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(PRE-FILED)

By: Chairman, Economic and Environmental Affairs Committee

(Departmental - Maryland Institute for Emergency Medical Services Systems)

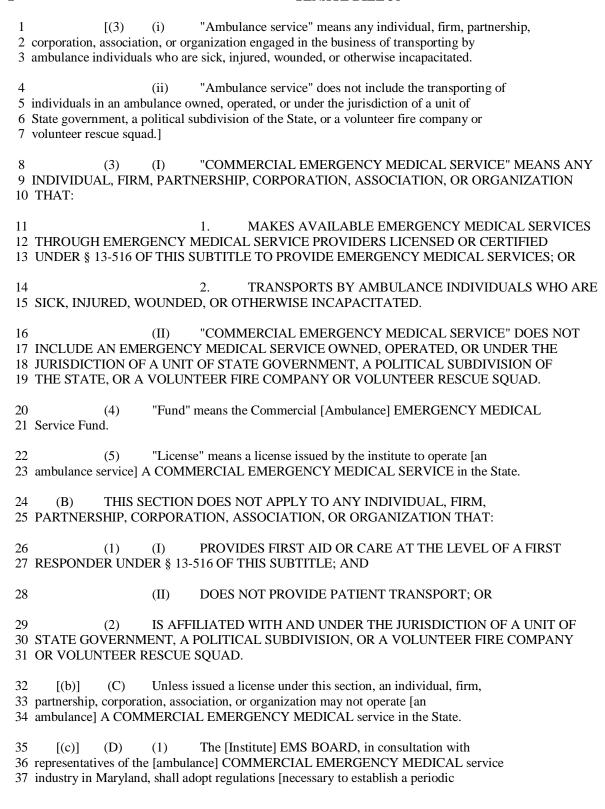
Requested: October 26, 2000

Introduced and read first time: January 10, 2001 Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1	AN ACT concerning
2	Emergency Medical Services - Commercial Emergency Medical Services - Regulation
4 5 6 7	FOR the purpose of regulating certain entities that provide commercial emergency medical services; exempting certain providers from regulation; requiring certain entities to meet certain requirements; defining certain terms; and generally relating to the regulation of commercial emergency medical services.
8 9 10 11 12	Annotated Code of Maryland
13 14	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
15	Article - Education
16	13-515.
17	(a) (1) In this section the following words have the meanings indicated.
20	(2) (I) "Ambulance" means any [vehicle] CONVEYANCE designed and constructed or modified and equipped to be used, maintained, or operated [for the transportation of] TO TRANSPORT individuals who are sick, injured, wounded, or otherwise incapacitated.
22 23	(II) "AMBULANCE" INCLUDES A CONVEYANCE DESIGNED AND CONSTRUCTED OR MODIFIED AND EQUIPPED FOR AEROMEDICAL TRANSPORT.

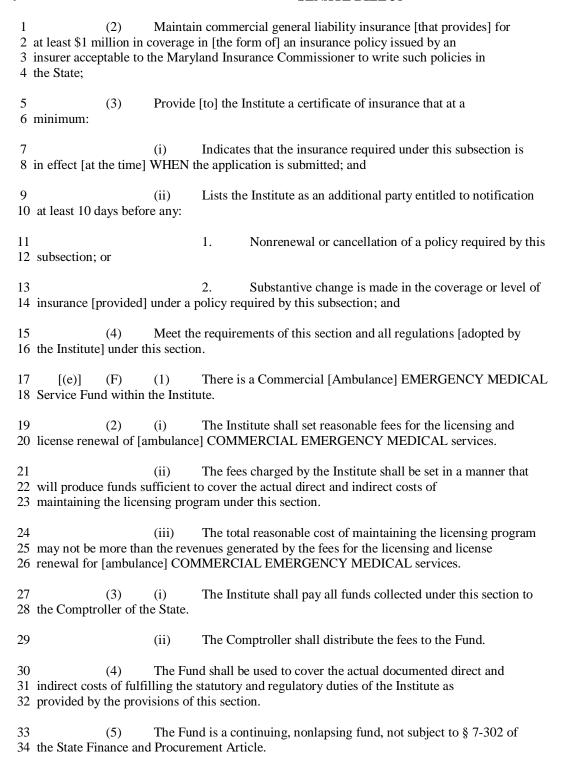
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	licensing system for ambulance services] TO ENSURE THE SAFE AND EFFECTIVE OPERATION OF COMMERCIAL EMERGENCY MEDICAL SERVICES in the State.
3	(2) The regulations shall, at a minimum, require EACH COMMERCIAL EMERGENCY MEDICAL SERVICE TO:
	(i) [Each ambulance operated by the ambulance service to be equipped with adequate] POSSESS SUFFICIENT MEDICAL AND COMMUNICATIONS equipment and supplies to[:
8 9	1. Care] CARE for the patients being [transported] TREATED[; and
10	2. Communicate with the dispatcher];
11 12	(ii) [At least 1 individual, in addition to the driver, be in attendance on the ambulance during each transport who] PROVIDE:
15	1. [Is] AT LEAST ONE INDIVIDUAL IN ATTENDANCE DURING TREATMENT OR TRANSPORT WHO IS certified or licensed [by the State as an emergency medical technician] under § 13-516 of this subtitle FOR THE APPROPRIATE LEVEL FOR THE CARE TO BE RENDERED; or
19 20	2. [Has successfully completed a course of training determined by the Institute to be substantially equivalent to the training necessary for certification or licensure as an emergency medical technician] PERSONNEL EQUIVALENT OR SUPERIOR TO THE REQUIREMENTS OF ITEM 1 OF THIS SUBPARAGRAPH AS DEMONSTRATED TO THE INSTITUTE; and
	(iii) [Each] HAVE EACH ambulance [operated by the ambulance service be] WHICH THE COMMERCIAL EMERGENCY MEDICAL SERVICE OPERATES inspected:
27	1. [Once] FOR AN AMBULANCE INTENDED FOR USE ON A ROADWAY, ONCE every 12 months by an inspection station licensed under 23-103 of the Transportation Article and be issued an inspection certificate by the inspection station; or
31 32 33	2. [In accordance with the] FOR ANY OTHER TYPE OF AMBULANCE, UNDER ANY APPLICABLE STATE AND FEDERAL INSPECTION requirements for the [operation of an ambulance owned, operated, or under the jurisdiction of a unit of State government, a political subdivision of the State, or a volunteer fire company or volunteer rescue squad in the jurisdiction where the ambulance service is located] TYPE OF AMBULANCE.
35 36	[(d)] (E) To qualify for [an ambulance] A COMMERCIAL EMERGENCY MEDICAL service license, an applicant shall:
37 38	(1) Pay [to] the Institute an application fee established [in accordance with] UNDER this section;

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SENATE BILL 38 1 Any unspent portions of the Fund may not be transferred or revert to (6)2 the General Fund of the State, but shall remain in the Fund to be used for the 3 purposes specified in this section. 4 (7) A designee of the Institute shall administer the Fund. (i) Moneys in the Fund may be expended only for any lawful (ii) 6 purpose authorized under the provisions of this section. 7 The Legislative Auditor shall audit the accounts and transactions of 8 the Fund as provided in § 2-1220 of the State Government Article. 9 [(f)]The Institute may inspect the operating base, equipment, supplies, 10 and company procedures necessary to ensure compliance with the requirements of this section and all regulations adopted by the Institute under this section. 12 [(g)](H) Subject to the hearing provisions of subsection [(h)] (I) of this section, 13 the Institute may deny an application for [an ambulance] A COMMERCIAL 14 EMERGENCY MEDICAL service license or suspend or revoke a license if the applicant 15 or licensee violates any provision of this section or any regulation adopted by the 16 Institute under this section. 17 Before the Institute takes any final action under subsection [(g)] (H) [(h)](I) 18 of this section, the Institute shall give the person against whom the action is 19 contemplated an opportunity for a hearing [in accordance with] UNDER the 20 provisions of § 10-226 of the State Government Article. (J) The Institute may waive the requirements of this section for any 21 22 [ambulance service] COMMERCIAL EMERGENCY MEDICAL SERVICE WHICH 23 TRANSPORTS PATIENTS BY AMBULANCE: 24 Licensed in another state if the [ambulance] COMMERCIAL (1) 25 EMERGENCY MEDICAL service provides adequate evidence that the [ambulance] 26 COMMERCIAL EMERGENCY MEDICAL service is licensed in the other state after 27 meeting requirements that are at least as stringent as the licensing requirements of 28 this State; or 29 (2)[That transports patients into] INTO this State only on an occasional 30 basis as determined by the Institute. 31 A person who violates any provision of this section or any regulation [(i)](K) 32 adopted by the Institute under this section is guilty of a misdemeanor and on 33 conviction is subject to a fine not exceeding \$1,000. 34 [(k)](L) This section preempts the authority of a county or municipal 35 corporation to regulate any [ambulance] COMMERCIAL EMERGENCY MEDICAL 36 service with a base of operation located outside the county or municipal corporation

37 that is licensed [in accordance with the provisions of] UNDER this section.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 2 July 1, 2001.