
By: **Chairman, Environmental Matters Committee (Departmental - Md.
Inst. for Emer. Medical Serv. Sys.)**

Introduced and read first time: January 19, 1998

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Emergency Medical Services Providers**

3 FOR the purpose of clarifying that certain definitions of "health care provider",
4 "health care practitioner", and "health practitioner" in the Code include certain
5 emergency medical services personnel; making technical corrections to certain
6 provisions of the Code pertaining to emergency medical services; establishing
7 certain penalties; defining certain terms; providing for a delayed effective date;
8 and generally relating to emergency medical services.

9 BY repealing and reenacting, with amendments,
10 Article 27 - Crimes and Punishments
11 Section 35D(a)(5)
12 Annotated Code of Maryland
13 (1996 Replacement Volume and 1997 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article - Family Law
16 Section 5-701(h)
17 Annotated Code of Maryland
18 (1991 Replacement Volume and 1997 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article - Health - General
21 Section 4-301(h), 5-601(h) and (j), and 5-608(a)
22 Annotated Code of Maryland
23 (1994 Replacement Volume and 1997 Supplement)

24 BY repealing and reenacting, with amendments,
25 Article - Education
26 Section 13-516(a)(12) and (b)
27 Annotated Code of Maryland
28 (1997 Replacement Volume and 1997 Supplement)

1 (As enacted by Chapter 201 of the Acts of the General Assembly of 1997)

2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
3 MARYLAND, That the Laws of Maryland read as follows:

4 **Article 27 - Crimes and Punishments**

5 35D.

6 (a) (5) "Health care provider" means any person who is authorized to
7 practice under the Health Occupations Article OR § 13-516 OF THE EDUCATION
8 ARTICLE.

9 **Article - Family Law**

10 5-701.

11 (h) (1) "Health practitioner" includes any person who is authorized to
12 practice healing under the Health Occupations Article OR § 13-516 OF THE
13 EDUCATION ARTICLE.

14 (2) "HEALTH PRACTITIONER" DOES NOT INCLUDE AN EMERGENCY
15 MEDICAL DISPATCHER.

16 **Article - Health - General**

17 4-301.

18 (h) (1) "Health care provider" means:

19 (i) A person who is licensed, certified, or otherwise authorized
20 under the Health Occupations Article OR § 13-516 OF THE EDUCATION ARTICLE to
21 provide health care in the ordinary course of business or practice of a profession or in
22 an approved education or training program; or

23 (ii) A facility where health care is provided to patients or recipients,
24 including a facility as defined in § 10-101(e) of this article, a hospital as defined in §
25 19-301(f) of this article, a related institution as defined in § 19-301(n) of this article,
26 a health maintenance organization as defined in § 19-701(e) of this article, an
27 outpatient clinic, and a medical laboratory.

28 (2) "Health care provider" includes the agents, employees, officers, and
29 directors of a facility and the agents and employees of a health care provider.

30 5-601.

31 (h) "Emergency medical services `do not resuscitate order' " means a
32 physician's written order in a form established by protocol issued by the Maryland
33 Institute for Emergency Medical Services in conjunction with the State Board of
34 Physician Quality Assurance which, in the event of a cardiac or respiratory arrest of

1 a particular patient, authorizes certified OR LICENSED emergency medical services
2 personnel to withhold or withdraw cardiopulmonary resuscitation including cardiac
3 compression, endotracheal intubation, other advanced airway management
4 techniques, artificial ventilation, defibrillation, and other related life-sustaining
5 procedures.

6 (j) "Health care practitioner" means:

7 (1) An individual licensed or certified under the Health Occupations
8 Article OR § 13-516 OF THE EDUCATION ARTICLE to provide health care; or

9 (2) The administrator of a hospital or a person designated by the
10 administrator in accordance with hospital policy.

11 5-608.

12 (a) (1) Certified OR LICENSED emergency medical services personnel shall
13 be directed by protocol to follow emergency medical services "do not resuscitate
14 orders" pertaining to adult patients in the outpatient setting in accordance with
15 protocols established by the Maryland Institute for Emergency Medical Services
16 Systems in conjunction with the State Board of Physician Quality Assurance.

17 (2) Emergency medical services "do not resuscitate orders" may not
18 authorize the withholding of medical interventions, or therapies deemed necessary to
19 provide comfort care or to alleviate pain.

20

Article - Education

21 13-516.

22 (a) (12) (i) "Medical direction" means the written or oral instruction by a
23 [physician] licensed PHYSICIAN to perform specified medical procedures or
24 administer specified medications or intravenous solutions.

25 (ii) "Medical direction" includes the activities of a licensed
26 physician in the State serving as a medical director for an agency providing
27 emergency medical services including quality assurance, planning, and education.

28 (b) (1) Except as otherwise provided in this section, an individual may not
29 provide emergency medical services in the State unless issued a license or certificate
30 by the EMS Board under this section.

31 (2) This section does not apply to:

32 (i) An individual who:

33 1. Has completed an emergency medical services course or its
34 equivalent as determined by the EMS Board;

