of the public peace, health or 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.

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