

House Bill 325

By: Representative Scott of the 153rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 11 of Title 31 of the Official Code of Georgia Annotated,
2 relating to emergency medical services personnel, so as to authorize the Department of
3 Human Resources to require fingerprinting and criminal background investigations of all
4 applicants for licensure and license renewal as emergency medical services personnel; to
5 provide definitions; to provide for related matters; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 3 of Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to
10 emergency medical services personnel, is amended by adding a new Code section to read as
11 follows:

12 "31-11-50.1.

13 As used in this article, the term:

14 (1) 'Certify' and 'certification' are synonymous with 'license' and 'licensure.'

15 (2) 'Emergency medical services personnel' means all individuals licensed by the
16 department under this article.

17 (3) 'Recertify' and 'recertification' are synonymous with 'renew license' and 'license
18 renewal.'"

19 **SECTION 2.**

20 Said article is further amended by revising Code Section 31-11-51, relating to certification
21 and recertification of emergency medical technicians, as follows:

22 "31-11-51.

23 (a) The board shall, by regulation, authorize the department to establish procedures and
24 standards for certifying and recertifying initial licensing and license renewal for emergency
25 medical technicians services personnel. The department shall succeed to all rules and

26 regulations, policies, procedures, and administrative orders of the composite board which
27 were in effect on December 31, 2001, and which relate to the functions transferred to the
28 department by this chapter. Such rules, regulations, policies, procedures, and
29 administrative orders shall remain in effect until amended, repealed, superseded, or
30 nullified by proper authority or as otherwise provided by law.

31 (b) In reviewing applicants for initial licensure and license renewal as emergency medical
32 services personnel, the department shall be authorized to obtain conviction data with
33 respect to such applicants as authorized in this subsection. The department shall by rule
34 or regulation establish a procedure by which each applicant shall submit or cause to be
35 submitted to the Georgia Crime Information Center two complete sets of fingerprints of the
36 applicant for an initial or renewal license, the required records search fees, and such other
37 information as may be required. Upon receipt thereof, the Georgia Crime Information
38 Center shall promptly transmit one set of fingerprints to the Federal Bureau of Investigation
39 for a search of bureau records and an appropriate report, and the Georgia Crime
40 Information Center shall retain the other set of fingerprints and promptly conduct a search
41 of its own records and records to which it has access. The Georgia Crime Information
42 Center shall notify the department in writing of any derogatory finding, including, but not
43 limited to, any conviction data regarding the fingerprint records check, or if there is no such
44 finding. All conviction data received by the department shall not be a public record, shall
45 be privileged, and shall not be disclosed to any other person or agency except as provided
46 in this subsection and except to any person or agency which otherwise has a legal right to
47 inspect the application file. All such records shall be maintained by the department
48 pursuant to laws regarding such records and the rules and regulations of the Federal Bureau
49 of Investigation and the Georgia Crime Information Center, as applicable. As used in this
50 subsection, 'conviction data' means a record of a finding or verdict of guilty or plea of
51 guilty or plea of nolo contendere with regard to any crime, regardless of whether an appeal
52 of the conviction has been sought."

53 **SECTION 3.**

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