

1 ENGROSSED HOUSE
2 BILL NO. 2721

By: Russ of the House

3 and

4 Jech of the Senate

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8 [public health and safety - Oklahoma Emergency
9 Response Systems Development Act - effective date]
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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-2509, is
14 amended to read as follows:

15 Section 1-2509. A. 1. No person, company, governmental entity
16 or trust authority may operate an ambulance service within this
17 state except as provided in this section. The State Commissioner of
18 Health, the district attorney of the county wherein the ambulance
19 service operates or may be found, or the Attorney General of this
20 state shall have the authority to bring an action to enjoin the
21 operation of any ambulance service not in compliance with the
22 provisions of this act.

23 2. A ground ambulance service based outside of this state that
24 is licensed and in good standing in its home state may respond to an

1 emergency request for care and transport of a patient within this
2 state, provided no local licensed ambulance service is readily
3 available, and may be exempt from the licensing requirements of this
4 state pursuant to rules promulgated by the State Board of Health.

5 3. Requests for service must be referred by an Oklahoma
6 emergency dispatch center. The Board may require such exempt
7 ambulance service to subsequently provide documentation of emergency
8 response activities performed within this state.

9 4. The State Department of Health shall have the authority to
10 investigate any complaint associated with an emergency response by
11 an out-of-state ambulance service in the same manner as ambulance
12 services licensed by the Department within this state.

13 B. 1. Except as otherwise provided in paragraph 3 of this
14 subsection, under no circumstance during the transport of an
15 ambulance patient shall the attendant be less than a licensed
16 emergency medical technician.

17 2. Except as otherwise provided in paragraph 3 of this
18 subsection, in addition to the requirement of licensed emergency
19 medical technicians, each ground ambulance service shall have
20 drivers who, at a minimum, are certified as emergency medical
21 responders.

22 3. If any volunteer EMS Region, Ambulance Service district or
23 municipality serves any part of or is located in or partly in a
24 municipality with a population of less than five thousand (5,000)

1 according to the last Federal Decennial Census or any subsequent
2 Federal Decennial Census:

3 a. the attendant shall either be a licensed emergency
4 medical technician or an emergency medical responder,
5 and

6 b. there shall be no emergency medical technician or an
7 emergency medical responder licensing requirement for
8 drivers of ground ambulance service.

9 4. All drivers of a ground ambulance service shall successfully
10 complete an emergency vehicle operator course approved by the
11 Department within one hundred twenty (120) days of employment.
12 Emergency vehicle operators shall successfully complete a refresher
13 course approved by the Department every two (2) years.

14 C. The Commissioner shall have the authority to revoke or
15 suspend any license, to issue probationary licenses, or to levy such
16 administrative fines and penalties as may be deemed necessary, for
17 violations of the provisions of this act, subject to the provisions
18 of the Administrative Procedures Act. The powers afforded the
19 Commissioner within the general enforcement provisions of the Public
20 Health Code are additionally incorporated herein.

21 ~~C.~~ D. In addition to any other penalties, any person, company,
22 governmental entity or trust authority who violates any of the
23 provisions of this act relating to compliance with the provisions of
24 this act or of standards, specifications, procedures and rules

1 adopted by the Board may be punished by the assessment of a civil
2 penalty of not more than One Hundred Dollars (\$100.00) for each
3 violation. Each day a violation continues shall be considered a
4 separate offense.

5 ~~D.~~ E. The operation or maintenance of an ambulance service in
6 violation of this act, or the rules promulgated by the Board, is
7 declared a public nuisance inimical to the public welfare. The
8 Commissioner in the name of the people of the state, through the
9 Attorney General, or the district attorney of the county in which
10 the ambulance service is located, may, in addition to other remedies
11 herein provided, bring action for an injunction to restrain such
12 violation or to enjoin the future operation or maintenance of any
13 such ambulance service.

14 SECTION 2. This act shall become effective November 1, 2018.

15 Passed the House of Representatives the 15th day of March, 2018.

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Presiding Officer of the House
of Representatives

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Passed the Senate the ___ day of _____, 2018.

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Presiding Officer of the Senate

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