

Bill No. CS for SB 2220

Amendment No. 4

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	
5	<hr/>		
6			
7			
8			
9			
10	<hr/>		
11	The Committee on Governmental Oversight and Productivity		
12	recommended the following amendment:		
13			
14	Senate Amendment (with title amendment)		
15	On page 49, line 11, through		
16	page 54, line 29, delete those lines		
17			
18	and insert:		
19	Section 28. Subsection (7) is added to section 401.25,		
20	Florida Statutes, to read:		
21	401.25 Licensure as a basic life support or an		
22	advanced life support service.--		
23	<u>(7)(a) Each permitted basic life support ambulance not</u>		
24	<u>specifically exempted from this part, when transporting a</u>		
25	<u>person who is sick, injured, wounded, incapacitated, or</u>		
26	<u>helpless, must be occupied by at least two persons: one</u>		
27	<u>patient attendant who is a certified emergency medical</u>		
28	<u>technician, certified paramedic, or licensed physician; and</u>		
29	<u>one ambulance driver who meets the requirements of s. 401.281.</u>		
30	<u>This paragraph does not apply to interfacility transfers</u>		
31	<u>governed by s. 401.252(1).</u>		

Bill No. CS for SB 2220Amendment No. 4

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

12 Section 29. Subsection (3) of section 401.27, Florida
13 Statutes, is amended to read:

14 401.27 Personnel; standards and certification.--

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

25 Section 30. Section 401.2701, Florida Statutes, is
26 created to read:

27 401.2701 Emergency medical services training
28 programs.--

29 (1) Any private or public institution in Florida
30 desiring to conduct an approved program for the education of
31 emergency medical technicians and paramedics shall:

Bill No. CS for SB 2220

Amendment No. 4

1 (a) Submit a completed application on a form provided
2 by the department, which must include:

3 1. Evidence that the institution is in compliance with
4 all applicable requirements of the Department of Education.

5 2. Evidence of an affiliation agreement with a
6 hospital that has an emergency department staffed by at least
7 one physician and one registered nurse.

8 3. Evidence of an affiliation agreement with a current
9 Florida-licensed emergency medical services provider. Such
10 agreement shall include, at a minimum, a commitment by the
11 provider to conduct the field experience portion of the
12 education program.

13 4. Documentation verifying faculty, including:
14 a. A medical director who is a licensed physician
15 meeting the applicable requirements for emergency medical
16 services medical directors as outlined in this chapter and
17 rules of the department. The medical director shall have the
18 duty and responsibility of certifying that graduates have
19 successfully completed all phases of the education program and
20 are proficient in basic or advanced life support techniques,
21 as applicable.

22 b. A program director responsible for the operation,
23 organization, periodic review, administration, development,
24 and approval of the program.

25 5. Documentation verifying that the curriculum:
26 a. Meets the course guides and instructor's lesson
27 plans in the most recent Emergency Medical Technician-Basic
28 National Standard Curricula for emergency medical technician
29 programs and Emergency Medical Technician-Paramedic National
30 Standard Curricula for paramedic programs.

31 b. Includes 2 hours of instruction on the trauma

Bill No. CS for SB 2220

Amendment No. 4

1 scorecard methodologies for assessment of adult trauma
2 patients and pediatric trauma patients as specified by the
3 department by rule.

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

6 6. Evidence of sufficient medical and educational
7 equipment to meet emergency medical services training program
8 needs.

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

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

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

29 (2) After completion of the site visit, the department
30 shall prepare a report which shall be provided to the
31 institution. Upon completion of the report, the application

Bill No. CS for SB 2220Amendment No. 4

1 shall be deemed complete and the provisions of s. 120.60,
2 shall apply.

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

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

31 (5) Each approved program must notify the department

Bill No. CS for SB 2220Amendment No. 4

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

9 Section 31. Section 401.2715, Florida Statutes, is
10 created to read:

11 401.2715 Recertification training of emergency medical
12 technicians and paramedics.--

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

20 (2) Any individual, institution, school, corporation,
21 or governmental entity may conduct emergency medical
22 technician or paramedic recertification training upon
23 application to the department and payment of a nonrefundable
24 fee to be deposited into the Emergency Medical Services Trust
25 Fund. Institutions conducting department-approved educational
26 programs as provided in this chapter and licensed ambulance
27 services are exempt from the application process and payment
28 of fees. The department shall adopt rules for the application
29 and payment of a fee not to exceed the actual cost of
30 administering this approval process.

31 (3) To be eligible for recertification as provided in

Bill No. CS for SB 2220Amendment No. 4

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

9 Section 32. Present subsections (2), (3), and (4) of
10 section 401.30, Florida Statutes, 1998 Supplement, are
11 renumbered as subsections (3), (4), and (5), respectively, and
12 a new subsection (2) is added to that section, to read:

13 401.30 Records.--

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

20 (3)(2) Reports to the department from licensees which
21 cover statistical data are public records, except that the
22 names of patients and other patient-identifying information
23 contained in such reports are confidential and exempt from the
24 provisions of s. 119.07(1). Any record furnished by a
25 licensee at the request of the department must be a true and
26 certified copy of the original record and may not be altered
27 or have information deleted.

28 (4)(3) Records of emergency calls which contain
29 patient examination or treatment information are confidential
30 and exempt from the provisions of s. 119.07(1) and may not be
31 disclosed without the consent of the person to whom they

Bill No. CS for SB 2220Amendment No. 4

1 pertain, but appropriate limited disclosure may be made
2 without such consent:

3 (a) To the person's guardian, to the next of kin if
4 the person is deceased, or to a parent if the person is a
5 minor;

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

8 (c) To the department;

9 (d) To the service medical director;

10 (e) For use in a critical incident stress debriefing.
11 Any such discussions during a critical incident stress
12 debriefing shall be considered privileged communication under
13 s. 90.503;

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

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

25
26 This subsection does not prohibit the department or a licensee
27 from providing information to any law enforcement agency or
28 any other regulatory agency responsible for the regulation or
29 supervision of emergency medical services and personnel.

30 ~~(5)(4)~~ The department shall adopt and enforce all
31 rules necessary to administer this section.

Bill No. CS for SB 2220

Amendment No. 4

1 Section 33. Paragraph (1) is added to subsection (1)
2 of section 401.35, Florida Statutes, and paragraph (i) is
3 added to subsection (2) of that section, to read:

4 401.35 Rules.--The department shall adopt rules
5 necessary to carry out the purposes of this part.

6 (1) The rules must provide at least minimum standards
7 governing:

8 (1) Licensees' security and storage of controlled
9 substances, medications, and fluids, not inconsistent with the
10 provisions of chapter 499.

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

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

21
22

23 ===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25 On page 3, lines 16-30, delete those lines

26

27 and insert:

28 s. 401.25, F.S.; providing qualifications for
29 licensure as basic or advanced life support
30 service; amending s. 401.27, F.S.; providing
31 standards for certification of emergency

Bill No. CS for SB 2220

Amendment No. 4

1 medical technicians and paramedics; creating s.
2 401.2701, F.S.; establishing criteria for
3 emergency medical services training programs;
4 creating s. 401.2715, F.S.; providing for
5 recertification training of emergency medical
6 technicians and paramedics; providing for fees;
7 amending s. 401.30, F.S.; providing for use and
8 maintenance of records; amending s. 401.35,
9 F.S.; providing rulemaking authority; amending
10 s. 409.9126, F.S.; revising

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31