

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** CS/HB 861

Emergency Medical Services Training

**SPONSOR(S):** Hooper

**TIED BILLS:**

**IDEN./SIM. BILLS:** 948

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	State & Community Colleges & Workforce Policy Committee	10 Y, 0 N, As CS	Beagle	White
2)	Health Care Regulation Policy Committee	6 Y, 0 N	Holt	Calamas
3)	Education Policy Council			
4)				
5)				

**SUMMARY ANALYSIS**

Florida law establishes requirements for emergency medical services training programs, including curriculum, program duration, and internship requirements. Such programs include emergency medical technician (EMT) and paramedic training programs. Among other things, paramedic training programs must provide a field internship experience aboard an advanced life support permitted “ambulance.”

The bill revises this provision to permit a portion of the required field internship for paramedic programs to be provided aboard any advanced life support permitted “vehicle.” The Department of Health (DOH) must determine in rule which portion of the internship may be satisfied aboard such vehicles. This amendment expands the types of vehicles aboard which paramedic candidates may gain internship experience.

Florida law requires a licensed provider of emergency medical transportation services to document several criteria indicating the fitness of each of its drivers; e.g., a provider must document that each of its drivers “has not, within the past three years, been convicted of reckless driving or driving under the influence of alcohol or controlled substances (DUI) and has not had a driver’s license suspended under the point system.” Drivers who have license suspensions or reckless driving or DUI convictions within a three-year period are ineligible to drive such vehicles.

The bill revises this provision by deleting ineligibility for a driver who has been convicted of reckless driving within a three-year period. It also defines when the three-year period is applicable for documenting driver convictions and license suspensions. Currently, some providers document convictions and suspensions for only the three years prior to designation as a driver. Others have interpreted this provision to require continuing documentation over the course of the driver’s tenure with the provider. The bill clarifies that this three-year period is the three years prior to an individual’s initial designation as a driver, not any three-year period in the individual’s subsequent tenure as a driver.

The bill does not appear to have a fiscal impact on state or local governments.

The bill takes effect on July 1, 2009.

## HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Present Situation**

##### *Emergency Medical Services Training Programs*

Agency oversight for emergency medical services training programs is provided by the DOH's Division of Medical Quality Assurance.<sup>1</sup> Such programs include EMT and paramedic training programs. Public and private institutions may provide these programs.<sup>2</sup> The DOH website lists 57 approved training providers. Six school district career centers and 25 of 28 community colleges are approved training providers.<sup>3</sup>

Institutions that offer emergency medical services training programs must meet specified statutory requirements. EMT training programs must be a minimum of 110 hours, with at least 20 hours of supervised clinical supervision, including 10 hours in a hospital emergency department.<sup>4</sup> Generally, paramedic programs are only available to Florida certified EMTs. Paramedic programs must be a minimum of 700 hours of didactic and skills practice components. Paramedic programs must provide a field internship experience aboard an advanced life support permitted ambulance.<sup>5</sup> The internship ensures that the paramedic candidate gains experience with sick or injured persons during transport.

##### *Emergency Medical Services Drivers*

Florida law defines the following emergency medical transportation vehicles:

- "Air ambulance" means any fixed-wing or rotary-wing aircraft used for air transportation of sick or injured persons who may require medical attention during transport.
- "Ambulance" or "emergency medical services vehicle" means any privately or publicly owned land or water vehicle that is designed for land or water transportation of sick or injured persons requiring medical attention during transport.<sup>6</sup>

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<sup>1</sup> Florida Department of Health, Division of Medical Quality Assurance, Emergency Medical Technicians and Paramedics, <http://www.doh.state.fl.us/mqa/emt-paramedic/index.html> (last visited Mar. 6, 2009).

<sup>2</sup> Section 401.2701, F.S.

<sup>3</sup> Florida Department of Health, Division of Medical Quality Assurance, *Florida Approved EMT and Paramedic Training Centers* (2007) available at <http://www.doh.state.fl.us/demo/ems/TrainTest/FLApprovedTrainCent82007.pdf>.

<sup>4</sup> Section 401.2701(1)(b)1., F.S.

<sup>5</sup> Section 401.2701(1)(b)2., F.S.

<sup>6</sup> Section 401.23, F.S.

Florida law requires a licensed provider of emergency medical transportation services to document several criteria relating to the fitness of each of its drivers. Among other things, a provider must document that each of its drivers “has not, within the past three years, been convicted of reckless driving or DUI and has not had a driver's license suspended under the point system.” Drivers who have license suspensions or reckless driving or DUI convictions within a three-year period are ineligible to drive such vehicles.<sup>7</sup> The DOH must periodically inspect providers to verify their compliance with driver documentation requirements. Service providers who fail to comply are subject to disciplinary action.<sup>8</sup>

### **Effect of Proposed Changes**

The bill amends s. 401.2701(1)(b)2., F.S., to provide that a portion of the required field internship experience for paramedic programs may be provided aboard any advanced life support permitted “vehicle.” The DOH must determine in rule which portion of the internship may be satisfied aboard such vehicles. Currently, this internship is limited to experience aboard an advanced life support permitted “ambulance.”

These bill provisions expand the types of vehicles aboard which paramedic candidates may gain internship experience. “Ambulances,” by definition, are vehicles designed to transport patients who require medical attention during transport. However, practicing paramedics often serve aboard vehicles designed to transport first responders to an accident so they can treat patients at the scene. These vehicles are classified as advanced life support vehicles and include fire rescue vehicles. By expanding the internship to include service aboard these vehicles, paramedic candidates may gain experience aboard first response vehicles and not just ambulances.

The bill also amends s. 401.281(1)(d), F.S., to revise the minimum requirements for drivers of emergency medical transportation vehicles. It deletes ineligibility for a driver who has been convicted of reckless driving within the past three years. It also defines when the three-year period is applicable for documenting driver convictions and license suspensions. Currently, some providers document convictions and suspensions for only the three years prior to designation as a driver. Others have interpreted these statutory provisions to require continuing documentation over the course of the driver’s tenure with the provider. The bill clarifies that this three-year period is the three years prior to an individual’s initial designation as a driver, not any three-year period in the individual’s subsequent tenure as a driver.<sup>9</sup>

#### **B. SECTION DIRECTORY:**

**Section 1:** Amending s. 401.2701(1)(b)2., F.S.; authorizing paramedic program internships to be provided on certain vehicles.

**Section 2.:** Amending s. 401.281(1)(d), F.S., revising requirements for drivers of medical transportation vehicles.

**Section 3.:** Providing an effective date of July 1, 2009.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

#### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

##### **1. Revenues:**

The bill does not appear to have a fiscal impact on state revenues.

##### **2. Expenditures:**

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<sup>7</sup> Section 401.281(1), F.S.

<sup>8</sup> Section 401.281(2), F.S.

<sup>9</sup> Telephone interview with Florida Professional Firefighters Association staff (March 6, 2009).

The bill does not appear to have a fiscal impact on state expenditures.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

The bill does not appear to have a fiscal impact on local revenues.

2. Expenditures:

The bill does not appear to have a fiscal impact on local expenditures.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

This bill does not appear to have a direct economic impact on the private sector.

**D. FISCAL COMMENTS:**

To assess the state, local, and private sector fiscal impact of bill provisions revising the minimum requirements for drivers of emergency medical transportation vehicles, staff solicited input from the DOH, the Florida Professional Firefighters Association, and the Chief Operating Officer of a private ambulance service. Each entity confirmed that such provisions have no foreseeable fiscal impact on its operations.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

The bill does not require counties or municipalities to take an action requiring the expenditure of funds.

The bill does not reduce the authority that counties or municipalities have to raise revenue in the aggregate.

The bill does not reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

The bill authorizes the DOH to adopt a rule designating a portion of the paramedic program field internship which may be satisfied on advanced life support permitted vehicles.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

**IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES**

On March 10, 2009, the State & Community Colleges & Workforce Policy Committee adopted two amendments and reported the bill favorably as a committee substitute.

- Amendment One revises bill provisions governing the field internship requirements for paramedic candidates. The original bill expanded the types of vehicles that the internship may be served aboard from service aboard an advanced life support permitted "ambulance" to service aboard an advanced life support permitted "vehicle." The amendment retains the original statutory requirement that the internship be served aboard an advanced life support permitted

“ambulance,” but adds that a portion of the internship training may be satisfied aboard an advanced life support permitted vehicle other than an ambulance, as determined by rule of the DOH.

- Amendment Two adds provisions revising the requirements for drivers of emergency medical transportation vehicles. It deletes ineligibility for a driver who has been convicted of reckless driving within the past three years. It also clarifies that the three-year period is the three years prior to an individual’s initial designation as a driver, not any three-year period in the individual’s subsequent tenure as a driver.

The analysis is drafted to the committee substitute.