

By Senator Peaden

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1 A bill to be entitled
2 An act relating to emergency medical dispatch;
3 amending s. 401.111, F.S.; providing for grants
4 to local agencies to support emergency medical
5 dispatch; amending s. 401.23, F.S.; defining
6 terms relating to emergency medical dispatcher
7 operations; creating s. 401.434, F.S., the
8 "Emergency Medical Dispatch Act"; establishing
9 requirements for training; requiring the
10 Department of Health to monitor compliance with
11 training requirements; establishing
12 requirements for certification; establishing
13 requirements for emergency medical dispatch
14 agencies; requiring medical oversight for such
15 agencies; providing for liability protections
16 for emergency medical dispatchers and agencies;
17 providing an effective date.

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19 WHEREAS, emergency medical dispatch programs promote
20 appropriate standards that result in more effective dispatch
21 of emergency services and the saving of lives, and

22 WHEREAS, the 911 dispatcher is the first responder to a
23 medical emergency when someone calls 911, and those
24 dispatchers are being recognized nationally as the true first
25 responders to the scene of the emergency, and

26 WHEREAS, patients' access to emergency medical services
27 is frequently delayed due to myriad reasons, such as traffic,
28 waiting for the elevator, and equipment retrieval, and

29 WHEREAS, a certified emergency medical dispatcher has
30 an immediate response time to offer basic instructions to the
31 caller regardless of the emergency-medical-services response

1 time, and such a dispatcher is a pivotal component for the
2 delivery and receipt of information to
3 emergency-medical-service units, and

4 WHEREAS, emergency medical dispatch is a key component
5 of a quality emergency-medical-services system, and

6 WHEREAS, in many parts of the state, emergency medical
7 dispatch is the weakest link in the emergency-medical-services
8 system, and

9 WHEREAS, lifesaving pre-arrival instructions by 911
10 dispatchers are not always available throughout the state, and

11 WHEREAS, in many 911 centers, dispatchers are
12 performing critical dispatch functions with little training in
13 emergency medical dispatch, and

14 WHEREAS, there is a lack of consistency in the delivery
15 of dispatch life support and medically approved lifesaving
16 pre-arrival instructions by 911 dispatch offices across the
17 state, and

18 WHEREAS, organizations such as the American Heart
19 Association, American College of Emergency Physicians,
20 National Association of Emergency Medical Services Physicians,
21 the National Institutes of Health, the National Highway
22 Traffic Safety Administration, and the American Society of
23 Testing Materials have endorsed the development and adoption
24 of standards for emergency medical dispatch, and

25 WHEREAS, a properly trained emergency medical
26 dispatcher significantly improves the quality of care provided
27 by an emergency-medical-services system because the dispatcher
28 is able to identify the level of need of the caller, including
29 resource allocations and response modes, thus enabling more
30 effective and efficient dispatch, to identify situations that
31 might require pre-arrival instructions, to gather information

1 to be relayed to the responding crews to help them better
2 manage and respond to the emergency situation upon arrival,
3 and to obtain information regarding emergency-scene safety for
4 the patient, bystanders, and responding personnel, and

5 WHEREAS, as a result of inconsistencies in 911 centers,
6 many states are now adopting a standard
7 emergency-medical-dispatch program, and

8 WHEREAS, there is an expectation by the public that
9 when they call for emergency medical help, a properly trained
10 dispatcher will handle their call regardless of where they are
11 located in Florida, and

12 WHEREAS, the most successful emergency-medical-services
13 systems are those that have strong field-response times
14 coupled with well-trained 911 dispatchers, and

15 WHEREAS, emergency medical dispatch has become a clear
16 standard of care for dispatching emergency medical services,
17 and

18 WHEREAS, it is the intent of the Legislature that all
19 emergency-medical-services dispatch agencies in this state
20 implement this standard of care, NOW, THEREFORE,

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

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24 Section 1. Section 401.111, Florida Statutes, is
25 amended to read:

26 401.111 Emergency medical services grant program;
27 authority.--The department is hereby authorized to make grants
28 to local agencies, and emergency medical services
29 organizations, and emergency medical dispatch agencies in
30 accordance with any agreement entered into pursuant to this
31 part. These grants shall be designed to assist said agencies

1 and organizations in providing emergency medical services,
2 including emergency medical dispatch. The cost of
3 administering this program shall be paid by the department
4 from funds appropriated to it.

5 Section 2. Section 401.23, Florida Statutes, is
6 amended to read:

7 401.23 Definitions.--As used in this part, the term:

8 (1) "Advanced life support" means treatment of
9 life-threatening medical emergencies through the use of
10 techniques such as endotracheal intubation, the administration
11 of drugs or intravenous fluids, telemetry, cardiac monitoring,
12 and cardiac defibrillation by a qualified person, pursuant to
13 rules of the department.

14 (2) "Advanced life support service" means any
15 emergency medical transport or nontransport service which uses
16 advanced life support techniques.

17 (3) "Air ambulance" means any fixed-wing or
18 rotary-wing aircraft used for, or intended to be used for, air
19 transportation of sick or injured persons requiring or likely
20 to require medical attention during transport.

21 (4) "Air ambulance service" means any publicly or
22 privately owned service, licensed in accordance with the
23 provisions of this part, which operates air ambulances to
24 transport persons requiring or likely to require medical
25 attention during transport.

26 (5) "Ambulance" or "emergency medical services
27 vehicle" means any privately or publicly owned land or water
28 vehicle that is designed, constructed, reconstructed,
29 maintained, equipped, or operated for, and is used for, or
30 intended to be used for, land or water transportation of sick
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1 or injured persons requiring or likely to require medical
2 attention during transport.

3 (6) "Ambulance driver" means any person who meets the
4 requirements of s. 401.281.

5 (7) "Basic life support" means treatment of medical
6 emergencies by a qualified person through the use of
7 techniques such as patient assessment, cardiopulmonary
8 resuscitation (CPR), splinting, obstetrical assistance,
9 bandaging, administration of oxygen, application of medical
10 antishock trousers, administration of a subcutaneous injection
11 using a premeasured autoinjector of epinephrine to a person
12 suffering an anaphylactic reaction, and other techniques
13 described in the Emergency Medical Technician Basic Training
14 Course Curriculum of the United States Department of
15 Transportation. The term "basic life support" also includes
16 other techniques which have been approved and are performed
17 under conditions specified by rules of the department.

18 (8) "Basic life support service" means any emergency
19 medical service which uses only basic life support techniques.

20 (9) "Certification" means any authorization issued
21 pursuant to this part to a person to act as an emergency
22 medical technician or a paramedic.

23 (10) "Department" means the Department of Health.

24 (11) "Emergency medical dispatch agency" means any
25 private or public safety entity that has a responsibility in
26 the processing of calls for emergency assistance or the
27 dispatching of emergency medical services by emergency medical
28 dispatchers. The agency's emergency medical dispatch program
29 must consist of public safety telecommunicators, post-dispatch
30 instructions, and a quality-assurance program that meets or
31 exceeds standards set by the medical director.

1 (12) "Emergency medical dispatcher" means any public
2 safety telecommunicator who is trained and certified in the
3 efficient management of emergency medical communications under
4 this part.

5 (13) "Emergency medical dispatch training entity"
6 means a program recognized or approved by the department to
7 provide emergency medical dispatch training under this part.

8 ~~(14)~~~~(11)~~ "Emergency medical technician" means a person
9 who is certified by the department to perform basic life
10 support pursuant to this part.

11 ~~(15)~~~~(12)~~ "Interfacility transfer" means the
12 transportation by ambulance of a patient between two
13 facilities licensed under chapter 393, chapter 395, or chapter
14 400, pursuant to this part.

15 ~~(16)~~~~(13)~~ "Licensee" means any basic life support
16 service, advanced life support service, or air ambulance
17 service licensed pursuant to this part.

18 ~~(17)~~~~(14)~~ "Medical direction" means direct supervision
19 by a physician through two-way voice communication or, when
20 such voice communication is unavailable, through established
21 standing orders, pursuant to rules of the department.

22 ~~(18)~~~~(15)~~ "Medical director" means a physician who is
23 employed or contracted by a licensee and who provides medical
24 supervision, including appropriate quality assurance but not
25 including administrative and managerial functions, for daily
26 operations and training pursuant to this part.

27 ~~(19)~~~~(16)~~ "Mutual aid agreement" means a written
28 agreement between two or more entities whereby the signing
29 parties agree to lend aid to one another under conditions
30 specified in the agreement and as sanctioned by the governing
31 body of each affected county.

1 ~~(20)(17)~~ "Paramedic" means a person who is certified
2 by the department to perform basic and advanced life support
3 pursuant to this part.

4 ~~(21)(18)~~ "Permit" means any authorization issued
5 pursuant to this part for a vehicle to be operated as a basic
6 life support or advanced life support transport vehicle or an
7 advanced life support nontransport vehicle providing basic or
8 advanced life support.

9 ~~(22)(19)~~ "Physician" means a practitioner who is
10 licensed under the provisions of chapter 458 or chapter 459.
11 For the purpose of providing "medical direction" as defined in
12 subsection~~(17)(14)~~for the treatment of patients immediately
13 prior to or during transportation to a United States
14 Department of Veterans Affairs medical facility, "physician"
15 also means a practitioner employed by the United States
16 Department of Veterans Affairs.

17 (23) "Post-dispatch instructions," also known as
18 "pre-arrival instructions" or "dispatcher life support," means
19 instructions that have been approved by the medical director
20 of the local emergency medical services agency to be given by
21 an emergency medical dispatcher to a caller who is reporting a
22 life-threatening medical emergency, before the arrival at the
23 emergency scene of the emergency medical services or other
24 assistance dispatched in response to the call.

25 (24) "Public-safety telecommunicator" means an
26 individual who has been trained to communicate by electronic
27 means with persons who are seeking emergency assistance and
28 with agencies and individuals who provide such assistance.

29 (25) "Quality-assurance program" means a prospective
30 and retrospective method used by the administrator and the
31 medical director of a public-safety agency to review and

1 evaluate certified emergency-medical-dispatcher
2 telecommunicators' use of post-dispatch instructions and
3 medical-emergency-handling training, to ensure that they are
4 followed and are in compliance with standards set by the
5 medical director.

6 (26)~~(20)~~ "Registered nurse" means a practitioner who
7 is licensed to practice professional nursing pursuant to part
8 I of chapter 464.

9 (27)~~(21)~~ "Secretary" means the Secretary of Health.

10 (28)~~(22)~~ "Service location" means any permanent
11 location in or from which a licensee solicits, accepts, or
12 conducts business under this part.

13 Section 3. Subsection (4) of section 401.265, Florida
14 Statutes, is amended to read:

15 401.265 Medical directors.--

16 (4) Each emergency medical dispatch agency must employ
17 or contract for a medical director to advise, consult, train,
18 counsel, and oversee emergency medical dispatch, including
19 appropriate quality assurance but not including administrative
20 managerial functions.Each medical director who uses a
21 paramedic or emergency medical technician to perform blood
22 pressure screening, health promotion, and wellness activities,
23 or to administer immunization on any patient under a protocol
24 as specified in s. 401.272, which is not in the provision of
25 emergency care, is liable for any act or omission of any
26 paramedic or emergency medical technician acting under his or
27 her supervision and control when performing such services.

28 Section 4. Section 401.434, Florida Statutes, is
29 created to read:

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1 401.434 Emergency Medical Dispatch Act; emergency
2 medical dispatchers, emergency medical dispatch agencies, and
3 training entities.--

4 (1) This section may be cited as the "Emergency
5 Medical Dispatch Act."

6 (2) Each agency or entity that provides emergency
7 medical dispatch services in this state must implement an
8 emergency medical dispatch program by September 11, 2004.

9 (3) In order to comply with this section, the
10 emergency medical dispatch program must be approved by the
11 department.

12 (4) The department must implement a procedure that
13 provides for a timely review of all emergency medical dispatch
14 programs, including currently available programs and those
15 customized by local jurisdictions.

16 (5) The department's approval procedure must be an
17 informal one intended to ensure that all programs meet
18 standards for staffing, training, and quality-assurance which
19 are at least equivalent to those provided for in programs
20 currently available from APCO, Powerphone, or Medical Priority
21 Consultants.

22 (6) Currently available emergency dispatch programs
23 maintained by APCO, Powerphone, or Medical Priority
24 Consultants must be found by the department to meet its
25 standards for approval.

26 (7) The department shall monitor all emergency medical
27 services dispatch points to ensure that they have implemented
28 departmentally approved emergency medical dispatch programs.

29 (8) Any individual who works as an emergency medical
30 dispatcher before September 11, 2002, must attain
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1 certification as an emergency medical dispatcher by September
2 11, 2004.

3 (9) Any private or public emergency medical dispatch
4 agency and any emergency medical dispatcher providing
5 post-dispatch instructions, as approved by their medical
6 director, within the scope of their employment and meeting the
7 requirements of this section and applicable rules are not
8 subject to criminal prosecution or civil liability; are not
9 considered to have engaged in negligent or unprofessional
10 conduct that might otherwise be incurred or imposed by reason
11 of the employee's or agency's actions; and are considered to
12 be providing emergency medical care or treatment for the
13 purpose of s. 768.12(2)(b). Any emergency medical dispatcher,
14 as a result of providing medically approved post-dispatch
15 instructions, may be found liable in a civil action only for
16 acts or omissions performed in a grossly negligent manner. A
17 public or private agency that employs such an emergency
18 medical dispatcher in an approved emergency medical dispatch
19 program is not liable for civil damages if the emergency
20 medical dispatcher is not liable. The medical director
21 providing oversight, including appropriate quality-assurance
22 to the emergency medical dispatch agency, is not liable for
23 civil damages if the emergency medical dispatch agency is not
24 liable.

25 Section 5. This act shall take effect September 11,
26 2002.

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SENATE SUMMARY

Establishes a statewide minimum standard for the practice of emergency medical dispatch. Provides legislative intent. Requires individuals who are providing such service to be certified and establishes the criteria for training programs. Establishes a standard for dispatcher training and provides for dispatcher certification of those individuals that successfully complete the course. Authorizes the Department of Health to provide minimum standards governing facilities, instructors' qualifications, instructor roles and responsibilities, and course content. Provides for the department to review and approve training programs. Provides for the department to award grants to emergency medical dispatch agencies.