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February 9, 2023

By: Rosino

An Act relating to emergency medical services; amending 63 O.S. 2021, Section 1-2503, as amended by Section 1, Chapter 276, O.S.L. 2022 (63 O.S. Supp. 2022, Section 1-2503), which relates to definitions used in the Oklahoma Emergency Response Systems Development Act; adding and modifying definitions; repealing 63 O.S. 2021, Section 1-2503, as amended by Section 1, Chapter 246, O.S.L. 2016, which relates to definitions used in the Oklahoma Emergency Response Systems Development Act; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-2503, as amended by Section 1, Chapter 276, O.S.L. 2022 (63 O.S. Supp. 2022, 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 required. Vehicles used as ambulances shall meet such standards as

1 may be required by the Commissioner for approval, and shall display
2 evidence of such approval at all times;

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

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

11 4. "Ambulance service" means any private firm or governmental
12 agency which is or should be licensed by the State Department of
13 Health to provide levels of medical care, including but not limited
14 to comprehensive integrated medical care in emergency and
15 nonemergency settings under the supervision of a physician based on
16 certification standards promulgated by the Commissioner;

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 Commissioner;

4 8. "Certified emergency medical response agency" means an
5 organization of any type certified by the Department to provide
6 emergency medical care and limited transport in an emergency vehicle
7 as defined in Section 1-103 of Title 47 of the Oklahoma Statutes. A
8 certified emergency medical response agency shall only provide
9 transport upon approval by the appropriate online medical control at
10 the time of transport. Certified emergency medical response
11 agencies may utilize certified emergency medical responders or
12 licensed emergency medical personnel; provided, however, that all
13 personnel so utilized shall function under the direction of and
14 consistent with guidelines for medical control;

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

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

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

21 12. "Community paramedic" means a licensed paramedic who meets
22 the requirements of Section 1-2505 of this title;

23 13. "Community paramedic services" means services that include
24 interventions intended to prevent unnecessary ambulance

1 transportation or hospital emergency department use. Community
2 paramedic services:

- 3 a. must be part of a care plan ordered by a primary
4 health care provider or hospital provider in
5 consultation with the medical director of an ambulance
6 service. Such care plan must ensure that the services
7 provided by a community paramedic do not duplicate
8 services already provided to the patient, including
9 home health and waiver services, and
10 b. shall include health assessment, chronic disease
11 monitoring and education, medication compliance,
12 immunizations and vaccinations, laboratory specimen
13 collection, hospital discharge follow-up care, and
14 minor medical procedures compliant with the community
15 paramedic's scope of practice and approved by the
16 ambulance medical director;

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

19 ~~13.~~ 15. "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 Commissioner;

24 ~~14.~~ 16. "Department" means the State Department of Health;

1 ~~15.~~ 17. "Emergency medical services system" means a system
2 which 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.~~ 18. "Letter of review" means the official designation from
7 CoAEMSP to a paramedic program that is in the "becoming accredited"
8 process;

9 ~~17.~~ 19. "Licensed emergency medical personnel" means an
10 emergency medical technician (EMT), an intermediate emergency
11 medical technician (IEMT), an advanced emergency medical technician
12 (AEMT), or a paramedic licensed by the Department to perform
13 emergency medical services in accordance with the Oklahoma Emergency
14 Response Systems Development Act and the rules and standards
15 promulgated by the Commissioner;

16 ~~18.~~ 20. "Licensure" means the licensing of emergency medical
17 care providers and ambulance services pursuant to rules and
18 standards promulgated by the Commissioner at one or more of the
19 following levels:

- 20 a. basic life support,
- 21 b. intermediate life support,
- 22 c. paramedic life support,
- 23 d. advanced life support,
- 24 e. stretcher van, and

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

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

15 ~~19.~~ 21. "Medical control" means local, regional or statewide
16 medical direction and quality assurance of health care delivery in
17 an emergency medical service system. Online medical control is the
18 medical direction given to licensed emergency medical personnel,
19 certified emergency medical responders and stretcher van personnel
20 by a physician via radio or telephone. Off-line medical control is
21 the establishment and monitoring of all medical components of an
22 emergency medical service system, which is to include stretcher van
23 service including, but not limited to, protocols, standing orders,

1 educational programs, and the quality and delivery of online
2 control;

3 ~~20.~~ 22. "Medical director" means a physician, fully licensed
4 without restriction, who acts as a paid or volunteer medical advisor
5 to a licensed ambulance service and who monitors and directs the
6 care so provided. Such physicians shall meet such qualifications
7 and requirements as may be promulgated by the Commissioner;

8 ~~21.~~ 23. "Region" or "emergency medical service region" means
9 two or more municipalities, counties, ambulance districts or other
10 political subdivisions exercising joint control over one or more
11 providers of emergency medical services and stretcher van service
12 through common ordinances, authorities, boards or other means;

13 ~~22.~~ 24. "Regional emergency medical services system" means a
14 network of organizations, individuals, facilities and equipment
15 which serves a region, subject to a unified set of regional rules
16 and standards which may exceed, but may not be in contravention of,
17 those required by the state, which is under the medical direction of
18 a single regional medical director, and which participates directly
19 in the delivery of the following services:

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

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.~~ 25. "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.~~ 26. "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.~~ 27. "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

1 gurney type apparatus. Vehicles used as stretcher vans shall meet
2 such standards as may be required by the Commissioner for approval
3 and shall display evidence of licensure at all times. The
4 Commissioner shall not establish Federal Specification KKK-A-1822
5 ambulance standards for stretcher vans; provided, a stretcher van
6 shall meet Ambulance Manufacturers Division (AMD) Standards 004, 012
7 and 013, and shall pass corresponding safety tests. Stretcher van
8 services shall only be permitted and approved by the Commissioner in
9 emergency medical service regions, ambulance service districts, or
10 counties with populations in excess of five hundred thousand
11 (500,000) people. Notwithstanding the provisions of this paragraph,
12 stretcher van transports may be made to and from any federal or
13 state veterans facility. Stretcher vans may carry and provide
14 oxygen and may carry and utilize any equipment necessary for the
15 provision of oxygen;

16 ~~26.~~ 28. "Stretcher van passenger" means any person who is or
17 will be transported in a reclining position on a stretcher or
18 gurney, who is medically stable, nonemergent and does not require
19 any medical monitoring equipment or assistance during transport
20 except oxygen. Passengers must be authorized as qualified to be
21 transported by stretcher van. Passengers shall be authorized
22 through screening provided by a certified medical dispatching
23 protocol approved by the Department. All patients being transported
24 to or from any medically licensed facility shall be screened before

1 transport. Any patient transported without screening shall be a
2 violation of Commissioner rule by the transporting company and
3 subject to administrative procedures of the Department; and

4 ~~27.~~ 29. "Transport protocol" means the written instructions
5 governing decision-making at the scene of a medical emergency by
6 ambulance personnel regarding the selection of the hospital to which
7 the patient shall be transported. Transport protocols shall be
8 developed by the regional medical director for a regional emergency
9 medical services system or by the Department if no regional
10 emergency medical services system has been established. Such
11 transport protocols shall adhere to, at a minimum, the following
12 guidelines:

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

1 d. emergency ambulance transportation is not required
2 when a patient's apparent clinical condition, as
3 defined by applicable medical treatment protocols,
4 does not warrant emergency ambulance transport, and
5 nontransport of patients is authorized pursuant to
6 applicable medical treatment protocols established by
7 the regional medical director.

8 SECTION 2. REPEALER 63 O.S. 2021, Section 1-2503, as
9 amended by Section 1, Chapter 246, O.S.L. 2016, is hereby repealed.

10 SECTION 3. This act shall become effective November 1, 2023.

11 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
12 February 9, 2023 - DO PASS
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