

By the Committee on Health Care Licensing & Regulation and
Representatives Casey and Fiorentino

1 A bill to be entitled
2 An act relating to emergency medical services;
3 amending s. 401.25, F.S.; providing
4 qualifications for licensure as basic or
5 advanced life support service; amending s.
6 401.27, F.S.; providing standards for
7 certification of emergency medical technicians
8 and paramedics; creating s. 401.2701, F.S.;
9 establishing criteria for emergency medical
10 services training programs; creating s.
11 401.2715, F.S.; providing for recertification
12 training of emergency medical technicians and
13 paramedics; providing for fees; amending s.
14 401.30, F.S.; providing for use and maintenance
15 of records; amending s. 401.35, F.S.; providing
16 rulemaking authority; providing an effective
17 date.

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19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Subsection (7) of section 401.25, Florida
22 Statutes, is added to read:

23 401.25 Licensure as a basic life support or an
24 advanced life support service.--

25 (7)(a) Each permitted basic life support ambulance not
26 specifically exempted from this part, when transporting a
27 person who is sick, injured, wounded, incapacitated, or
28 helpless, must be occupied by at least two persons: one
29 patient attendant who is a certified emergency medical
30 technician, certified paramedic, or licensed physician; and
31 one ambulance driver who meets the requirements of s. 401.281.

1 This paragraph does not apply to interfacility transfers
2 governed by s. 401.252(1).

3 (b) Each permitted advanced life support ambulance not
4 specifically exempted from this part, when transporting a
5 person who is sick, injured, wounded, incapacitated, or
6 helpless must be occupied by at least two persons: one who is
7 a certified paramedic or licensed physician; and one who is a
8 certified emergency medical technician, certified paramedic,
9 or licensed physician who also meets the requirements of s.
10 401.281 for drivers. The person with the highest medical
11 certifications shall be in charge of patient care. This
12 paragraph does not apply to interfacility transfers governed
13 by s. 401.252(1).

14 Section 2. Subsection (3) of section 401.27, Florida
15 Statutes, is amended to read:

16 401.27 Personnel; standards and certification.--

17 (3) Any person who desires to be certified or
18 recertified as an emergency medical technician or paramedic
19 must apply to the department under oath on forms provided by
20 the department which shall contain such information as the
21 department reasonably requires, which may include affirmative
22 evidence of ability to comply with applicable laws and rules.
23 The department shall determine whether the applicant meets the
24 requirements specified in this section and in rules of the
25 department and shall issue a certificate to any person who
26 meets such requirements.

27 Section 3. Section 401.2701, Florida Statutes, is
28 created to read:

29 401.2701 Emergency medical services training
30 programs.--

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- 1 (1) Any private or public institution in Florida
2 desiring to conduct an approved program for the education of
3 emergency medical technicians and paramedics shall:
- 4 (a) Submit a completed application on a form provided
5 by the department, which must include:
- 6 1. Evidence that the institution is in compliance with
7 all applicable requirements of the Department of Education.
- 8 2. Evidence of an affiliation agreement with a
9 hospital that has an emergency department staffed by at least
10 one physician and one registered nurse.
- 11 3. Evidence of an affiliation agreement with a current
12 Florida-licensed emergency medical services provider. Such
13 agreement shall include, at a minimum, a commitment by the
14 provider to conduct the field experience portion of the
15 education program.
- 16 4. Documentation verifying faculty, including:
- 17 a. A medical director who is a licensed physician
18 meeting the applicable requirements for emergency medical
19 services medical directors as outlined in this chapter and
20 rules of the department. The medical director shall have the
21 duty and responsibility of certifying that graduates have
22 successfully completed all phases of the education program and
23 are proficient in basic or advanced life support techniques,
24 as applicable.
- 25 b. A program director responsible for the operation,
26 organization, periodic review, administration, development,
27 and approval of the program.
- 28 5. Documentation verifying that the curriculum:
- 29 a. Meets the course guides and instructor's lesson
30 plans in the most recent Emergency Medical Technician-Basic
31 National Standard Curricula for emergency medical technician

1 programs and Emergency Medical Technician-Paramedic National
2 Standard Curricula for paramedic programs.

3 b. Includes 2 hours of instruction on the trauma
4 scorecard methodologies for assessment of adult trauma
5 patients and pediatric trauma patients as specified by the
6 department by rule.

7 c. Includes 4 hours of instruction on HIV/AIDS
8 training consistent with the requirements of chapter 381.

9 6. Evidence of sufficient medical and educational
10 equipment to meet emergency medical services training program
11 needs.

12 (b) Receive a scheduled site visit from the department
13 to the applicant's institution. Such site visit shall be
14 conducted within 30 days after notification to the institution
15 that the application was accepted. During the site visit, the
16 department must determine the applicant's compliance with the
17 following criteria:

18 1. Emergency medical technician programs must be a
19 minimum of 110 hours, with at least 20 hours of supervised
20 clinical supervision, including 10 hours in a hospital
21 emergency department.

22 2. Paramedic programs must be available only to
23 Florida-certified emergency medical technicians or an
24 emergency medical technician applicant who will obtain Florida
25 certification prior to completion of phase one of the
26 paramedic program. Paramedic programs must be a minimum of 700
27 hours of didactic and skills practice components, with the
28 skills laboratory student-to-instructor ratio not exceeding
29 six to one. Paramedic programs must provide a field internship
30 experience aboard an advanced life support permitted
31 ambulance.

1 (2) After completion of the site visit, the department
2 shall prepare a report which shall be provided to the
3 institution. Upon completion of the report, the application
4 shall be deemed complete and the provisions of s. 120.60,
5 shall apply.

6 (3) If the program is approved, the department must
7 issue the institution a 2-year certificate of approval as an
8 emergency medical technician training program or a paramedic
9 training program. If the application is denied, the department
10 must notify the applicant of any areas of strength, areas
11 needing improvement, and any suggested means of improvement of
12 the program. A denial notification shall be provided to the
13 applicant so as to allow the applicant 5 days prior to the
14 expiration of the application processing time in s. 120.60 to
15 advise the department in writing of its intent to submit a
16 plan of correction. Such intent notification shall provide the
17 time for application processing in s. 120.60. The plan of
18 correction must be submitted to the department within 30 days
19 of the notice. The department shall advise the applicant of
20 its approval or denial of the plan of correction within 30
21 days of receipt. The denial of the plan of correction or
22 denial of the application may be reviewed as provided in
23 chapter 120.

24 (4) Approved emergency medical services training
25 programs must maintain records and reports that must be made
26 available to the department, upon written request. Such
27 records must include student applications, records of
28 attendance, records of participation in hospital clinic and
29 field training, medical records, course objectives and
30 outlines, class schedules, learning objectives, lesson plans,
31 number of applicants, number of students accepted, admission

1 requirements, description of qualifications, duties and
2 responsibilities of faculty, and correspondence.

3 (5) Each approved program must notify the department
4 within 30 days of any change in the professional or employment
5 status of faculty. Each approved program must require its
6 students to pass a comprehensive final written and practical
7 examination evaluating the skills described in the current
8 United States Department of Transportation EMT-Basic or
9 EMT-Paramedic, National Standard Curriculum. Each approved
10 program must issue a certificate of completion to program
11 graduates within 14 days of completion.

12 Section 4. Section 401.2715, Florida Statutes, is
13 created to read:

14 401.2715 Recertification training of emergency medical
15 technicians and paramedics.--

16 (1) The department shall establish by rule criteria
17 for all emergency medical technician and paramedic
18 recertification training. The rules shall provide that all
19 recertification training equals at least 30 hours, includes
20 the performance parameters for adult and pediatric emergency
21 medical clinical care, and is documented through a system of
22 recordkeeping.

23 (2) Any individual, institution, school, corporation,
24 or governmental entity may conduct emergency medical
25 technician or paramedic recertification training upon
26 application to the department and payment of a nonrefundable
27 fee to be deposited into the Emergency Medical Services Trust
28 Fund. Institutions conducting department-approved educational
29 programs as provided in this chapter and licensed ambulance
30 services are exempt from the application process and payment
31 of fees. The department shall adopt rules for the application

1 and payment of a fee not to exceed the actual cost of
2 administering this approval process.

3 (3) To be eligible for recertification as provided in
4 s. 401.27, certified emergency medical technicians and
5 paramedics must provide proof of completion of training
6 conducted pursuant to this section. The department shall
7 accept the written affirmation of a licensee's or a
8 department-approved educational program's medical director as
9 documentation that the certificateholder has completed a
10 minimum of 30 hours of recertification training as provided
11 herein.

12 Section 5. Present subsections (2), (3), and (4) of
13 section 401.30, Florida Statutes, 1998 Supplement, are
14 renumbered as subsections (3), (4), and (5), respectively, and
15 a new subsection (2) is added to said section, to read:

16 401.30 Records.--

17 (2) Each licensee must provide the receiving hospital
18 with a copy of an individual patient care record for each
19 patient who is transported to the hospital. The information
20 contained in the record and the method and timeframe for
21 providing the record shall be prescribed by rule of the
22 department.

23 ~~(3)~~ ~~(2)~~ Reports to the department from licensees which
24 cover statistical data are public records, except that the
25 names of patients and other patient-identifying information
26 contained in such reports are confidential and exempt from the
27 provisions of s. 119.07(1). Any record furnished by a
28 licensee at the request of the department must be a true and
29 certified copy of the original record and may not be altered
30 or have information deleted.

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1 (4)~~(3)~~ Records of emergency calls which contain
2 patient examination or treatment information are confidential
3 and exempt from the provisions of s. 119.07(1) and may not be
4 disclosed without the consent of the person to whom they
5 pertain, but appropriate limited disclosure may be made
6 without such consent:

7 (a) To the person's guardian, to the next of kin if
8 the person is deceased, or to a parent if the person is a
9 minor;

10 (b) To hospital personnel for use in conjunction with
11 the treatment of the patient;

12 (c) To the department;

13 (d) To the service medical director;

14 (e) For use in a critical incident stress debriefing.

15 Any such discussions during a critical incident stress
16 debriefing shall be considered privileged communication under
17 s. 90.503;

18 (f) In any civil or criminal action, unless otherwise
19 prohibited by law, upon the issuance of a subpoena from a
20 court of competent jurisdiction and proper notice by the party
21 seeking such records, to the patient or his or her legal
22 representative; or

23 (g) To a local trauma agency or a regional trauma
24 agency, or a panel or committee assembled by such an agency to
25 assist the agency in performing quality assurance activities
26 in accordance with a plan approved under s. 395.401. Records
27 obtained under this paragraph are confidential and exempt from
28 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

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30 This subsection does not prohibit the department or a licensee
31 from providing information to any law enforcement agency or

1 any other regulatory agency responsible for the regulation or
2 supervision of emergency medical services and personnel.

3 ~~(5)(4)~~ The department shall adopt and enforce all
4 rules necessary to administer this section.

5 Section 6. Paragraph (1) is added to subsection (1) of
6 section 401.35, Florida Statutes, and paragraph (i) is added
7 to subsection (2) of said section, to read:

8 401.35 Rules.--The department shall adopt rules
9 necessary to carry out the purposes of this part.

10 (1) The rules must provide at least minimum standards
11 governing:

12 (1) Licensees' security and storage of controlled
13 substances, medications, and fluids, not inconsistent with the
14 provisions of chapter 499.

15 (2) The rules must establish application requirements
16 for licensure and certification. Pursuant thereto, the
17 department must develop application forms for basic life
18 support services and advanced life support services. An
19 application for each respective service license must include,
20 but is not limited to:

21 (i) An oath, upon forms provided by the department
22 which shall contain such information as the department
23 reasonably requires, which may include affirmative evidence of
24 ability to comply with applicable laws and rules.

25 Section 7. This act shall take effect July 1, 1999.
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