

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2760

By: Osborn (Leslie) of the
House

and

Bice of the Senate

11
12 COMMITTEE SUBSTITUTE

13 An Act relating to public health; amending 63 O.S.
14 2011, Section 1-2503, as last amended by Section 1,
15 Chapter 30, O.S.L. 2017 (63 O.S. Supp. 2017, Section
16 1-2503), which relates to definitions used in the
17 Oklahoma Emergency Response Systems Development Act;
18 limiting authority related to the establishment of
19 certain standards; requiring State Board of Health to
20 promulgate certain rules; providing for codification;
21 and declaring an emergency.

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

23 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-2503, as
24 last amended by Section 1, Chapter 30, O.S.L. 2017 (63 O.S. Supp.
25 2017, Section 1-2503), is amended to read as follows:

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

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

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

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

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

22 5. "Ambulance service district" means any county, group of
23 counties or parts of counties formed together to provide, operate
24 and finance emergency medical services as provided by Section 9C of

1 Article X of the Oklahoma Constitution or Sections 1201 through 1221
2 of Title 19 of the Oklahoma Statutes;

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

4 7. "Certified emergency medical responder" means an individual
5 certified by the Department to perform emergency medical services in
6 accordance with the Oklahoma Emergency Response Systems Development
7 Act and in accordance with the rules and standards promulgated by
8 the Board;

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

16 9. "Classification" means an inclusive standardized
17 identification of stabilizing and definitive emergency services
18 provided by each hospital that treats emergency patients;

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

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

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

1 13. "Critical care paramedic" or "CCP" means a licensed
2 paramedic who has successfully completed critical care training and
3 testing requirements in accordance with the Oklahoma Emergency
4 Response Systems Development Act and in accordance with the rules
5 and standards promulgated by the Board;

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

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

12 16. "Letter of review" means the official designation from
13 CoAEMSP to a paramedic program that is in the "becoming accredited"
14 process;

15 17. "Licensed emergency medical personnel" means an emergency
16 medical technician (EMT), an intermediate, an advanced emergency
17 medical technician (AEMT), or a paramedic licensed by the Department
18 to perform emergency medical services in accordance with the
19 Oklahoma Emergency Response Systems Development Act and the rules
20 and standards promulgated by the Board;

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

24 a. Basic life support,

- b. Intermediate life support,
- c. Paramedic life support,
- d. Advanced life support,
- e. Stretcher van, and
- f. Specialty care, which shall be used solely for interhospital 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 Board. Licensure at any level of care includes a license to operate at any lower level, with the exception of licensure for specialty 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 Board;

19. "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 licensed emergency medical personnel, certified emergency medical responders and stretcher van personnel by a physician via radio or telephone. Off-line medical control is

1 the establishment and monitoring of all medical components of an
2 emergency medical service system, which is to include stretcher van
3 service including, but not limited to, protocols, standing orders,
4 educational programs, and the quality and delivery of on-line
5 control;

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

11 21. "Region" or "emergency medical service region" means two or
12 more municipalities, counties, ambulance districts or other
13 political subdivisions exercising joint control over one or more
14 providers of emergency medical services and stretcher van service
15 through common ordinances, authorities, boards or other means;

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

23 a. medical call-taking and emergency medical services
24 dispatching, emergency and routine, including priority

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

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

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

23 25. "Stretcher van" means any ground vehicle which is or should
24 be approved by the State Commissioner of Health, which is designed

1 and equipped to transport individuals on a stretcher or gurney type
2 apparatus. Vehicles used as stretcher vans shall meet such
3 standards as may be required by the Board for approval; provided,
4 that the Board shall not establish Federal Specification KKK-A-1822
5 ambulance standards for stretcher aid vans and shall display
6 evidence of ~~such approval~~ licensure at all times. Stretcher van
7 services shall only be permitted and approved by the Commissioner in
8 emergency medical service regions, ambulance service districts, or
9 counties with populations in excess of five hundred thousand
10 (500,000) people. Notwithstanding the provisions of this paragraph,
11 stretcher van transports may be made to and from any federal or
12 state veterans facility;

13 26. "Stretcher van passenger" means any person who is or will
14 be transported in a reclining position on a stretcher or gurney, who
15 is medically stable, nonemergent and does not require any medical
16 monitoring equipment or assistance during transport, except oxygen
17 in instances where the patient has a standing medical order for
18 oxygen. Passengers must be authorized as qualified to be
19 transported by stretcher van. Passengers shall be authorized
20 through screening provided by a certified medical dispatching
21 protocol approved by the Department. All patients being transported
22 to or from any medically licensed facility shall be screened before
23 transport. Any patient transported without screening shall be a
24

1 violation of Board rule by the transporting company and subject to
2 administrative procedures of the Department; and

3 27. "Transport protocol" means the written instructions
4 governing decision-making at the scene of a medical emergency by
5 ambulance personnel regarding the selection of the hospital to which
6 the patient shall be transported. Transport protocols shall be
7 developed by the regional medical director for a regional emergency
8 medical services system or by the Department if no regional
9 emergency medical services system has been established. Such
10 transport protocols shall adhere to, at a minimum, the following
11 guidelines:

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

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

4 The State Board of Health shall promulgate rules that permit
5 stretcher aid vans to carry oxygen and associated administration
6 equipment and to administer them.

7 SECTION 3. It being immediately necessary for the preservation
8 of the public peace, health or safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval.

11

12 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 02/27/2018 -
13 DO PASS, As Amended and Coauthored.

14

15

16

17

18

19

20

21

22

23

24