

CHAPTER 17**(HB 172)**

AN ACT relating to reorganization.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 311.6521 is amended to read as follows:

As used in KRS 311.652 to 311.658, unless the context otherwise requires:

- (1) "Ambulance" means a vehicle which has been inspected and approved by the board, including a helicopter or fixed wing aircraft, except vehicles or aircraft operated by the United States government, that are specially designed, constructed, or have been modified or equipped with the intent of using the same, for the purpose of transporting any individual who is sick, injured, or otherwise incapacitated who may require immediate stabilization and continued medical response and intervention during transit or upon arrival at the patient's destination to safeguard the patient's life or physical well-being;
- (2) "Ambulance provider" means any individual or private or public organization, except the United States government, who is licensed by the Kentucky Board of Emergency Medical Services to provide medical transportation services as either basic life support or advanced life support and who may have a vehicle or vehicles, including ground vehicles, helicopters, or fixed-wing aircraft. An ambulance provider may be licensed as an air ambulance provider, as a Class I ground ambulance provider, as a Class II ground ambulance provider, or as a Class III ground ambulance provider;
- (3) "Board" means the Kentucky Board of Emergency Medical Services;
- (4) ~~"Department" means the Department for Public Health;~~
- (5) ~~"Emergency medical facility" means a hospital, trauma center, or any other institution licensed by the Cabinet for Health Services that furnishes emergency medical services;~~
- (5) ~~(6)~~ "Emergency medical services" means the services utilized in responding to the perceived individual need for immediate medical care to protect against loss of life, or aggravation of physiological or psychological illness or injury;
- (6) ~~(7)~~ "Emergency Medical Services for Children Program" or "EMSC Program" means the program established under KRS 311.6526;
- (7) ~~(8)~~ "Emergency medical services personnel" means persons, including physicians, certified or licensed, and trained to provide emergency medical services, whether on a paid or volunteer basis, as part of basic life support, advanced life support, or prehospital services;
- (8) ~~(9)~~ "Emergency medical services system" means a coordinated system of health-care delivery that responds to the needs of acutely sick and injured adults and children, and includes community education and prevention programs, centralized access and emergency medical dispatch, communications networks, trained emergency medical services personnel, medical first response, ground and air ambulance services, trauma care systems, mass casualty management, medical direction, and quality control and system evaluation procedures;

- ~~(9)~~~~(10)~~ "Emergency medical technician" or "EMT" means a person certified under KRS 311.652 to 311.658 as an EMT-first responder, EMT-basic, EMT-basic instructor, EMT-instructor trainer, or EMT-first responder instructor;
- ~~(10)~~~~(11)~~ "Medical director" means a physician licensed in Kentucky who is employed by, under contract to, or has volunteered to serve as the medical director of a licensed ambulance service;
- ~~(11)~~~~(12)~~ "Paramedic" means a person who is primarily involved in the delivery of emergency medical services and is licensed under KRS 311.652 to 311.658;
- ~~(12)~~~~(13)~~ "Prehospital care" means the provision of emergency medical services or transportation by trained and certified or licensed emergency medical services personnel at the scene of an emergency or while transporting sick or injured persons to a hospital or other emergency medical facility;
- ~~(13)~~~~(14)~~ "Regional emergency medical services system" means a system approved by the Kentucky Board of Emergency Medical Services which provides for the arrangement of personnel, facilities, equipment, or any of the above, for the effective and coordinated delivery of health-care services in an appropriate geographical area;
- ~~(14)~~~~(15)~~ "Trauma" means a single or multisystem life-threatening or limb-threatening injury requiring immediate medical or surgical intervention or treatment to prevent death or permanent disability; and
- ~~(15)~~~~(16)~~ "Trauma care system" means a subsystem within the emergency medical services system consisting of an organized arrangement of personnel, equipment, and facilities designed to manage the treatment of the trauma patient.

Section 2. KRS 311.6523 is amended to read as follows:

- (1) The Kentucky Board of Emergency Medical Services is created and shall consist of sixteen (16) members who are residents of Kentucky appointed by the Governor in conjunction with recognized state emergency medical services related organizations. Membership shall be made up of the following:
 - (a) One (1) paramedic who works for a government agency but is not serving in an educational, management, or supervisory capacity;
 - (b) One (1) emergency medical technician-basic who works for a government agency but is not serving in an educational, management, or supervisory capacity;
 - (c) One (1) emergency medical technical-first responder who is not serving in an educational, management, or supervisory capacity;
 - (d) One (1) physician licensed in Kentucky having a primary practice in the delivery of emergency medical care selected from a list of three (3) physicians submitted by the Kentucky Medical Association;
 - (e) One (1) physician licensed in Kentucky serving as medical director of an advanced life support ambulance service, selected from a list of three (3) physicians submitted by the Kentucky Medical Association;
 - (f) One (1) physician licensed in Kentucky who is routinely involved in the emergency care of ill and injured children selected from a list of three (3) physicians submitted by the Kentucky Medical Association;

- (g) One (1) trauma surgeon licensed in Kentucky selected from a list of three (3) physicians submitted by the Kentucky Medical Association;
 - (h) One (1) citizen having no involvement in the delivery of medical or emergency services;
 - (i) One (1) emergency medical services educator from a Kentucky college or university that provides an emergency medical services educational program;
 - (j) One (1) mayor of a city that operates, either directly or through contract services, a licensed Class I ground ambulance service;
 - (k) One (1) county judge/executive from a county that operates, whether directly or through contract services, a licensed Class I ground ambulance service;
 - (l) One (1) volunteer-staffed, licensed Class I ground ambulance service administrator who is a certified emergency medical technician or a licensed paramedic;
 - (m) One (1) fire-service-based, licensed Class I ground ambulance service administrator who is a certified emergency medical technician or a licensed paramedic;
 - (n) One (1) hospital administrator selected from a list of five (5) nominees submitted by the Kentucky Hospital Association;
 - (o) One (1) basic life support, licensed Class I government-operated ground ambulance service administrator who is a certified emergency medical technician or a licensed paramedic; and
 - (p) One (1) advanced life support, government-operated ambulance service administrator who is a certified emergency medical technician or a licensed paramedic.
- (2) No board member shall serve more than two (2) consecutive terms.
 - (3) The board shall elect a chair by majority vote of the members present at its first annual meeting.
 - (4) The board shall adopt a quorum and rules of procedure by administrative regulation.
 - (5) A member of the board who misses three (3) meetings in one (1) year shall be deemed to have resigned from the board and his or her position shall be deemed vacant. The person removed under this subsection shall not be reappointed to the board for ten (10) years. The year specified in this subsection shall begin with the first meeting missed and end three hundred sixty-five (365) days later or with the third meeting missed, whichever occurs earlier. The Governor shall appoint a person of the same class to fill the vacancy within ninety (90) days.
 - (6) Members of the board and of all committees shall be entitled to reimbursement for actual and necessary expenses when carrying out official duties of the board in accordance with state administrative regulations relating to travel reimbursement. The board shall meet at least six (6) times each year.
 - (7) The board shall:
 - (a) Exercise all of the administrative functions of the state in the regulation of the emergency medical services system and the practice of first responders, emergency medical technicians, paramedics, ambulance services, and training institutions;

- (b) Issue, deny, suspend, limit, restrict, and revoke any licenses or certifications, and reprimand or place an individual with a license or certificate on probation;
- (c) *Oversee the operations and establish the organizational structure of the Office of the Kentucky Board of Emergency Medical Services, which is created and shall be attached to the board for administrative purposes. The office shall be headed by the executive director appointed under paragraph (d) of this subsection and shall be responsible for:*
1. *Personnel and budget matters affecting the board;*
 2. *Fiscal activities of the board including grant writing and disbursement of funds;*
 3. *Information technology, including the design and maintenance of databases;*
 4. *Certification and recertification of emergency medical technicians;*
 5. *Licensure and relicensure of ambulances and ambulance services;*
 6. *Licensure and relicensure of paramedics;*
 7. *Resolution of quality complaints and ethics issues; and*
 8. *Other responsibilities that may be assigned by the executive director and the board;*
- (d) Appoint an executive director and fix the compensation. The executive director shall serve at the pleasure of the board, administer the day-to-day operations of the *Office of the Kentucky Board of Emergency Medical Services*~~[agency]~~, and supervise all directives of the board. The director shall possess a baccalaureate degree and shall have no less than five (5) years of experience in public administration or in the administration of an emergency medical services program;
- ~~(e)~~~~(d)~~ Appoint or contract with a physician who is board certified in emergency medicine and fix the compensation. The physician shall serve as the medical advisor to the Kentucky Board of Emergency Medical Services and the staff of the board;
- ~~(f)~~~~(e)~~ Appoint a general counsel and fix the compensation;
- ~~(g)~~~~(f)~~ Employ personnel sufficient to carry out the statutory responsibilities of the board.
1. Personnel assigned to regulate or support the emergency medical technician first responder program shall be certified emergency medical technician first responders or emergency medical technicians.
 2. Personnel assigned to regulate or support the emergency medical technician program shall be certified emergency medical technicians or paramedics.
 3. Personnel assigned to regulate or support the paramedic program shall be licensed paramedics.
 4. Personnel in purely clerical roles need not be certified in the manner specified in this section;
- ~~(h)~~~~(g)~~ Establish committees and subcommittees, who need not be members of the board, as necessary;

- ~~(i)(h)~~ Collect any fees established by the promulgation of administrative regulations;
 - ~~(j)(i)~~ Investigate and hold hearings for any disciplinary proceedings in accordance with KRS Chapter 13B;
 - ~~(k)(i)~~ Establish and impose fines against individuals or agencies governed by the board;
 - ~~(l)(k)~~ Enter into contracts, apply for grants and federal funds, and disburse funds to local units of government as approved by the General Assembly;
 - ~~(m)(1)~~ Maintain a program and provide technical assistance for the planning, development, improvement, and expansion of emergency medical services systems and trauma care systems throughout the state;
 - ~~(n)(m)~~ Collect and analyze data for evaluation of emergency medical services in the Commonwealth;
 - ~~(o)(n)~~ Administer the Emergency Medical Services for Children Program; and
 - ~~(p)(o)~~ Establish minimum curriculum and standards for emergency medical services training.
- (8) The board may utilize materials, services, or facilities as may be made available to it by other state agencies or may contract for materials, services, or facilities.

Section 3. To the extent that Executive Order 2000-1625 is not otherwise confirmed by this Act, the General Assembly hereby confirms Executive Order 2000-1625, issued by the Governor on December 29, 2000, which created the Office of the Kentucky Board of Emergency Medical Services and transferred responsibility for administration of emergency medical services laws to the Board from the Cabinet for Health Services, Department of Public Health.

Approved March 15, 2001