

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 3311

By: Newton

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5
6 AS INTRODUCED

7 An Act relating to public health; amending 63 O.S.
8 2011, Section 1-2503, as last amended by Section 1,
9 Chapter 93, O.S.L. 2019 (63 O.S. Supp. 2019, Section
10 1-2503), which relates to the Oklahoma Emergency
11 Response Systems Development Act; adding definitions;
12 and providing an effective date.

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

14 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-2503, as
15 last amended by Section 1, Chapter 93, O.S.L. 2019 (63 O.S. Supp.
16 2019, Section 1-2503), is amended to read as follows:

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

19 1. "Ambulance" means any ground, air or water vehicle which is
20 or should be approved by the State Commissioner of Health, designed
21 and equipped to transport a patient or patients and to provide
22 appropriate on-scene and en route patient stabilization and care as
23 required. Vehicles used as ambulances shall meet such standards as
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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 based on certification
14 standards promulgated by the Commissioner;

15 5. "Ambulance service district" means any county, group of
16 counties or parts of counties formed together to provide, operate
17 and finance emergency medical services as provided by Section 9C of
18 Article X of the Oklahoma Constitution or Sections 1201 through 1221
19 of Title 19 of the Oklahoma Statutes;

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

21 7. "Certified emergency medical responder" means an individual
22 certified by the Department to perform emergency medical services in
23 accordance with the Oklahoma Emergency Response Systems Development
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1 Act and in accordance with the rules and standards promulgated by
2 the 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. "Community paramedic" means a licensed paramedic who meets
17 the requirements of Section 1-2505 of this title;

18 13. "Community paramedic services" means services that include
19 interventions intended to prevent unnecessary ambulance
20 transportation or hospital emergency department use.

21 a. Community paramedic services must be part of a care
22 plan ordered by a primary health care provider or a
23 hospital provider in consultation with the medical
24 director of an ambulance service. Such care plan must

1 ensure that the services provided by a community
2 paramedic do not duplicate services already provided
3 to the patient, including home health and waiver
4 services.

5 b. Community paramedic services shall include health
6 assessment, chronic disease monitoring and education,
7 medication compliance, immunizations and vaccinations,
8 laboratory specimen collection, hospital discharge
9 follow-up care and minor medical procedures compliant
10 with the community paramedic's scope of practice and
11 approved by the ambulance medical director;

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

14 ~~13.~~ 15. "Critical care paramedic" or "CCP" means a licensed
15 paramedic who has successfully completed critical care training and
16 testing requirements in accordance with the Oklahoma Emergency
17 Response Systems Development Act and in accordance with the rules
18 and standards promulgated by the Commissioner;

19 ~~14.~~ 16. "Department" means the State Department of Health;

20 ~~15.~~ 17. "Emergency medical services system" means a system
21 which provides for the organization and appropriate designation of
22 personnel, facilities and equipment for the effective and
23 coordinated local, regional and statewide delivery of health care
24 services primarily under emergency conditions;

1 ~~16.~~ 18. "Letter of review" means the official designation from
2 CoAEMSP to a paramedic program that is in the "becoming accredited"
3 process;

4 ~~17.~~ 19. "Licensed emergency medical personnel" means an
5 emergency medical technician (EMT), an intermediate, an advanced
6 emergency medical technician (AEMT), or a paramedic licensed by the
7 Department to perform emergency medical services in accordance with
8 the Oklahoma Emergency Response Systems Development Act and the
9 rules and standards promulgated by the Commissioner;

10 ~~18.~~ 20. "Licensure" means the licensing of emergency medical
11 care providers and ambulance services pursuant to rules and
12 standards promulgated by the Commissioner at one or more of the
13 following levels:

- 14 a. Basic life support,
- 15 b. Intermediate life support,
- 16 c. Paramedic life support,
- 17 d. Advanced life support,
- 18 e. Stretcher van, and
- 19 f. Specialty care, which shall be used solely for
20 interhospital transport of patients requiring
21 specialized en route medical monitoring and advanced
22 life support which exceed the capabilities of the
23 equipment and personnel provided by paramedic life
24 support.

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

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

9 ~~19.~~ 21. "Medical control" means local, regional or statewide
10 medical direction and quality assurance of health care delivery in
11 an emergency medical service system. On-line medical control is the
12 medical direction given to licensed emergency medical personnel,
13 certified emergency medical responders and stretcher van personnel
14 by a physician via radio or telephone. Off-line medical control is
15 the establishment and monitoring of all medical components of an
16 emergency medical service system, which is to include stretcher van
17 service including, but not limited to, protocols, standing orders,
18 educational programs, and the quality and delivery of on-line
19 control;

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

1 ~~21.~~ 23. "Region" or "emergency medical service region" means
2 two or more municipalities, counties, ambulance districts or other
3 political subdivisions exercising joint control over one or more
4 providers of emergency medical services and stretcher van service
5 through common ordinances, authorities, boards or other means;

6 ~~22.~~ 24. "Regional emergency medical services system" means a
7 network of organizations, individuals, facilities and equipment
8 which serves a region, subject to a unified set of regional rules
9 and standards which may exceed, but may not be in contravention of,
10 those required by the state, which is under the medical direction of
11 a single regional medical director, and which participates directly
12 in the delivery of the following services:

- 13 a. medical call-taking and emergency medical services
14 dispatching, emergency and routine, including priority
15 dispatching of first response agencies, stretcher van
16 and ambulances,
- 17 b. emergency medical responder services provided by
18 emergency medical response agencies,
- 19 c. ambulance services, both emergency, routine and
20 stretcher van including, but not limited to, the
21 transport of patients in accordance with transport
22 protocols approved by the regional medical director,
23 and

1 d. directions given by physicians directly via radio or
2 telephone, or by written protocol, to emergency
3 medical response agencies, stretcher van or ambulance
4 personnel at the scene of an emergency or while en
5 route to a hospital;

6 ~~23.~~ 25. "Regional medical director" means a licensed physician,
7 who meets or exceeds the qualifications of a medical director as
8 defined by the Oklahoma Emergency Response Systems Development Act,
9 chosen by an emergency medical service region to provide external
10 medical oversight, quality control and related services to that
11 region;

12 ~~24.~~ 26. "Registration" means the listing of an ambulance
13 service in a registry maintained by the Department; provided,
14 however, registration shall not be deemed to be a license;

15 ~~25.~~ 27. "Stretcher van" means any ground vehicle which is or
16 should be approved by the State Commissioner of Health, which is
17 designed and equipped to transport individuals on a stretcher or
18 gurney type apparatus. Vehicles used as stretcher vans shall meet
19 such standards as may be required by the Commissioner for approval
20 and shall display evidence of licensure at all times. The
21 Commissioner shall not establish Federal Specification KKK-A-1822
22 ambulance standards for stretcher vans; provided, a stretcher van
23 shall meet Ambulance Manufacturers Division (AMD) Standards 004, 012
24 and 013, and shall pass corresponding safety tests. Stretcher van

1 services shall only be permitted and approved by the Commissioner in
2 emergency medical service regions, ambulance service districts, or
3 counties with populations in excess of five hundred thousand
4 (500,000) people. Notwithstanding the provisions of this paragraph,
5 stretcher van transports may be made to and from any federal or
6 state veterans facility. Stretcher vans may carry and provide
7 oxygen and may carry and utilize any equipment necessary for the
8 provision of oxygen;

9 ~~26.~~ 28. "Stretcher van passenger" means any person who is or
10 will be transported in a reclining position on a stretcher or
11 gurney, who is medically stable, nonemergent and does not require
12 any medical monitoring equipment or assistance during transport
13 except oxygen. Passengers must be authorized as qualified to be
14 transported by stretcher van. Passengers shall be authorized
15 through screening provided by a certified medical dispatching
16 protocol approved by the Department. All patients being transported
17 to or from any medically licensed facility shall be screened before
18 transport. Any patient transported without screening shall be a
19 violation of Commissioner rule by the transporting company and
20 subject to administrative procedures of the Department; and

21 ~~27.~~ 29. "Transport protocol" means the written instructions
22 governing decision-making at the scene of a medical emergency by
23 ambulance personnel regarding the selection of the hospital to which
24 the patient shall be transported. Transport protocols shall be

1 developed by the regional medical director for a regional emergency
2 medical services system or by the Department if no regional
3 emergency medical services system has been established. Such
4 transport protocols shall adhere to, at a minimum, the following
5 guidelines:

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

17 SECTION 2. This act shall become effective November 1, 2020.

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