

The House Committee on Public Safety and Homeland Security offers the following substitute to HB 325:

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29 administrative orders shall remain in effect until amended, repealed, superseded, or  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 all currently licensed emergency  
32 medical services personnel, the department shall be authorized to obtain conviction data  
33 with respect to such applicants as authorized in this subsection. The department shall by  
34 rule or regulation establish a procedure by which each applicant shall request or cause to  
35 be requested a fingerprint based criminal history records check from the Georgia Crime  
36 Information Center and the Federal Bureau of Investigation for the purposes of determining  
37 the suitability of the applicant for licensure. Fingerprints of the applicant shall be in such  
38 form and of such quality as prescribed by the Georgia Crime Information Center and under  
39 standards adopted by the Federal Bureau of Investigation. Fees may be charged as  
40 necessary to cover the cost of the records search. Upon receipt thereof, the Georgia Crime  
41 Information Center shall promptly cause such criminal records search to be conducted.  
42 The Georgia Crime Information Center shall notify the department in writing of any  
43 derogatory finding, including, but not limited to, any conviction data regarding the  
44 fingerprint records check, or if there is no such finding. All conviction data received by  
45 the department shall not be a public record, shall be privileged, and shall not be disclosed  
46 to any other person or agency except as provided in this subsection and except to any  
47 person or agency which otherwise has a legal right to inspect the application file. All such  
48 records shall be maintained by the department pursuant to laws regarding such records and  
49 the rules and regulations of the Federal Bureau of Investigation and the Georgia Crime  
50 Information Center, as applicable. As used in this subsection, 'conviction data' means a  
51 record of a finding or verdict of guilty or plea of guilty or plea of nolo contendere with  
52 regard to any crime, regardless of whether an appeal of the conviction has been sought."

53 **SECTION 3.**

54 All laws and parts of laws in conflict with this Act are repealed.