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2000 Regular Session (0lr2746)

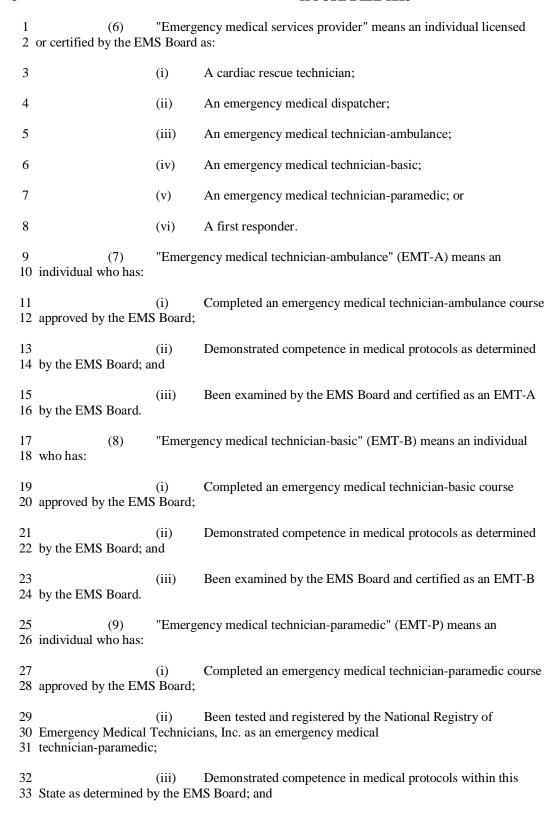
ENROLLED BILL

-- Environmental Matters/Economic and Environmental Affairs --

Introduced by Delegates Moe, Bozman, Conway, Frush, Glassman, Love, Malone, Menes, Mitchell, O'Donnell, Parrott, Rudolph, Stull, and Walkup

	Read and Examined by Proofreaders:	
		Proofreader.
	ed with the Great Seal and presented to the Governor, for his approval this day of at o'clock,M.	Proofreader.
		Speaker.
	CHAPTER	
1 A	AN ACT concerning	
2	Emergency Medical Services - Public Safety Personnel - Immunizations	
3 F 4 5 6 7	FOR the purpose of authorizing emergency medical technician-paramedics to administer certain immunizations and tuberculosis skin testing in certain environments to public safety personnel within their jurisdiction under certain circumstances; defining a certain term; and generally relating to emergency medical services.	
8 B 9 10 11 12	BY repealing and reenacting, with amendments, Article - Education Section 13-516 Annotated Code of Maryland (1999 Replacement Volume)	

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:				
3				Article - Education
4	13-516.			
5	(a)	(1)	In this se	ection the following words have the meanings indicated.
6		(2)	"Cardiao	e rescue technician" (CRT) means an individual who has:
7 8	EMS Board;		(i)	Completed a cardiac rescue technician course approved by the
9 10	State as dete	ermined b	(ii) by the EM	Demonstrated competence in medical protocols within this IS Board; and
11 12	EMS Board		(iii)	Been examined by the EMS Board and licensed as a CRT by the
13 14	emergency i	(3) nedical s		cate" means a certificate issued by the EMS Board to provide in the State, except where the context requires otherwise.
15 16	has:	(4)	"Emerge	ency medical dispatcher" (EMD) means an individual who
17 18	by the EMS	Board or	(i) its equiv	Completed an emergency medical dispatcher course approved valent as determined by the EMS Board;
19 20	by the EMS	Board; a	(ii) nd	Demonstrated competence in medical protocols as determined
23		the EMS		Been examined by the EMS Board or has been recognized as an by an emergency medical dispatcher program and licensed as an emergency medical dispatcher by the
25		(5)	"Emerge	ency medical services" means:
	death or agg			Medical services provided prehospital to prevent imminent or injury whether or not transport to a hospital or
29 30	or appropria	te facility	(ii) y whether	Transport from the scene of a medical emergency to a hospital or not medical services are provided;
31 32	facility; or		(iii)	Medical interfacility transport services to an appropriate
33 34	facility.		(iv)	Medical interfacility critical care transport to an appropriate



23 ANY LAW ENFORCEMENT OFFICER: OR (II)

(II)THE STATE FIRE MARSHAL OR A SWORN MEMBER OF THE 24 (III)

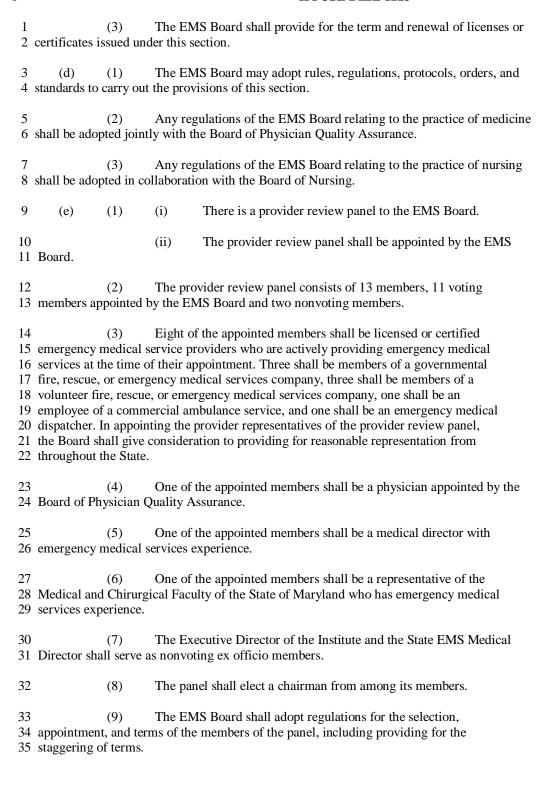
25 STATE FIRE MARSHAL'S OFFICE.

Except as otherwise provided in this section, an individual may not 26 (b)

27 provide emergency medical services in the State unless issued a license or certificate

- 28 by the EMS Board under this section.
- 29 This section does not apply to: (2)
- 30 (i) An individual who:
- Has completed an emergency medical services course or its 31 1.
- equivalent as determined by the EMS Board;
- 33 2. Is authorized to provide emergency medical services by
- 34 any state adjoining this State;

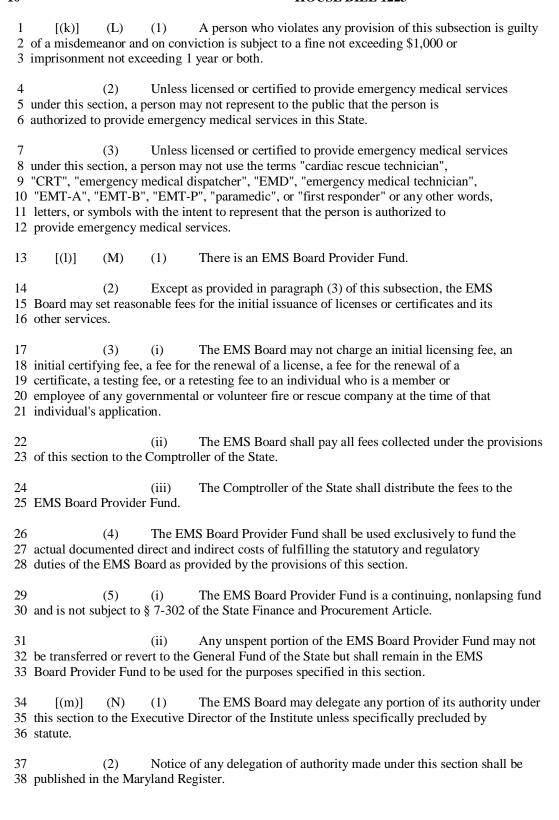
	3. Is called on by a public safety agency providing emergency medical services to render emergency medical services in this State or to transport emergency patients from the adjoining state to a health care facility in this State;
4 5	4. Is providing emergency medical services within the scope of the license or certificate issued to the individual by the other state; and
	5. Is not affiliated with an emergency medical service in this State or is not engaged in providing emergency medical services in this State on a regular basis;
	(ii) An individual who is enrolled in an emergency medical services provider training program that meets the standards set by the EMS Board in the course of that training;
	(iii) An individual who is not engaged in providing emergency medical services on a regular basis who provides emergency medical services at the scene of a medical emergency in rare instances;
15 16	(iv) An individual who is a member of a volunteer fire or rescue company and solely engaged in driving the emergency vehicle;
17 18	(v) An individual who assists an emergency medical services provider but does not directly provide emergency medical services; or
	(vi) An individual who has American Red Cross first aid training or its equivalent and who provides services within the scope of that training, does not respond to emergency calls, and does not transport patients.
	(3) This subsection does not limit the right of an individual to practice a health occupation that the individual is authorized to practice under the Health Occupations Article.
	(4) A person who violates any provision of this subsection is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 1 year or both.
28	(c) (1) To apply for a license or certificate, an individual shall:
29 30	(i) Submit an application on the form that the EMS Board requires; and
31 32	(ii) Pay to the EMS Board any application fee set by the EMS Board under subsection (l) of this section.
35	(2) The EMS Board may not charge a licensing, certifying, testing, or retesting fee to any individual who is a member or employee of any governmental or volunteer fire, rescue, or emergency medical services company at the date of application.



				The provider review panel shall review patient care and other nst emergency medical services providers and provide Board for further action as necessary.
4 5	function that	the EMS	(ii) S Board re	The provider review panel shall perform any other duty or equires.
	(f) EMS Board services:			es, regulations, protocols, orders, and standards of the lical direction, while providing emergency medical
9 10	emergency i	(1) medical t		nc rescue technician, an emergency medical technician-A, an an-B, or an emergency medical technician-P may:
11 12	Board;		(i)	Perform specified medical procedures as authorized by the EMS
13			(ii)	Administer specified medications or intravenous solutions; and
14			(iii)	Provide emergency medical transport;
15		(2)	(i)	An emergency medical dispatcher may:
16 17	type and lev	el of resp	oonse req	1. Perform medical interrogation in order to determine the uired at the scene of a medical emergency;
18 19	cardiopulmo	onary res	uscitation	2. Provide prearrival instructions including instructions in ; and
20 21	jurisdictions	s is totally	(ii) y volunta	Participation in emergency medical dispatch programs by ry; and
22		(3)	A first r	esponder:
23 24	EMS Board	; and	(i)	May perform specified medical procedures as defined by the
25 26	during emer	gency m	(ii) edical tra	May not be the primary emergency medical services provider nsport.
29 30	STANDARI HEPATITIS NONEMER	DS OF T S <u>B</u> IMM GENCY	HE EMS UNIZAT ENVIRO	HE RULES, REGULATIONS, PROTOCOLS, ORDERS, AND BOARD, AN EMT-P MAY ADMINISTER <u>INFLUENZA AND</u> IONS AND TUBERCULOSIS SKIN TESTING, IN A DNMENT, TO PUBLIC SAFETY PERSONNEL WITHIN THE IT-P, IF THE SERVICES ARE:
34	PROVIDER AND THE (COUNTY	SDICTIO 7 OR CIT	ORIZED BY A WRITTEN AGREEMENT BETWEEN THE NAL EMS OPERATIONAL PROGRAM MEDICAL DIRECTOR TY HEALTH DEPARTMENT IN WHOSE JURISDICTION THE ED; AND, WHICH SHALL INCLUDE PROVISIONS FOR

	DOCUMENTATION MEDICINE;	I, REFER	RAL AND FOLLOW-UP, AND STORAGE AND INVENTORY OF
3 4	(2) PROGRAM MEDIC.		THE DIRECTION OF THE JURISDICTIONAL EMS OPERATIONAL CTOR; AND
5	<u>(3)</u>	APPRO	VED BY THE INSTITUTE.
8 9	applicant for a license	e or certif	Subject to the hearing provisions of subsection (h) of this section of an emergency medical services provider or an icate under this section that is prohibited under the y regulations adopted under this section, the EMS
11 12	probation;	(i)	Reprimand or place an emergency medical services provider on
13 14	medical services pro	(ii) vider;	Suspend or revoke the license or certificate of an emergency
15		(iii)	Deny a license or certificate to an applicant; or
16		(iv)	Refuse to renew an applicant's license or certificate.
	(2) been suspended or re license or certificate.	voked, th	application of an individual whose license or certificate has a EMS Board may reinstate a suspended or revoked
	(3) license or certificate, or certificate.	(i) a holder	Unless the EMS Board agrees to accept the surrender of a of a license or certificate may not surrender the license
			A license or certificate may not lapse by operation of law while tificate is under investigation or while charges are the license or certificate.
	of the license or certito accept surrender of	ificate un	S Board may set conditions on its agreement with the holder der investigation or against whom charges are pending use or certificate.
29 30	[(h)] (I) section only after:	(1)	The EMS Board may take action under subsection (g) of this
31 32	and	(i)	A review and recommendation by the provider review panel;
	has had an opportuni Subtitle 2 of the State		After the individual against whom the action is contemplated earing in accordance with the provisions of Title 10, ment Article.

	patient care except upon the affirmative recommendation of the provider review panel.
4	(3) The individual may be represented at the hearing by counsel.
5 6	(4) Any person aggrieved by a decision of the EMS Board may take any further appeal allowed under Title 10, Subtitle 2 of the State Government Article.
9	[(i)] (J) (1) The EMS Board shall refer to the Board of Nursing any complaint about an emergency medical services provider who, in addition to being licensed or certified by the EMS Board, is licensed as a registered nurse or licensed practical nurse by the Board of Nursing.
	(2) The Board of Nursing may investigate and discipline a registered nurse or licensed practical nurse for a violation of this section and a violation of Title 8 of the Health Occupations Article.
14 15	(3) The Board of Nursing shall conduct any hearing required by this section in accordance with § 8-317 of the Health Occupations Article.
18	(4) The EMS Board shall comply with any recommendation or order issued by the Board of Nursing regarding the issuance of a license or certificate by the EMS Board to an individual who is licensed as a registered nurse or licensed practical nurse.
22 23	[(j)] (K) (1) The EMS Board may, over the signature of the chairman of the EMS Board, Executive Director of the Institute, chairman of the provider review panel, or State EMS Medical Director, issue subpoenas and administer oaths in connection with any investigation under this section and any hearings or proceedings before it.
	(2) If, without lawful excuse, a person disobeys a subpoena of the EMS Board or an order by the EMS Board to take an oath or to testify or answer a question, a court of competent jurisdiction may punish the person for contempt.
	(3) If, after due notice, the individual against whom an action is contemplated fails or refuses to appear, the EMS Board may hear and determine the matter.
33	(4) If the entry is necessary to carry out a duty under this section, any duly authorized agent or investigator of the EMS Board may enter at any reasonable hour a place of business of a licensed or certified emergency medical services provider or public premises.
	(5) The EMS Board may issue a cease and desist order or obtain injunctive relief if a person provides emergency medical services without a license or certificate.



- 1 (3) The EMS Board may not delegate its authority to promulgate and 2 revise regulations, hear contested cases, or designate the provider review panel to the
- 3 Executive Director or the Institute.
- The EMS Board may delegate to the Office of Administrative 4
- 5 Hearings the authority to hear contested cases and issue recommendations.
- 6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 7 October 1, 2000.