

Senate Bill 211

By: Senators Hill of the 4th and Meyer von Bremen of the 12th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to
2 emergency medical services, so as to provide for the transfer of certification and
3 recertification responsibilities for paramedics and cardiac technicians to the Department of
4 Human Resources from the Composite State Board of Medical Examiners; to provide for
5 definitions; to provide that the department may establish rules and regulations for ambulance
6 attendants and for the certification and recertification of emergency medical technicians,
7 paramedics, and cardiac technicians and provide for training courses relating thereto; to
8 create the Georgia Emergency Medical Services Medical Directors Advisory Council and
9 provide for its composition, duties, and powers; to provide for a criminal records check for
10 emergency medical technicians, paramedics, and cardiac technicians; to enable certified
11 paramedics and cardiac technicians to perform additional emergency medical services; to
12 provide for investigations, subpoenas, hearings, and emergency suspension of certification
13 to protect the public safety; to provide for continuing validity of certain prior certifications;
14 to provide for continuing education; to provide for conforming changes; to provide for an
15 effective date and applicability; to repeal conflicting laws; and for other purposes.

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

17 **SECTION 1.**

18 Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to emergency
19 medical services, is amended by striking Code Section 31-11-2, relating to definitions, and
20 inserting in lieu thereof a new Code section to read as follows:

21 "31-11-2.

22 As used in this chapter, the term:

23 (1) 'Ambulance' means a motor vehicle that is specially constructed and equipped and
24 is intended to be used for the emergency transportation of patients, ~~including dual~~
25 ~~purpose police patrol cars and funeral coaches or hearses which otherwise comply with~~
26 ~~the provisions of this chapter.~~

1 (2) 'Ambulance attendant' means a person responsible for the care of patients being
2 transported in an ambulance.

3 (3) 'Ambulance provider' means an agency or company providing ambulance service
4 which is operating under a valid license from the Emergency Health Section of the
5 Division of Public Health of the Department of Human Resources.

6 (4) 'Ambulance service' means the providing of emergency care and transportation ~~on~~
7 ~~the public streets and highways of this state~~ for a wounded, injured, sick, invalid, or
8 incapacitated human being to or from a place where medical or hospital care is furnished.

9 (5) 'Cardiac technician' means a person who, having been trained and certified as an
10 emergency medical technician and having completed additional training in advanced
11 cardiac life support techniques in a training course approved by the department, is so
12 certified by the Composite State Board of Medical Examiners prior to July 1, 2001, or by
13 the Department of Human Resources on and after July 1, 2001.

14 (6) 'Composite board' means the Composite State Board of Medical Examiners.

15 (6.1) 'Department' means the Department of Human Resources.

16 (7) 'Emergency medical services system' means a system which provides for the
17 arrangement of personnel, facilities, and equipment for the effective and coordinated
18 delivery in an appropriate geographical area of health care services under emergency
19 conditions, occurring either as a result of the patient's condition or as a result of natural
20 disasters or similar situations, and which is administered by a public or nonprofit private
21 entity which has the authority and the resources to provide effective administration of the
22 system.

23 (8) 'Emergency Medical Systems Communications Program' (EMSC Program) means
24 any program established pursuant to Public Law 93-154, entitled the Emergency Medical
25 Services Systems Act of 1973, which serves as a central communications system to
26 coordinate the personnel, facilities, and equipment of an emergency medical services
27 system and which:

28 (A) Utilizes emergency medical telephonic screening;

29 (B) Utilizes a publicized emergency telephone number; and

30 (C) Has direct communication connections and interconnections with the personnel,
31 facilities, and equipment of an emergency medical services system.

32 (9) 'Emergency medical technician' means a person who has been certified by the
33 department after having successfully completed an emergency medical care training
34 program approved by the department.

35 (10) 'First responder' means any person or agency who provides on-site care until the
36 arrival of a duly licensed ambulance service.

1 (11) 'Health districts' means the geographical districts designated by the department in
2 accord with Code Section 31-3-15.

3 ~~(12) 'Invalid car' means a motor vehicle not used for emergency purposes but used only
4 to transport persons who are convalescent, sick, or otherwise nonambulatory. Reserved.~~

5 (13) 'License' when issued to an ambulance service signifies that its facilities and
6 operations comply with this chapter and the rules and regulations issued by the
7 department hereunder.

8 (14) 'License officer' means the commissioner of human resources or his or her designee.

9 (15) 'Local coordinating entity' means the public or nonprofit private entity designated
10 by the Board of Human Resources or its designee to administer and coordinate the EMSC
11 Program in a health district established in accord with Code Section 31-3-15.

12 (16) 'Paramedic' means any person who has been certified ~~as an advanced emergency
13 medical technician~~ by the composite board before July 1, ~~1988~~ 2001, or ~~any person who
14 has been certified by that board on or after July 1, 1988,~~ by the department on or after
15 July 1, 2001, as having been trained in emergency care techniques in a paramedic training
16 course approved by the department, ~~but all such persons shall be designated on and after
17 July 1, 1988, as paramedics.~~

18 (16.1) 'Paramedic clinical preceptor' means a Georgia certified paramedic with a
19 minimum of two years of emergency medical services experience who meets the standard
20 requirements for paramedic preceptor training as established by the department.

21 (17) 'Patient' means an individual who is sick, injured, wounded, or otherwise
22 incapacitated or helpless.

23 (18) 'Person' means any individual, firm, partnership, association, corporation, company,
24 group of individuals acting together for a common purpose, or organization of any kind,
25 including any governmental agency other than of the United States.

26 (19) 'Provisional license' when issued to an ambulance service means a license issued on
27 a conditional basis to allow a newly established ambulance service a period of 30 days
28 to demonstrate that its facilities and operations comply with this chapter and rules and
29 regulations issued by the department under this chapter."

30 SECTION 2.

31 Said chapter is further amended by striking Code Section 31-11-5, relating to rules and
32 regulations, and inserting in lieu thereof a new Code section to read as follows:

33 "31-11-5.

34 (a) The department is authorized to adopt and promulgate rules and regulations for the
35 protection of the public health:

1 (1) Prescribing reasonable health, sanitation, and safety standards for transporting
2 patients in ambulances;

3 (2) Prescribing reasonable conditions under which ambulance attendants are required;

4 (3) Establishing criteria for the training of ambulance attendants and prescribing further,
5 that ambulance attendants prior to employment as such must, at a minimum, have
6 successfully completed the American Red Cross advanced first-aid a department
7 approved emergency medical technician course and an approved cardiopulmonary
8 resuscitation course or other courses deemed equivalent by the department: Within nine
9 months of initial employment an attendant must complete an approved emergency
10 medical technician course with required tests and be certified as an emergency medical
11 technician in this state; and

12 (4) Prescribing procedures and standards for certifying and recertifying emergency
13 medical technicians, paramedics, and cardiac technicians; and

14 ~~(4)~~(5) Requiring that the The emergency medical technician course is to be offered at
15 area hospitals and area technical vocational schools in conjunction with their emergency
16 patient care and personnel training programs.

17 (b) Nothing in this Code section shall authorize the department to adopt and promulgate
18 rules or regulations which shall prevent the continued use of dual purpose funeral coaches
19 or hearses currently being used as ambulances if the vehicles otherwise conform in all
20 respects to the requirements of Code Section 31-11-34, except for their size and shape."

21 SECTION 3.

22 Said chapter is further amended by striking Code Section 31-11-51, relating to certification
23 and recertification of emergency medical technicians, and inserting in lieu thereof a new
24 Code section to read as follows:

25 "31-11-51.

26 (a) The board shall, by regulation, authorize the department shall by regulation, policy, or
27 both to establish procedures and standards for certifying and recertifying emergency
28 medical technicians, paramedics, and cardiac technicians.

29 (b) An applicant for initial certification as an emergency medical technician, paramedic,
30 or cardiac technician must:

31 (1) Submit a completed application on a form to be prescribed by the department, which
32 shall include evidence that the applicant is 18 years of age or older;

33 (2) Submit evidence that the applicant has a current certification as an emergency
34 medical technician - intermediate or the equivalent as set forth in the rules and regulations
35 of the department;

1 (3) Submit from the training program attended a notarized statement that the applicant
2 has completed a training course approved by the department;

3 (4) Submit a current criminal records report from the National Crime Information Center
4 based on the applicant's name and fingerprints;

5 (5) Submit to the department the application fee set forth in the rules and regulations of
6 the department; and

7 (6) Meet such other requirements as are set forth in the rules and regulations of the
8 department.

9 (c) The department shall adopt procedures and standards for its approval for paramedic
10 training courses and cardiac technician training courses after consultation with the Georgia
11 Emergency Medical Services Medical Directors Advisory Council. Procedures and
12 standards adopted by the department shall be consistent with the purposes and provisions
13 of this chapter.

14 (d)(1) There is created the Georgia Emergency Medical Services Medical Directors
15 Advisory Council (Georgia EMSMDAC). The Georgia EMSMDAC shall:

16 (A) Serve as a medical advisory and review board for the State Office of Emergency
17 Medical Services and the Emergency Medical Services Advisory Council, acting as a
18 liaison with the medical community, medical facilities, and some governmental entities;

19 (B) Advise on and review matters of medical direction and training in conformity with
20 acceptable emergency medical practices and procedures;

21 (C) Recommend and review policies and procedures affecting patient care;

22 (D) Advise on the scope and extent of emergency medical practice for the emergency
23 medical services of this state;

24 (E) Advise on the formulation of medical and communication protocols;

25 (F) Recommend and evaluate training objectives through review of emergency
26 prehospital care reports; and

27 (G) Advise on quality improvement activities related to patient care.

28 (2) The composition and all other aspects of the Georgia EMSMDAC shall be governed
29 by rule, regulation, or policy of the department consistent with this Code section."

30 SECTION 4.

31 Said chapter is further amended by striking Code Section 31-11-52, relating to certification
32 and recertification of and training for paramedics and cardiac technicians, and inserting in
33 lieu thereof a new Code section to read as follows:

1 "31-11-52.

2 ~~(a) The composite board shall establish procedures and standards for certifying and~~
 3 ~~recertifying paramedics and cardiac technicians. An applicant for initial certification as a~~
 4 ~~paramedic or a cardiac technician must:~~

5 ~~(1) Submit a completed application on a form to be prescribed by the composite board,~~
 6 ~~which shall include evidence that the applicant is 18 years of age or older and is of good~~
 7 ~~moral character;~~

8 ~~(2) Submit from the department a notarized statement that the applicant has completed~~
 9 ~~a training course approved by the department;~~

10 ~~(3) Submit to the composite board a fee as set forth in the regulations of the composite~~
 11 ~~board; and~~

12 ~~(4) Meet such other requirements as are set forth in the rules and regulations of the~~
 13 ~~composite board.~~

14 ~~(b) The department shall also adopt procedures and standards for its approval of paramedic~~
 15 ~~training courses and cardiac technician training courses. The department shall adopt such~~
 16 ~~regulations after consultation with the composite board and other appropriate public and~~
 17 ~~private agencies and organizations concerned with medical education and the practice of~~
 18 ~~medicine. Procedures and standards adopted by the department shall be consistent with the~~
 19 ~~purposes and provisions of this chapter.~~

20 Reserved."

21 SECTION 5.

22 Said chapter is further amended by striking Code Section 31-11-54, relating to services
 23 which may be rendered by paramedics and trainees, and inserting in lieu thereof a new Code
 24 section to read as follows:

25 "31-11-54.

26 (a) Upon certification by the ~~composite board~~ department, paramedics may perform any
 27 service that a cardiac technician is permitted to perform. In addition, upon the order of a
 28 duly licensed physician and subject to the conditions set forth in paragraph (2) of
 29 subsection (a) of Code Section 31-11-55, paramedics may perform any other procedures
 30 which they have been both trained and certified to perform, including, but not limited to:

31 (1) Administration of parenteral injections of diuretics, anticonvulsants, hypertonic
 32 glucose, antihistamines, bronchodilators, emetics, narcotic antagonists, and others;

33 (2) Cardioversion; ~~and~~

34 (3) Gastric suction by intubation; and

35 (4) Procedures taught as part of the curriculum for paramedics as approved by the
 36 department.

1 (b) While in training preparatory to becoming certified, paramedic trainees may perform
 2 any of the functions specified in this Code section under the direct supervision of a duly
 3 licensed physician, a registered nurse, or an approved paramedic clinical preceptor."

4 SECTION 6.

5 Said chapter is further amended by striking Code Section 31-11-55, relating to services
 6 which may be rendered by cardiac technicians and trainees, and inserting in lieu thereof a
 7 new Code section to read as follows:

8 "31-11-55.

9 (a) Upon certification by the ~~composite board~~ department, cardiac technicians may
 10 perform any service that an emergency medical technician is entitled to perform and in
 11 addition may do any of the following:

12 (1) Render first-aid and resuscitation services;

13 (2) Upon the order of a duly licensed physician and as recommended by the Emergency
 14 ~~Health~~ Medical Services Advisory Council and approved by the ~~composite board~~
 15 department:

16 (A) Perform cardiopulmonary resuscitation and defibrillation in a pulseless,
 17 nonbreathing patient;

18 (B) Administer approved intravenous solutions;

19 (C) Administer parenteral injections of antiarrhythmic agents, vagolytic agents,
 20 chronotropic agents, alkalizing agents, analgesic agents, narcotic antagonists, and
 21 vasopressor agents; ~~and~~

22 (D) Perform pulmonary ventilation by esophageal airway and endotracheal intubation
 23 and related devices; and

24 (E) Perform other procedures taught as part of the curriculum for cardiac technicians
 25 as approved by the department.

26 (b) While in training preparatory to becoming certified, cardiac technician trainees may
 27 perform any of the functions specified in this Code section under the direct supervision of
 28 a duly licensed physician, ~~or a registered nurse,~~ or an approved paramedic clinical
 29 preceptor."

30 SECTION 7.

31 Said chapter is further amended by striking Code Section 31-11-56, relating to revocation of
 32 certificates issued to emergency medical technicians, and inserting in lieu thereof a new Code
 33 section to read as follows:

1 "31-11-56.
 2 Certificates issued to emergency medical technicians, paramedics, and cardiac technicians
 3 pursuant to this chapter may be revoked for good cause, as set forth in the rules and
 4 regulations, by the department after notice to the certificate holder of the charges and an
 5 opportunity for hearing. Such proceedings shall be conducted in accordance with Chapter
 6 13 of Title 50, the 'Georgia Administrative Procedure Act.' The department shall have the
 7 authority to conduct investigations and subpoena any documents relating to the fitness of
 8 emergency medical technicians, paramedics, and cardiac technicians. Such documents may
 9 be used in any hearing conducted by the department. The department shall also have the
 10 authority to immediately suspend the certificate of any emergency medical technician,
 11 paramedic, or cardiac technician if it can be reasonably shown that such individual
 12 constitutes a danger to the public safety."

13 **SECTION 8.**

14 Said chapter is further amended by striking Code Section 31-11-57, relating to revocation of
 15 certificates issued to paramedics and cardiac technicians, and inserting in lieu thereof a new
 16 Code section to read as follows:

17 "31-11-57.
 18 ~~Certificates issued to paramedics and cardiac technicians pursuant to this chapter may be~~
 19 ~~revoked for good cause by the composite board in accordance with established rules and~~
 20 ~~regulations, after notice to the certificate holder of the charges and an opportunity for~~
 21 ~~hearing. Such proceedings shall be conducted in accordance with Chapter 13 of Title 50,~~
 22 ~~the 'Georgia Administrative Procedure Act.'~~ The composite board shall have the authority
 23 to conduct investigations and subpoena any documents relating to the fitness of paramedics
 24 and cardiac technicians. Such documents may be used in any hearing conducted by the
 25 composite board. Paramedics and cardiac technicians who were certified by the composite
 26 board under the provisions of this article in effect prior to July 1, 2001, shall retain their
 27 certification. Paramedics and cardiac technicians seeking certification or recertification on
 28 or after July 1, 2001, shall be certified or recertified by the department as provided in this
 29 article."

30 **SECTION 9.**

31 Said chapter is further amended by striking Code Section 31-11-58, relating to recertification
 32 of emergency medical technicians and continuing education requirements, and inserting in
 33 lieu thereof a new Code section to read as follows:

34

1 "31-11-58.

2 (a) The department shall be authorized to require emergency medical technicians,
 3 paramedics, and cardiac technicians seeking recertification under this chapter to complete
 4 department approved continuing education. Paramedics and cardiac technicians must
 5 complete a minimum of 40 hours of department approved continuing education. The
 6 department shall be authorized to approve courses including but not limited to courses
 7 offered by the department, the number of hours required, and the category in which these
 8 hours should be earned.

9 (b) The department shall be authorized to waive the continuing education requirement in
 10 cases of hardship, disability, illness, or under such other circumstances as the department
 11 deems appropriate.

12 (c) The department shall be authorized to promulgate rules and regulations to implement
 13 and ensure compliance with the requirements of this Code section.

14 (d) This Code section shall apply to each certification and recertification cycle which
 15 begins after the ~~1992-1993~~ 2001-2002 renewal."

16 **SECTION 10.**

17 Said chapter is further amended by striking Code Section 31-11-58.1 in its entirety, relating
 18 to the recertification of paramedics and cardiac technicians and applicable continuing
 19 education requirements, which reads as follows:

20 "31-11-58.1.

21 (a) The composite board shall be authorized to require paramedics and cardiac technicians
 22 seeking recertification under this chapter to complete department approved continuing
 23 education of not less than 40 hours biennially. The department shall be authorized to
 24 approve courses including but not limited to courses offered by the department, the number
 25 of hours required, and the category in which these hours should be earned.

26 (b) The composite board shall be authorized to waive the continuing education
 27 requirement in cases of hardship, disability, illness, or under such other circumstances as
 28 the composite board deems appropriate.

29 (c) The composite board shall be authorized to promulgate rules and regulations to
 30 implement and ensure compliance with the requirements of this Code section.

31 (d) This Code section shall apply to each certification and recertification cycle which
 32 begins after the 1992-1993 renewal."

1 **SECTION 11.**

2 This Act shall become effective on July 1, 2001, and shall apply to all certification or
3 recertification conducted on or after that date.

4 **SECTION 12.**

5 All laws and parts of laws in conflict with this Act are repealed.