

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 1018, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Rosino

Rosino-DC-FS-Req#2033
3/11/2019 3:43 PM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

FLOOR SUBSTITUTE
FOR

SENATE BILL NO. 1018

By: Rosino of the Senate

and

Hill of the House

FLOOR SUBSTITUTE

An Act relating to stretcher vans; amending 63 O.S. 2011, Section 1-2503, as last amended by Section 1, Chapter 30, O.S.L. 2017 (63 O.S. Supp. 2018, Section 1-2503), which relates to definitions; modifying definitions; updating term; 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. 2018, 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 State Commissioner of Health, designed and equipped to transport a patient or patients and to provide 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~~ Commissioner for
3 approval, and shall 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~~ Commissioner;

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~~ Commissioner;

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 1-103a.1 of this title;

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~~ Commissioner;

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~~ Commissioner;

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~~ Commissioner at one or more of the
18 following levels:

- 19 a. Basic life support,
 - 20 b. Intermediate life support,
 - 21 c. Paramedic life support,
 - 22 d. Advanced life support,
 - 23 e. Stretcher van, and
- 24

1 f. Specialty care, which shall be used solely for
2 interhospital transport of patients requiring
3 specialized en route medical monitoring and advanced
4 life support which exceed the capabilities of the
5 equipment and personnel provided by paramedic life
6 support.

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

14 Licensure shall be granted or renewed for such periods and under
15 such terms and conditions as may be promulgated by the ~~Board~~
16 Commissioner;

17 19. "Medical control" means local, regional or statewide
18 medical direction and quality assurance of health care delivery in
19 an emergency medical service system. On-line medical control is the
20 medical direction given to licensed emergency medical personnel,
21 certified emergency medical responders and stretcher van personnel
22 by a physician via radio or telephone. Off-line medical control is
23 the establishment and monitoring of all medical components of an
24 emergency medical service system, which is to include stretcher van

1 service including, but not limited to, protocols, standing orders,
2 educational programs, and the quality and delivery of on-line
3 control;

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

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

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

- 21 a. medical call-taking and emergency medical services
22 dispatching, emergency and routine, including priority
23 dispatching of first response agencies, stretcher van
24 and ambulances,

- b. emergency medical responder services provided by emergency medical response agencies,
- c. ambulance services, both emergency, routine and stretcher van including, but not limited to, the transport of patients in accordance with transport protocols approved by the regional medical director, and
- d. directions given by physicians directly via radio or telephone, or by written protocol, to emergency medical response agencies, stretcher van or ambulance personnel at the scene of an emergency or while en route to a hospital;

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

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

25. "Stretcher van" means any ground vehicle which is or should be approved by the State Commissioner of Health, which is designed and equipped to transport individuals on a stretcher or gurney type apparatus. Vehicles used as stretcher vans shall meet such

standards as may be required by the ~~Board~~ Commissioner for approval and shall display evidence of ~~such approval~~ licensure at all times. The Commissioner shall not establish Federal Specification KKK-A-1822 ambulance standards for stretcher vans licensed on or after September 1, 2016; provided, a stretcher van licensed on or after September 1, 2016, shall meet Ambulance Manufacturers Division (AMD) Standards 004, 012 and 013, and shall pass corresponding safety tests. Stretcher van services shall only be permitted and approved by the Commissioner in emergency medical service regions, ambulance service districts, or counties with populations in excess of five hundred thousand (500,000) people. Notwithstanding the provisions of this paragraph, stretcher van transports may be made to and from any federal or state veterans facility. Stretcher vans may carry and provide oxygen and may carry and utilize any equipment necessary for the provision of oxygen;

26. "Stretcher van passenger" means any person who is or will be transported in a reclining position on a stretcher or gurney, who is medically stable, nonemergent and does not require any medical monitoring equipment or assistance during transport, except oxygen ~~in instances where the patient has a standing medical order for oxygen.~~ Passengers must be authorized as qualified to be transported by stretcher van. Passengers shall be authorized through screening provided by a certified medical dispatching protocol approved by the Department. All patients being transported

1 to or from any medically licensed facility shall be screened before
2 transport. Any patient transported without screening shall be a
3 violation of ~~Board~~ Commissioner rule by the transporting company and
4 subject to administrative procedures of the Department; and

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

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

1 SECTION 2. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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