

1                                   A bill to be entitled  
2           An act relating to advanced life support nontransport  
3           services and medical countermeasures; amending s.  
4           401.25, F.S.; exempting certain governmental entities  
5           from the requirement to obtain a certificate of public  
6           convenience and necessity for a license to provide  
7           advanced life support nontransport services; providing  
8           requirements for, and limitations on, the provision of  
9           advanced life support nontransport services by such  
10          entities; defining the term "countywide common medical  
11          protocol"; providing applicability; prohibiting  
12          counties from limiting, prohibiting, or preventing  
13          such entities from providing advanced life support  
14          nontransport services; providing construction;  
15          amending s. 401.26, F.S.; conforming a provision to  
16          changes made by the act; amending s. 401.265, F.S.;  
17          providing that a medical director is liable for any  
18          act or omission of a paramedic under his or her  
19          supervision who administers medical countermeasures in  
20          a nonemergency environment; providing for a State  
21          Emergency Medical Services Medical Director appointed  
22          by the State Surgeon General; requiring the medical  
23          director to meet certain minimum qualifications and  
24          perform certain duties; amending s. 401.272, F.S.;  
25          defining the terms "health promotion and wellness

26 activities" and "medical countermeasures"; authorizing  
 27 paramedics to administer medical countermeasures in a  
 28 nonemergency environment under the direction of a  
 29 medical director; providing that a paramedic's medical  
 30 director may have a certain required written agreement  
 31 with the Department of Health, rather than only with a  
 32 county health department; requiring medical directors  
 33 to verify and document that paramedics under their  
 34 direction have received sufficient training and  
 35 experience to administer medical countermeasures;  
 36 authorizing independent special fire control districts  
 37 to allow their paramedics and emergency medical  
 38 technicians to perform certain activities and  
 39 administer certain services in accordance with  
 40 specified provisions; providing an effective date.

41

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

43

44 Section 1. Subsection (8) is added to section 401.25,  
 45 Florida Statutes, to read:

46 401.25 Licensure as a basic life support or an advanced  
 47 life support service.—

48 (8) (a) Notwithstanding paragraph (2) (d) or any general  
 49 law, special act, or local ordinance to the contrary, and except  
 50 as provided in paragraph (b), the department shall issue a

51 governmental entity a license to provide advanced life support  
52 nontransport services without requiring it to obtain a  
53 certificate of public convenience and necessity if the  
54 governmental entity maintains a fire rescue infrastructure that  
55 dispatches first responders as defined in s. 112.1815(1) and  
56 meets all other licensure requirements of this section. A  
57 governmental entity issued a license under this subsection is  
58 subject to all of the following requirements and limitations:

59 1. The governmental entity must require its medical  
60 director to issue standing orders or protocols to implement the  
61 medical standards of any countywide common medical protocol  
62 applicable to the entity, if such protocol is instituted. An  
63 entity must submit an affidavit with its licensure application  
64 certifying that its medical director has issued such standing  
65 orders or protocols. As used in this subparagraph, the term  
66 "countywide common medical protocol" means medical standards  
67 issued by a county's medical director or a council created by  
68 county ordinance which specify protocols for the provision of  
69 basic and advanced life support services in that county. Such  
70 standards must be based on whether the procedures are being  
71 performed by an emergency medical technician or a paramedic and  
72 not based on the employer of, or type of response vehicle used  
73 by, such emergency medical personnel.

74 2. The governmental entity is eligible only for advanced  
75 life support nontransport vehicle permits issued under s.

76 401.26.

77 3. The governmental entity may provide only advanced life  
78 support nontransport services and is authorized to provide such  
79 services within its jurisdictional boundaries and areas that it  
80 serves in accordance with a closest unit response agreement or  
81 mutual or automatic aid agreement.

82 (b) The exemption under this subsection does not apply to  
83 a governmental entity that:

84 1. Is located within a county in which there is a  
85 countywide emergency medical services authority created by  
86 special act;

87 2. Is located within a county that has more than 35  
88 municipalities; or

89 3. Contracts with a private entity licensed by the  
90 department to provide emergency medical services.

91 (c) A county may not limit, prohibit, or prevent a  
92 governmental entity that has been issued a license under this  
93 subsection from providing advanced life support nontransport  
94 services, including, but not limited to, requiring the  
95 governmental entity to obtain a license, certificate, or vehicle  
96 permit or to pay a fee to provide such services in that county.

97 (d) This subsection may not be construed to exempt an  
98 applicant from any other requirement for licensure under state  
99 law or to exempt a licensee from otherwise complying with this  
100 part or department rules.

101 Section 2. Subsection (1) of section 401.26, Florida  
 102 Statutes, is amended to read:

103 401.26 Vehicle permits for basic life support and advanced  
 104 life support services.—

105 (1) Every licensee shall possess a valid permit for each  
 106 transport vehicle, advanced life support nontransport vehicle,  
 107 and aircraft in use. Applications for such permits must ~~shall~~ be  
 108 made upon forms prescribed by the department. The licensee shall  
 109 provide documentation that each vehicle for which a permit is  
 110 sought meets the appropriate requirements for a basic life  
 111 support or advanced life support service vehicle, whichever is  
 112 applicable, as specified by rule of the department. A permit is  
 113 not required for an advanced life support nontransport vehicle  
 114 that is intended to be used for scene supervision, incident  
 115 command, or the augmentation of supplies. A governmental entity  
 116 issued a license under s. 401.25(8) is eligible only for an  
 117 advanced life support nontransport vehicle permit.

118 Section 3. Subsection (5) of section 401.265, Florida  
 119 Statutes, is renumbered as subsection (6), subsection (4) is  
 120 amended, and a new subsection (5) is added to that section, to  
 121 read:

122 401.265 Medical directors.—

123 (4) Each medical director who uses a paramedic or  
 124 emergency medical technician to perform blood pressure  
 125 screenings or screening, health promotion, and wellness

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126 activities, or to administer immunizations or medical  
127 countermeasures in a nonemergency environment ~~immunization on~~  
128 ~~any patient~~ under a protocol as specified in s. 401.272, ~~which~~  
129 ~~is not in the provision of emergency care,~~ is liable for any act  
130 or omission of any paramedic or emergency medical technician  
131 acting under his or her supervision and control when performing  
132 such activities and services.

133 (5) A State Emergency Medical Services (EMS) Medical  
134 Director shall be appointed by and report to the State Surgeon  
135 General. The State EMS Medical Director must be a physician  
136 licensed under chapter 458 or chapter 459 who has specialized  
137 training and experience in the provision of emergency medical  
138 services and who has recognized skills in leadership and the  
139 promotion of emergency medical services programs. The State EMS  
140 Medical Director shall perform such duties as directed by the  
141 State Surgeon General and serve on the Emergency Medical  
142 Services Advisory Council created under s. 401.245.

143 Section 4. Section 401.272, Florida Statutes, is amended  
144 to read:

145 401.272 Emergency medical services community health care.—

146 (1) As used in this section, the term:

147 (a) "Health promotion and wellness activities" means the  
148 provision of public health programs relating to the prevention  
149 or reduction of illness or injury.

150 (b) "Medical countermeasures" means lifesaving medication

151 or medical supplies regulated by the United States Food and Drug  
 152 Administration which can be used to diagnose, prevent, protect  
 153 from, or treat conditions associated with chemical, biological,  
 154 radiological, or nuclear threats, emerging infectious diseases,  
 155 or natural disasters.

156 (2) The purpose of this section is to encourage more  
 157 effective utilization of the skills of emergency medical  
 158 technicians and paramedics by enabling them to perform, in  
 159 partnership with local county health departments, specific  
 160 additional health care tasks that are consistent with the public  
 161 health and welfare.

162 (3)~~(2)~~ Notwithstanding any other ~~provision of law to the~~  
 163 ~~contrary:~~

164 (a) Paramedics or emergency medical technicians may  
 165 perform health promotion and wellness activities and blood  
 166 pressure screenings in a nonemergency environment, within the  
 167 scope of their training, and under the direction of a medical  
 168 director. ~~As used in this paragraph, the term "health promotion~~  
 169 ~~and wellness" means the provision of public health programs~~  
 170 ~~pertaining to the prevention of illness and injury.~~

171 (b) Paramedics may administer immunizations or medical  
 172 countermeasures in a nonemergency environment, within the scope  
 173 of their training, and under the direction of a medical  
 174 director. There must be a written agreement between the  
 175 paramedic's medical director and the department or the county

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176 health department located in each county in which the paramedic  
177 administers immunizations or medical countermeasures. This  
178 agreement must establish the protocols, policies, and procedures  
179 under which the paramedic must operate.

180 ~~(4)(3)~~ Each medical director under whose direction a  
181 paramedic administers immunizations or medical countermeasures  
182 must verify and document that the paramedic has received  
183 sufficient training and experience to administer immunizations  
184 or medical countermeasures, as applicable. The verification must  
185 be documented on forms developed by the department, and the  
186 completed forms must be maintained at the service location of  
187 the licensee and made available to the department upon request.

188 (5) An independent special fire control district as  
189 defined in s. 191.003 may allow its paramedics and emergency  
190 medical technicians to perform blood pressure screenings or  
191 health promotion and wellness activities or administer  
192 immunizations or medical countermeasures in accordance with this  
193 section.

194 ~~(6)(4)~~ The department may adopt and enforce all rules  
195 necessary to enforce the provisions relating to a paramedic's  
196 administration of immunizations and medical countermeasures and  
197 the performance of health promotion and wellness activities and  
198 blood pressure screenings by a paramedic or emergency medical  
199 technician in a nonemergency environment.

200 Section 5. This act shall take effect upon becoming a law.