

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

HOUSE BILL 2721

By: Russ

AS INTRODUCED

An Act relating to public health and safety; amending 63 O.S. 2011, Section 1-2509, which relates to Oklahoma Emergency Response Systems Development Act; providing ambulance attendant and driver requirements; providing exceptions; and providing an effective date.

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

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

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

1 2. A ground ambulance service based outside of this state that
2 is licensed and in good standing in its home state may respond to an
3 emergency request for care and transport of a patient within this
4 state provided no local licensed ambulance service is readily
5 available, and may be exempt from the licensing requirements of this
6 state pursuant to rules promulgated by the State Board of Health.

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

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

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

19 2. Except as otherwise provided in paragraph 3 of this
20 subsection, in addition to the requirement of licensed emergency
21 medical technicians, each ground ambulance service shall have
22 drivers who, at a minimum, are certified as emergency medical
23 responders.
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1 3. If any EMS Region, Ambulance Service district or
2 municipality serves any part of or is located in or partly in a
3 municipality with a population of less than five thousand (5,000)
4 according to the last Federal Decennial Census or any subsequent
5 Federal Decennial Census:

6 a. the attendant shall either be a licensed emergency
7 medical technician or an emergency medical responder,
8 and

9 b. there shall be no emergency medical technician or an
10 emergency medical responder licensing requirement for
11 drivers of ground ambulance service.

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

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

1 ~~C.~~ D. In addition to any other penalties, any person, company,
2 governmental entity or trust authority who violates any of the
3 provisions of this act relating to compliance with the provisions of
4 this act or of standards, specifications, procedures and rules
5 adopted by the Board may be punished by the assessment of a civil
6 penalty of not more than One Hundred Dollars (\$100.00) for each
7 violation. Each day a violation continues shall be considered a
8 separate offense.

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

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

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