

## House Bill 236

By: Representatives Bruce of the 61<sup>st</sup>, Bazemore of the 63<sup>rd</sup>, McLeod of the 105<sup>th</sup>, Jackson of the 64<sup>th</sup>, Trammell of the 132<sup>nd</sup>, and others

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 that first responders of municipal fire  
3 departments may engage in the emergency medical transportation of patients; to revise  
4 findings and a declaration of policy concerning first responders in this state; to revise and  
5 provide for definitions; to provide that first responders of a fire department of a municipality  
6 shall be granted licenses for emergency medical transportation under certain circumstances;  
7 to revise the Emergency Medical Systems Communications Program (EMSC Program); to  
8 provide for rules and regulations; to provide for licensing; to provide for related matters; to  
9 repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to emergency  
13 medical services, is amended in Code Section 31-11-1, relating to findings and declaration  
14 of policy, by revising paragraph (6) of subsection (a) as follows:

15 "(6) Any first responder falls under the department's rules and regulations governing  
16 ambulances and ~~can transport only in life-threatening situations or by orders of a licensed~~  
17 ~~physician or when a licensed ambulance cannot respond~~ may engage in the emergency  
18 medical transportation of patients as provided for in this chapter."

19 **SECTION 2.**

20 Said chapter is further amended in Code Section 31-11-2, relating to definitions, by revising  
21 paragraphs (1.2) and (10) and by adding a new paragraph to read as follows:

22 "(1.2) 'Ambulance' means a motor vehicle that is specially constructed and equipped or  
23 an air ambulance and is intended to be used for the emergency transportation of patients,  
24 including emergency medical service motor vehicles of fire departments, dual purpose

25 police patrol cars and funeral coaches, or hearses which otherwise comply with the  
 26 provisions of this chapter."

27 "(9.1) 'Fire department' shall have the same meaning as provided for in Code Section  
 28 25-3-21.

29 (10) 'First responder' means any person or agency ~~who~~ that provides on-site care ~~until:~~

30 (A) Until the arrival of a duly licensed ambulance service; or

31 (B) Upon the emergency medical transportation of patients by such person or agency  
 32 acting as an ambulance service."

### 33 SECTION 3.

34 Said chapter is further amended by adding a new Code section to read as follows:

35 "31-11-2.1.

36 (a) The department shall grant a license for emergency medical transportation to a first  
 37 responder if such first responder:

38 (1) Is of a fire department of a municipality; and

39 (2) Meets the same applicable training and standards criteria established by the  
 40 department for the provision of ambulance services.

41 (b) When a first responder has obtained a license for emergency medical transportation as  
 42 provided for under subsection (a) of this Code section, such first responder shall administer  
 43 the emergency medical services system for the geographical area covering its jurisdiction  
 44 and may contract with licensed ambulance providers to supplement such first responder's  
 45 coverage of such geographical area.

46 (c) A first responder that obtains a license for emergency medical transportation shall be  
 47 authorized to bill patients and to recover fees, expenses, and administrative costs associated  
 48 with such emergency medical transportation conducted by the first responder."

### 49 SECTION 4.

50 Said chapter is further amended in Code Section 31-11-3, relating to recommendations by  
 51 local coordinating entity as to administration of EMSC Program and hearing and appeal, by  
 52 revising subsection (a) as follows:

53 "(a) The Board of Public Health shall have the authority on behalf of the state to designate  
 54 and contract with a public or nonprofit local entity to coordinate and administer the EMSC  
 55 Program for each health district, or the parts of each health district, designated by the  
 56 Department of Public Health that is not within the geographical area of a first responder  
 57 having a license for emergency medical transportation as provided for in Code Section  
 58 31-11-2.1. The local coordinating entity thus designated shall be responsible for  
 59 recommending to the board or its designee the manner in which the EMSC Program is to

60 be conducted. In making its recommendations, the local coordinating entity shall give  
 61 priority to making the EMSC Program function as efficiently and economically as possible.  
 62 Each licensed ambulance provider in the health district shall have the opportunity to  
 63 participate in the EMSC Program."

#### 64 SECTION 5.

65 Said chapter is further amended in Code Section 31-11-5, relating to rules and regulations,  
 66 by revising subsection (a) as follows:

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

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

71 (2) Prescribing reasonable conditions under which ambulance attendants or first  
 72 responders are required;

73 (3) Establishing criteria for the training of ambulance attendants and first responders that  
 74 engage in the emergency medical transportation of patients; and

75 (4) Establishing that ~~The~~ emergency medical technician ~~course~~ is courses are to be  
 76 offered at area hospitals and area technical vocational schools in conjunction with their  
 77 emergency patient care and personnel training programs."

#### 78 SECTION 6.

79 Said chapter is further amended by revising Code Section 31-11-6, relating to records, as  
 80 follows:

81 "31-11-6.

82 (a) Records of each ambulance trip shall be made by the ambulance service in a manner  
 83 and on such forms as may be prescribed by the department through regulations. Such  
 84 records shall be available for inspection by the department at any time, and a summary of  
 85 ambulance service activities shall be prepared on specific cases and furnished to the  
 86 department upon request.

87 (b) Records of each first responder trip wherein the emergency medical transportation of  
 88 a patient has occurred shall be made by the person or agency that provides on-site care in  
 89 a manner and on such forms as may be prescribed by the department through regulations.  
 90 Such records shall be available for inspection by the department at any time, and a  
 91 summary of such emergency medical transportation activities shall be prepared in specific  
 92 cases and furnished to the department upon request."

93 **SECTION 7.**

94 Said chapter is further amended by adding a new Code section to read as follows:

95 "31-11-13.

96 No first responder shall engage in the emergency medical transportation of patients without  
97 having a valid license issued by the license officer for such purpose. Such license shall  
98 conform to the requirements and standards provided for an ambulance service pursuant to  
99 this chapter."

100 **SECTION 8.**

101 Said chapter is further amended in Code Section 31-11-53.1, relating to automated external  
102 defibrillator program, establishment, regulations, and liability, by revising paragraph (3) of  
103 subsection (a) as follows:

104 "(3) 'First responder' means any person or agency ~~who~~ that provides on-site care ~~until~~:

105 (A) Until the arrival of a duly licensed ambulance service; or

106 (B) Upon the emergency medical transportation of patients by such person or agency  
107 acting as an ambulance service.

108 This shall include, but not be limited to, persons ~~who~~ or agencies that routinely respond  
109 to calls for assistance through an affiliation with law enforcement agencies, fire  
110 suppression agencies, rescue agencies, and others."

111 **SECTION 9.**

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