

By the Committee on Health, Aging and Long-Term Care; and
Senator Campbell

317-1913A-99

1 A bill to be entitled
2 An act relating to emergency medical services;
3 amending s. 401.25, F.S.; revising
4 qualifications for licensure as basic or
5 advanced life support service; amending s.
6 401.27, F.S.; requiring applications to be made
7 under oath by emergency medical technicians or
8 paramedics; amending s. 401.30, F.S.; providing
9 the department with rule authority for patient
10 care records of licensed ambulance services;
11 amending s. 401.35, F.S.; authorizing the
12 department to prescribe by rule requirements
13 for storage, and security of medications
14 maintained by licensed support services;
15 creating s. 401.49, F.S.; authorizing the
16 department's approval of emergency medical
17 technician and paramedic programs; creating s.
18 401.50, F.S.; providing recertification
19 requirements for paramedics and emergency
20 medical technicians; providing an effective
21 date.

22
23 Be It Enacted by the Legislature of the State of Florida:

24
25 Section 1. Subsection (7) is added to section 401.25,
26 Florida Statutes, to read:

27 401.25 Licensure as a basic life support or an
28 advanced life support service.--

29 (7)(a) Each permitted basic-life-support ambulance of
30 a licensee not specifically exempted from this part, when
31 transporting a person who is sick, injured, wounded,

1 incapacitated, or helpless, must be occupied by at least two
2 persons: one patient attendant who is a certified emergency
3 medical technician, certified paramedic, or licensed physician
4 and one ambulance driver who meets the requirements of s.
5 401.281. This subsection does not apply to interfacility
6 transfers governed by s. 401.252(1).

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

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

20 401.27 Personnel; standards and certification.--

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

31

1 Section 3. Present subsection (2) of section 401.30,
2 Florida Statutes, 1998 Supplement, is redesignated as
3 subsection (3), and a new subsection (2) is added to that
4 section, to read:

5 401.30 Records.--

6 (2) Each licensee must provide the receiving hospital
7 with a copy of an individual patient care record for each
8 patient who is transported to the hospital. The information
9 contained on the record and the method and timeframe for
10 providing the record shall be prescribed by rule of the
11 department.

12 Section 4. Paragraph (1) is added to subsection (1)
13 and paragraph (h) of subsection (2) of section 401.35, Florida
14 Statutes, is amended to read:

15 401.35 Rules.--The department shall adopt rules
16 necessary to carry out the purposes of this part.

17 (1) The rules must provide at least minimum standards
18 governing:

19 (1) Licensees' security and storage of controlled
20 substances, medications, and fluids that are not inconsistent
21 with the requirements of chapter 499 or chapter 893.

22 (2) The rules must establish application requirements
23 for licensure and certification. Pursuant thereto, the
24 department must develop application forms for basic life
25 support services and advanced life support services. An
26 application for each respective service license must include,
27 but is not limited to:

28 (h) Such other information as the department
29 determines reasonable and necessary and an oath, upon forms
30 provided by the department which shall contain such
31 information as the department reasonably requires and which

1 may include affirmative evidence of the ability to comply with
2 applicable laws and rules.

3 Section 5. Section 401.49, Florida Statutes, is
4 created to read:

5 401.49 Approval of emergency medical technicians and
6 paramedic programs.--

7 (1) Any private or public institution in this state
8 which desires to conduct an approved program for educating
9 emergency medical technicians and paramedics must submit to
10 the department a completed application on a form provided by
11 the department which includes:

12 (a) Evidence that the institution is in compliance
13 with all applicable requirements of the Department of
14 Education.

15 (b) Evidence that the institution has an agreement of
16 affiliation with a hospital that has an emergency department
17 staffed by at least one physician and one registered nurse.

18 (c) Evidence that the institution has an agreement of
19 affiliation with an emergency medical service provider that
20 holds a current license in this state. Such agreement must
21 include, at a minimum, a commitment by the provider to conduct
22 the field-experience portion of the education program.

23 (d) Documentation verifying that the institution's
24 faculty includes:

25 1. A medical director who is a licensed physician who
26 meets the applicable requirements for an EMS medical director,
27 as outlined in this chapter and rules of the department. The
28 medical director shall certify that graduates have
29 successfully completed all phases of the education program and
30 are proficient in basic or advanced life-support techniques,
31 as applicable.

1 2. A program director who is responsible for the
2 operation, organization, periodic review, administration,
3 development, and approval of the program.

4 (e) Documentation verifying that the curriculum:

5 1. Meets the course guides and instructor's lesson
6 plans in the most recent Emergency Medical Technician Basic
7 National Standard Curricula for emergency medical technician
8 programs and the Emergency Medical Technician Paramedic
9 National Standard Curricula for paramedic programs.

10 2. Includes 2 hours of instruction on the trauma
11 scorecard methodologies for assessment of adult trauma
12 patients and pediatric trauma patients, as specified by the
13 department by rule.

14 3. Includes 4 hours of instruction on HIV and AIDS,
15 which is consistent with the requirements of chapter 381.

16 (f) Evidence that the institution has sufficient
17 medical and educational equipment to meet the program needs
18 for training in emergency medical services.

19 (2) The department must schedule a site visit to the
20 applicant's institution within 30 days after notifying the
21 institution that the application is accepted. During the site
22 visit, the department must determine the applicant's
23 compliance with the following criteria:

24 (a) The program for emergency medical technicians must
25 require a minimum of 110 hours, with at least 20 hours of
26 supervised clinical supervision that includes 10 hours in a
27 hospital emergency department.

28 (b) The program for paramedics must be available only
29 to an emergency medical technician who is certified in this
30 state or to an applicant for certification in this state as an
31 emergency medical technician who obtains such certification

1 prior to completing phase one of the paramedic program. The
2 paramedic program must require a minimum of 700 hours of
3 didactic and skills-practice components, with a
4 student-to-instructor ratio for the skills laboratory which
5 does not exceed six to one. A paramedic program must provide
6 field-internship experience aboard an ALS permitted ambulance.

7 (3) After completing the site visit, the department
8 shall provide a report to the institution. Upon completion of
9 the report, the application is complete and s. 120.60 applies.

10 (4) If the program is approved, the department shall
11 issue the institution a 2-year certificate of approval as an
12 emergency medical technician training program or a paramedic
13 training program. If the application is denied, the department
14 must notify the applicant of areas of strength, areas that
15 need improvement, and suggested means of improving the
16 program. A notice of denial must be provided to the applicant
17 so that the applicant has at least 5 days prior to the
18 expiration of the application-processing time provided under
19 s. 120.60 in which to advise the department in writing of its
20 intent to submit a plan of correction. Notice of such intent
21 tolls the time for processing the application s. 120.60. The
22 plan of correction must be submitted to the department within
23 30 days after the notice. The department shall advise the
24 applicants of its approval or denial of the plan of correction
25 within 30 days after receipt of the plan of correction. The
26 denial of a plan of correction or an application is subject to
27 review under chapter 120.

28 (5) Each approved emergency medical services training
29 program shall maintain records and reports that must be made
30 available to the department upon written request. Such records
31 must include student applications, records of attendance,

1 records of participation in hospital clinic and field
2 training, medical records, course objectives and outlines,
3 class schedules, learning objectives, lesson plans, the number
4 of applicants, the number of students accepted, admission
5 requirements, descriptions of qualifications, duties and
6 responsibilities of the institution's faculty, and
7 correspondence.

8 (6) Each approved program must notify the department
9 within 30 days following any change in the professional or
10 employment status of a faculty member. Each approved program
11 must require its students to pass a comprehensive final
12 written and practical examination that evaluates the skills
13 described in the most current Emergency Medical Technician
14 Basic or Emergency Medical Technician Paramedic National
15 Standard Curriculum of the United States Department of
16 Transportation. Each approved program must issue a
17 certification of completion to a graduate within 14 days after
18 successful completion of the program.

19 Section 6. Section 401.50, Florida Statutes, is
20 created to read:

21 401.50 Recertification training of emergency medical
22 technicians and paramedics.--

23 (1) The department shall establish by rule criteria
24 for all emergency medical technician and paramedic
25 recertification training. The rules must require at least 30
26 hours of recertification training and must include the
27 performance parameters for adult and pediatric emergency
28 medical clinical care, which are documented through a system
29 of recordkeeping.

30 (2) Any individual, institution, school, corporation,
31 or governmental entity may conduct emergency medical

1 technician or paramedic recertification training upon
2 application to the department and payment of a nonrefundable
3 fee to be deposited into the Emergency Medical Services Trust
4 Fund. Institutions conducting department-approved educational
5 programs as provided in this part and licensed ambulance
6 services are exempt from the application process and payment
7 of fees. The department shall adopt rules for the application
8 and payment of a fee not to exceed the actual cost of the
9 administration of the requirements of this subsection.

10 (3) To be eligible for recertification as provided in
11 s. 401.27, a certified medical technician or paramedic must
12 provide evidence to the department that the applicant has
13 completed the training required for recertification under this
14 section. The department shall accept the written affirmation
15 of a licensee's medical director or a medical director of a
16 department-approved educational program as documentation that
17 the certified emergency medical technician or paramedic has
18 completed the recertification training required by this
19 section.

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

21
22 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
23 COMMITTEE SUBSTITUTE FOR
24 Senate Bill 1476

25 The committee substitute substantially revises the original
26 bill to only provide for the Department of Health's authority:
27 to approve training programs for emergency medical technicians
28 and paramedics; to require recertification training for
29 emergency medical technicians and paramedics that must include
30 performance parameters for adult and pediatric emergency
31 medical clinical care; to impose minimum requirements on
permitted emergency medical vehicles; and to require documents
and other information to be submitted under oath by emergency
medical services licensees, emergency medical services
certificate holders, or applicants to the department.