

House Bill 247

By: Representatives Neal of the 1<sup>st</sup>, Bearden of the 68<sup>th</sup>, Talton of the 145<sup>th</sup>, Parrish of the 156<sup>th</sup>, Howard of the 121<sup>st</sup>, and others

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 Community Health to require fingerprinting and criminal background investigations of all  
4 applicants for licensure and currently licensed 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 "31-11-49.

13 As used in this article, the term:

14 (1) 'Center' means the Georgia Crime Information Center.

15 (2) 'Certify' and 'certification' are synonymous with 'license' and 'licensure.'

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

18 (4) 'Recertify' and 'recertification' are synonymous with 'renew license' and 'license  
19 renewal.'"

20 **SECTION 2.**

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

23 "31-11-51.

24 (a) As used in this Code section, the term 'conviction data' means a record of a finding or  
25 verdict of guilty or plea of guilty or plea of nolo contendere with regard to any crime,  
26 regardless of whether an appeal of the conviction has been sought.

27 (b) The board shall, by regulation, authorize the department to establish procedures and  
28 standards for certifying and recertifying initial licensing and license renewal for emergency  
29 medical technicians services personnel. The department shall succeed to all rules and  
30 regulations, policies, procedures, and administrative orders of the composite board which  
31 were in effect on December 31, 2001, and which relate to the functions transferred to the  
32 department by this chapter. Such rules, regulations, policies, procedures, and  
33 administrative orders shall remain in effect until amended, repealed, superseded, or  
34 nullified by proper authority or as otherwise provided by law.

35 (c) In reviewing applicants for initial licensure and all currently licensed emergency  
36 medical services personnel, the department shall be authorized to obtain conviction data  
37 with respect to such applicants and currently licensed emergency medical services  
38 personnel as authorized in this subsection. The department shall by rule or regulation  
39 establish a procedure by which such persons shall request or cause to be requested a  
40 fingerprint based criminal history records check from the center and the Federal Bureau of  
41 Investigation for the purposes of determining the suitability of the applicant for licensure  
42 or the suitability of currently licensed emergency medical services personnel for license  
43 renewal. Fingerprints shall be in such form and of such quality as prescribed by the center  
44 and under standards adopted by the Federal Bureau of Investigation. Fees may be charged  
45 as necessary to cover the cost of the records search. Upon receipt thereof, the center shall  
46 promptly cause such criminal records search to be conducted. The center shall notify the  
47 department in writing of any finding of disqualifying information, including, but not  
48 limited to, any conviction data regarding the fingerprint records check, or if there is no such  
49 finding.

50 (d) Conviction data received by the department shall be privileged and shall not be a  
51 public record or disclosed to any person. Conviction data shall be maintained by the  
52 department pursuant to laws regarding such records and the rules and regulations of the  
53 center and the Federal Bureau of Investigation. Penalties for the unauthorized release or  
54 disclosure of conviction data shall be as prescribed by law or rule or regulation of the  
55 center or Federal Bureau of Investigation.

56 (e) The center, the department, or any law enforcement agency, or the employees of any  
57 such entities, shall neither be responsible for the accuracy of information provided pursuant  
58 to this Code section nor be liable for defamation, invasion of privacy, negligence, or any

59 other claim relating to or arising from the dissemination of information pursuant to this  
60 Code section.  
61 (f) Currently licensed emergency medical services personnel shall not be required to pay  
62 a fee for more than one criminal history background check as a condition of license  
63 renewal. Subsequent criminal history background checks for license renewals shall be  
64 conducted in the same manner as prescribed for initial criminal history background checks  
65 in this Code section."

66 **SECTION 3.**

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