

Approved Ivan Sand  
Date 2/9/88

MINUTES OF THE House COMMITTEE ON Local Government

The meeting was called to order by Representative Ivan Sand at  
Chairperson

1:30 a.m./p.m. on February 1, 1988 in room 521-S of the Capitol.

All members were present except:

- Representative Schauf, Excused
- Representative Beauchamp, Excused
- Representative Bowden, Excused

Committee staff present:

- Mike Heim, Legislative Research Dept.
- Bill Edds, Revisor of Statutes' Office
- Lenore Olson, Committee Secretary

Conferees appearing before the committee:

- Chip Wheelen, Kansas Medical Society
- Bob McDaniel, Kansas Health Practitioners
- John Torbert, Executive Director, Kansas Association of Counties

Bill Edds distributed information on HB 2639, showing changes made by the committee. He reviewed these changes. (Attachment 1)

Chip Wheelen of the Kansas Medical Society explained the membership of the Society and stated that retirees can belong to the Society.

Discussion was held on incorporating HB 2657 into Section 9 of HB 2639. Bob McDaniel stated that HB 2657 would give the council authority to regulate ambulances and rescue vehicles.

A motion was made by Representative Miller and seconded by Representative Acheson to conceptually incorporate HB 2657 with HB 2639, for passage of HB 2657. The motion carried.

A motion was made by Representative Dean and seconded by Representative Graeber to pass HB 2639 as amended by substitute bill. The motion carried.

John Torbert testified as a proponent on a proposal to allow combination of duties of officers as it affects county reorganization. (Attachment 2)

A motion was made by Representative Johnson and seconded by Representative Graeber to introduce the legislation proposed by John Torbert. The motion carried.

The meeting adjourned.



# HOUSE BILL No. 2639

By Special Committee on Local Government

Re Proposal No. 26

12-16

0018 AN ACT concerning the regulation of emergency medical ser-  
 0019 vices; abolishing the bureau of emergency medical services;  
 0020 creating the ~~division of emergency medical services and the~~  
 0021 emergency medical services board; transferring certain  
 0022 powers and duties; repealing K.S.A. 19-262, 19-263, 19-263a,  
 0023 19-263b, 19-3623b, 19-3633, 19-3634, 19-3635, 19-3636, 19-  
 0024 3636a, 65-4302 to 65-4306, inclusive, 65-4307 to 65-4309,  
 0025 inclusive, 65-4314 to 65-4316, inclusive, 65-4318 to 65-4320,  
 0026 inclusive, 65-4322, 65-4323, 65-4326 to 65-4331, inclusive,  
 0027 74-2126 to 74-2132, inclusive, 80-1423, 80-1424, 80-1426 to  
 0028 80-1428, inclusive, and K.S.A. 1987 Supp. 19-261, 19-3632,  
 0029 65-4301, 65-4306a, 65-4306b, 65-4306c, 65-4306d, 65-4317,  
 0030 65-4321, 65-4324, 65-4325, 65-4325a, 65-4339 to 65-4348, in-  
 0031 clusive, and 80-1425.

authorizing certain municipalities to establish, operate and maintain emergency medical services and ambulance services and providing for the regulation thereof; authorizing the levy of taxes therefor; providing for the regulation of persons engaged in emergency medical service and ambulance service activities; making certain acts unlawful and providing penalties for violations;

0032 *Be it enacted by the Legislature of the State of Kansas:*

0033 Section 1. (a) The bureau of emergency medical services  
 0034 established pursuant to K.S.A. 74-2127, and amendments  
 0035 thereto, is hereby abolished and all of the powers, duties and  
 0036 functions of such bureau are transferred to and conferred and  
 0037 imposed upon the ~~division of~~ emergency medical services ~~es-~~  
 0038 tablished pursuant to section 2. Except as provided by this act,  
 0039 all powers, duties and functions of the university of Kansas  
 0040 relating to emergency medical services are transferred to and  
 0041 conferred and imposed upon the ~~division of~~ emergency medical  
 0042 services established pursuant to section 2.

board

board

0043 (b) The position of the director of the bureau of emergency  
 0044 medical services appointed pursuant to K.S.A. 74-2127, and  
 0045 amendments thereto, is hereby abolished and all of the powers,  
 0046 duties and functions of the director of emergency medical ser-

2-1-88  
attachment 1



0017 vices are transferred to and conferred and imposed upon the  
0018 administrator of the division of emergency medical services or  
0019 the emergency medical services board as provided by this act.  
0050 The director shall continue to carry out the duties of that position  
0051 until an administrator is appointed and qualified pursuant to this  
0052 act.

or the administrator thereof

0053 (c) The emergency medical services council established  
0054 under K.S.A. 65-4316, and amendments thereto, is hereby abol-  
0055 ished and all of the powers, duties and functions of the council  
0056 are transferred to and conferred and imposed upon the emer-  
0057 gency medical services board.

0058 Sec. 2. (a) There is hereby established the division of emer-  
0059 gency medical services which shall be located at the university  
0060 of Kansas medical center. Under the direction of the chancellor,  
0061 the university of Kansas shall provide accounting, personnel,  
0062 budgeting, purchasing and related management functions for the  
0063 division of emergency medical services. The budget estimates  
0064 and requests of the division shall be presented as a state agency  
0065 separate from the university of Kansas, and such separation shall  
0066 be maintained in the budget documents and reports prepared by  
0067 the director of the budget and the governor, or either of them,  
0068 including all related legislative reports and measures submitted  
0069 to the legislature. The division shall reimburse the university of  
0070 Kansas for costs incurred by the university pursuant to this  
0071 subsection. Except as otherwise provided by law, all vouchers

board

The office of the emergency medical services board shall be located in the city of Topeka, Kansas. The university of Kansas medical center shall provide technical expertise and consultation in areas related to medical procedures and training upon request by the board.

(INSERT NEXT PAGE)

(f)

0072 for expenditures and all payrolls of the division of emergency  
0073 medical services shall be approved by the emergency medical  
0074 services board or a person designated by the board.

Sec. 3.

0075 (A) The chief administrative officer of the division of emer-  
0076 gency medical services shall be the administrator of the division  
0077 of emergency medical services. The emergency medical services  
0078 board shall appoint the administrator of the division of emer-  
0079 gency medical services. The administrator of the division of  
0080 emergency medical services shall be in the unclassified service  
0081 under the Kansas civil service act and shall serve at the pleasure  
0082 of the board.

board

board

0083 (c) The administrator of the division of emergency medical

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(b) The emergency medical services board shall be composed of 13 members appointed by the governor. Of such members:

(1) One shall be a member of the Kansas medical society who is actively involved in emergency medical services;

(2) two shall be county commissioners of counties making a levy for ambulance service, at least one of whom shall be from a county having a population of less than 15,000;

(3) four shall be legislators to be selected from recommendations submitted by the president of the senate, minority leader of the senate, the speaker of the house of representatives and the minority leader of the house of representatives;

(4) one shall be an instructor-coordinator;

(5) one shall be a hospital administrator actively involved in emergency medical services;

(6) one shall be a member of a firefighting unit which provides emergency medical service; and

(7) three shall be attendants who are actively involved in emergency medical service. Not more than one of such members shall represent the same classification of attendants. At least one of such members shall be from a volunteer emergency medical service.

All members of the board shall be residents of the state of Kansas. Appointments to the board shall be made with due consideration that representation of the various geographical areas of the state is ensured. The governor may remove any member of the board upon recommendation of the board.

(c) Of the members first appointed to the board, four shall be appointed for terms of one year, three for terms of two years, three for terms of three years and three for terms of four years. Thereafter, members shall be appointed for terms of four years and until their successors are appointed and qualified. In the case of a vacancy in the membership of the board, the vacancy shall be filled for the unexpired term.

(d) The board shall meet at least six times annually and at least once each quarter and at the call of the chairperson or at the request of the administrator of the division of emergency medical services or of any six members of the board. At the first meeting of the board after January 1 each year, the members shall elect a chairperson and a vice-chairperson who shall serve for a term of one year. The vice-chairperson shall exercise all of the powers of the chairperson in the absence of the chairperson. Members of the board attending meetings of the board or attending a subcommittee meeting thereof authorized by the board shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

(e) Members of the emergency medical services council appointed pursuant to K.S.A. 65-4316, and amendments thereto, shall continue to serve until the members of the emergency medical services board are appointed and qualified pursuant to this section.

0084 ~~services~~ shall administer the ~~division of~~ emergency medical duties and responsibilities  
 0085 services as directed by the board. The administrator shall ap- the  
 0086 point other officers and employees as may be necessary to carry board  
 0087 out the functions of the ~~division of~~ emergency medical services: board  
 0088 All such officers and employees shall be within the classified  
 0089 service under the Kansas civil service act.

0090 Sec. 3. (a) Except as provided in this act, the ~~division of~~ 4  
 0091 emergency medical services established by section 2 shall be the board  
 0092 successor in every way to the powers, duties and functions of the  
 0093 bureau of emergency medical services established by K.S.A.  
 0094 74-2127, and amendments thereto, in which the same were  
 0095 vested prior to the effective date of this act.

0096 (b) Except as provided in this act, the administrator of the board  
 0097 ~~division of~~ emergency medical services appointed pursuant to  
 0098 section 2 shall be the successor in every way to the powers, 3  
 0099 duties and functions of the director of the bureau of emergency

0100 medical services established by K.S.A. 74-2127, and amend-  
 0101 ments thereto, in which the same were vested prior to the  
 0102 effective date of this act.

0103 (c) Whenever the bureau of emergency medical services or  
 0104 emergency medical services council or words of like effect are  
 0105 referred to or designated by a statute, contract or other docu-  
 0106 ment, such reference or designation shall be deemed to apply to board  
 0107 the ~~division of~~ emergency medical services established by sec-  
 0108 tion 2. Whenever the director of the bureau of emergency medi-  
 0109 cal services or words of like effect are referred to or designated  
 0110 by a statute, contract or other document, such reference or  
 0111 designation shall be deemed to apply to the emergency medical  
 0112 services board.

0113 (d) ~~All rules and regulations and~~ all orders and directives of  
 0114 the emergency medical services council which relate to emer-  
 0115 gency medical services and which were adopted under K.S.A.  
 0116 65-4314 to 65-4331, inclusive, and amendments thereto, in exis-  
 0117 tence immediately prior to the effective date of this act shall  
 0118 continue to be effective and shall be deemed to be the rules and  
 0119 ~~regulations and~~ orders or directives of the emergency medical  
 0120 services board, until revised, amended, repealed or nullified

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All rules and regulations of the emergency medical services council which relate to emergency medical services and which were adopted under K.S.A. 65-4314 to 65-4331, inclusive, and amendments thereto, in effect on May 1, 1987, shall continue to be effective and shall be deemed to be the rules and regulations of the emergency medical services board, until revised, amended, repealed or nullified pursuant to law. Any such rules and regulations which were not in effect on or before May 1, 1987, including any temporary rules and regulations that became effective after May 1, 1987, and permanent rules and regulations that are scheduled to take effect on May 1, 1988, shall expire on the effective date of this act and be of no force and effect.

0121 pursuant to law.  
0122 Sec. 4. Officers and employees who were engaged immedi-  
0123 ately prior to the effective date of this act in the performance of  
0124 powers, duties and functions, which are transferred pursuant to  
0125 the provisions of this act, and who, in the opinion of the emer-  
0126 gency medical services board, are necessary to perform the  
0127 powers, duties and functions of the division of emergency med-  
0128 ical services shall become officers and employees of the division  
0129 of emergency medical services established under section 2. Any  
0130 such officer or employee shall retain all retirement benefits and  
0131 all rights of civil service which had accrued to or vested in such  
0132 officer or employee prior to the effective date of this act. The  
0133 service of each such officer and employee so transferred shall be  
0134 deemed to have been continuous. All transfers and any abolish-  
0135 ment of personnel in the classified service under the Kansas civil  
0136 service act shall be in accordance with civil service laws and any  
0137 rules and regulations adopted thereunder.

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[board]  
[board]

0138 Sec. 5. Whenever any conflict arises as to the disposition of  
0139 any power, duty or function as a result of any abolishment or  
0140 transfer made by this act such conflict shall be resolved by the  
0141 governor and the decision of the governor shall be final.

[6]  
[ ]  
[ ]  
[7]

0142 Sec. 6. The emergency medical services board shall succeed  
0143 to all property and records which were used for, or pertain to, the  
0144 performance of the powers, duties and functions transferred by  
0145 this act to the division of emergency medical services estab-  
0146 lished pursuant to section 2. The unexpended balances of any  
0147 appropriations for the bureau of emergency medical services,  
0148 abolished by this act, shall be transferred to the emergency  
0149 medical services board to be used by the board to carry out the  
0150 powers, duties and functions transferred by this act. Any conflict  
0151 as to the proper disposition of property or records or the unex-  
0152 pended balance of any appropriation arising under this section  
0153 shall be determined by the governor, and the decision of the  
0154 governor shall be final.

[to the board]  
[1]

0155 Sec. 7. No suit, action or other proceeding, judicial or ad-  
0156 ministrative, lawfully commenced, or which could have been  
0157 commenced, by or against the bureau of emergency medical

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0158 services abolished by this act, or by or against any officer or  
0159 employee of such bureau in the official capacity of such officer or  
0160 employee or in relation to the discharge of official duties of such  
0161 officer or employee, shall abate by reason of the governmental  
0162 reorganization effected under the provisions of this act. The  
0163 court may allow any such suit, action or other proceeding to be  
0164 maintained by or against the successor of such state agency or  
0165 any officer or employee affected.

0166 ~~Sec. 8. (a) There is hereby established within and as a part of~~  
0167 ~~the division of emergency medical services the emergency~~  
0168 ~~medical services board. Such board shall be composed of 13~~  
0169 ~~members appointed by the governor. Of such members:~~

0170 (1) One shall be a member of the Kansas medical society who  
0171 is actively involved in emergency medical services;

0172 (2) two shall be county commissioners of counties making a  
0173 levy for ambulance service, at least one of whom shall be from a  
0174 county having a population of less than 15,000;

0175 (3) four shall be legislators to be selected from recommenda-  
0176 tions submitted by the president of the senate, minority leader of  
0177 the senate, the speaker of the house of representatives and the  
0178 minority leader of the house of representatives;

0179 (4) one shall be an instructor-coordinator;

0180 (5) one shall be a hospital administrator actively involved in  
0181 emergency medical services;

0182 (6) one shall be a member of a firefighting unit which pro-  
0183 vides emergency medical service; and

0184 (7) three shall be attendants who are actively involved in  
0185 emergency medical service. Not more than one of such members  
0186 shall represent the same classification of attendants. At least one  
0187 of such members shall be from a volunteer emergency medical  
0188 service. Not more than one of such members shall be from the  
0189 same geographical area of the state.

0190 All members of the board shall be residents of the state of  
0191 Kansas. The governor may remove any member of the board for  
0192 good cause or upon recommendation of the board.

0193 (b) Of the members first appointed to the board, four shall be  
0194 appointed for terms of one year, three for terms of two years, two



0195 for terms of three years and two for terms of four years. Thereaf-  
0196 ter, members shall be appointed for terms of four years and until  
0197 their successors are appointed and qualified. In the case of a  
0198 vacancy in the membership of the board, the vacancy shall be  
0199 filled for the unexpired term.

0200 (c) The board shall meet at least six times annually and at  
0201 least once each quarter and at the call of the chairperson or at the  
0202 request of the administrator of the division of emergency medi-  
0203 cal services or of any six members of the board. At the first  
0204 meeting of the board after January 1 each year, the members  
0205 shall elect a chairperson and a vice-chairperson who shall serve  
0206 for a term of one year. The vice-chairperson shall exercise all of  
0207 the powers of the chairperson in the absence of the chairperson.  
0208 All vouchers for expenditures and all payrolls of the board shall  
0209 be approved by the chairperson of the board. Members of the  
0210 board attending meetings of the board or attending a subcom-  
0211 mittee meeting thereof authorized by the board shall be paid  
0212 compensation, subsistence allowances, mileage and other ex-  
0213 penses as provided in K.S.A. 75-3223, and amendments thereto.

0214 (d) Members of the emergency medical services council ap-  
0215 pointed pursuant to K.S.A. 65-4316, and amendments thereto,  
0216 shall continue to serve until the members of the emergency  
0217 medical services board are appointed and qualified pursuant to  
0218 this section.

0219 Sec. 9. (a) The board shall adopt any rules and regulations  
0220 necessary for the regulation of ambulance services. Such rules  
0221 and regulations shall include a classification of the different  
0222 types of ambulance services, requirements as to equipment  
0223 necessary for ambulances, qualifications and training of attend-  
0224 ants, instructor-coordinators and first responders, records and  
0225 equipment to be maintained by operators and attendants and  
0226 such other matters as the board deems necessary to implement  
0227 and administer the provisions of this act.

0228 (b) Vehicles in use as emergency ambulances on July 1, 1975,  
0229 may continue to be used for this purpose as long as the owner or  
0230 lessee of such vehicle as of July 1, 1977, continues to own or  
0231 lease such vehicle.

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0232 Sec. 10. The emergency medical services board shall:

0233 (a) Adopt any rules and regulations necessary to carry out the  
0234 provisions of this act;

0235 (b) review and approve the allocation and expenditure of  
0236 moneys appropriated for emergency medical services;

0237 (c) conduct hearings for all regulatory matters concerning  
0238 emergency medical services and first responders certified pur-  
0239 suant to this act;

0240 (d) submit a budget to the legislature for the operation of the  
0241 ~~division of emergency medical services;~~ board

0242 (e) develop a state plan for the delivery of emergency medi-  
0243 cal services;

0244 (f) enter into contracts as may be necessary to carry out the  
0245 duties and functions of the board under this act;

0246 (g) review and approve all requests for state and federal  
0247 funding involving emergency medical services projects in the  
0248 state; or delegate such duties to the administrator

0249 (h) approve all training programs for ambulance attendants; examination

0250 (i) approve methods of ~~testing~~ of applicants for initial at- and prescribe examination fees by rules and regulations  
0251 tendants' certificates;

0252 (j) develop the criteria for and approve a course of instruction  
0253 for instructor-coordinators;

0254 (k) conduct or contract for the provision of instruction of  
0255 instructor-coordinators;

0256 (l) certify instructor-coordinators;

0257 (m) appoint a ~~part-time~~ medical consultant for the board ~~from~~  
0258 ~~the staff at the university of Kansas medical center~~. Such person

0259 shall be a person licensed to practice medicine and surgery and  
0260 shall be active in the field of emergency medical services; and

0261 (n) approve all training programs for certified first re-  
0262 sponders.

0263 Sec. 11. As used in this act: (a) "Administrator" means the  
0264 administrator of the ~~division of~~ emergency medical services; board

0265 (b) "Ambulance" means any privately or publicly owned  
0266 motor vehicle, airplane or helicopter designed, constructed,  
0267 prepared and equipped for use in transporting and providing  
0268 emergency care for individuals who are ill, injured or otherwise

0269 disabled, including any specially constructed and equipped  
0270 motor vehicle, airplane or helicopter which is capable of pro-  
0271 viding life support services for extended periods of time.

0272 (c) "Ambulance service" means any organization operated  
0273 for the purpose of transporting sick, injured, disabled or other-  
0274 wise incapacitated persons to or from a place where medical care  
0275 is furnished, whether or not such persons may be in need of  
0276 emergency care in transit.

0277 (d) "Attendant" means a crash injury management techni-  
0278 cian, an emergency medical technician, an emergency medical  
0279 technician-intermediate, an emergency medical technician-defi-  
0280 brillator or a mobile intensive care technician whose primary  
0281 function is ministering to the needs of persons requiring emer-  
0282 gency medical services.

0283 (e) "Board" means the emergency medical services board  
0284 established pursuant to section 6.

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0285 ~~(f) "Chancellor" means the chancellor of the university of~~  
0286 ~~Kansas.~~

0287 ~~(g)~~ "Crash injury management technician" means any person  
0288 who has been trained in preliminary emergency medical care in  
0289 a 72-hour training program approved by the board.

(g)

0290 ~~(h)~~ "Emergency medical service" means a service which  
0291 provides for the effective and coordinated delivery of such  
0292 emergency care as may be required by an emergency, including  
0293 first responder services and transportation of individuals by  
0294 ground or air ambulances and the performance of authorized  
0295 emergency care by a person licensed to practice medicine and  
0296 surgery, a licensed professional nurse, a registered physician's  
0297 assistant, a crash injury management technician, an emergency  
0298 medical technician, emergency medical technician-intermedi-  
0299 ate, emergency medical technician-defibrillator or a mobile in-  
0300 tensive care technician.

(h)

0301 ~~(i)~~ "Emergency medical technician" means any person who  
0302 has been trained in preliminary emergency medical care in an  
0303 81-hour training program approved by the board.

(i)

0304 ~~(j)~~ "Emergency medical technician-defibrillator" means any  
0305 person, currently certified as an emergency medical technician

0306 or emergency medical technician-intermediate, who has suc-  
 0307 cessfully completed a training program in cardiac defibrillation  
 0308 approved by the board.

0309 ~~(k)~~ "Emergency medical technician-intermediate" means \_\_\_\_\_ (j)  
 0310 any person, currently certified as an emergency medical techni-  
 0311 cian, who, after not less than one year's certification as an  
 0312 emergency medical technician, has completed a training pro-  
 0313 gram approved by the board which consists of a minimum of 40  
 0314 clock hours and includes training in veni-puncture for blood  
 0315 sampling and administration of intravenous fluids and advanced  
 0316 patient assessment. \_\_\_\_\_ (k)

0317 ~~(l)~~ "First responder" means a person who has been trained in  
 0318 preliminary emergency care, who holds a valid first responder  
 0319 certificate under this act and who provides services to individu-  
 0320 als in need of emergency medical care that assist in stabilization  
 0321 or improvement of such individual's condition until personnel  
 0322 with a higher level of training arrive at the scene and assume  
 0323 responsibility for the individual. \_\_\_\_\_ (l)

0324 ~~(m)~~ "Instructor-coordinator" means any person who has suc-  
 0325 cessfully completed a course of training, approved by the board,  
 0326 to instruct attendants. \_\_\_\_\_ (m)

0327 ~~(n)~~ "Local component medical society" means a county  
 0328 medical society or a multicounty medical society. \_\_\_\_\_ (n)

0329 ~~(o)~~ "Medical adviser" means a person licensed to practice  
 0330 medicine and surgery. \_\_\_\_\_ (o)

0331 ~~(p)~~ "Mobile intensive care technician" means any person  
 0332 who has been specially trained in emergency cardiac and non-  
 0333 cardiac care in a training program approved by the board. \_\_\_\_\_ (p)

0334 ~~(q)~~ "Municipality" means any city, county, township ~~or fire~~ \_\_\_\_\_ ,  
 0335 district \_\_\_\_\_ or ambulance service district \_\_\_\_\_ (q)

0336 ~~(r)~~ "Operator" means a person or municipality who has a  
 0337 permit to operate an ambulance service in the state of Kansas. \_\_\_\_\_ (r)

0338 ~~(s)~~ "Person" means an individual, a partnership, an associa-  
 0339 tion, a joint-stock company or a corporation. \_\_\_\_\_ (r)

0340 Sec. 12. (a) The governing body of any municipality may  
 0341 establish, operate and maintain an emergency medical service or  
 0342 ambulance service as provided in this act as a municipal function

0343 and may contract with any person ~~or other municipality for the~~  
0344 purpose of furnishing emergency medical services or ambulance  
0345 services within or without the boundaries of the municipality  
0346 upon such terms and conditions and for such compensation as  
0347 may be agreed upon which shall be payable from the general  
0348 fund of such municipality.

or board of a county hospital

or from a special fund for which a tax is levied under the provisions of this act

0349 (b) The governing body of the municipality may make an  
0350 annual tax levy of not to exceed three mills upon all of the taxable  
0351 tangible property within such municipality for the establish-  
0352 ment, operation and maintenance of an emergency medical ser-  
0353 vice or ambulance service under this act and to pay a portion of  
0354 the principal and interest on bonds issued under the authority of  
0355 K.S.A. 12-1774, and amendments thereto. Such tax levy shall be  
0356 in addition to all other tax levies authorized or limited by law and  
0357 shall not be subject to or within the limitations upon the levy of  
0358 taxes imposed by K.S.A. 79-5001 to ~~79-5016~~, inclusive, and  
0359 amendments thereto.

79-5037

0360 (c) No tax shall be levied under the provisions of subsection  
0361 (b) until the governing body of the municipality adopts an  
0362 ordinance ~~authorizing the levy of such tax. Such ordinance shall~~  
0363 be published once each week for three consecutive weeks in the  
0364 official newspaper of the municipality. If within 60 days follow-  
0365 ing the last publication of such ordinance, a petition in opposi-  
0366 tion to the levy of such tax, signed by ~~not less than 10%~~ of the  
0367 qualified electors of such municipality, is filed with the county  
0368 election officer of the county in which such municipality is  
0369 located, the question of whether the levy shall be made shall be  
0370 submitted to the electors of the municipality at the next primary  
0371 or general election ~~held by such municipality, or if such primary~~  
0372 or general election does not take place within 60 days after the  
0373 date the petition was filed, ~~at a special election called and held~~  
0374 therefor. If no petition has been filed and the time prescribed for  
0375 filing the petition expires prior to August 1 in any year, or if the  
0376 petition was filed and a majority of the electors voting on the  
0377 question of levying the tax vote in favor thereof at an election  
0378 held prior to August 1 in any year, the governing body of the  
0379 municipality ~~shall be authorized to make the~~ levy in that year

or resolution

a number

equal to not less than 5% of the electors of such municipality who voted for the office of secretary of state at the last general election

within

the question may be submitted

may

1-11



0380 and in each succeeding year in ~~any amount~~ not exceeding three  
 0381 mills. If no petition has been filed and the time prescribed for  
 0382 filing the petition expires after September 30 in any year, or if  
 0383 the petition was filed and a majority of the electors voting on the  
 0384 question of levying the tax vote in favor thereof at an election  
 0385 held after September 30 in any year, the governing body of the  
 0386 municipality ~~shall be authorized to make the~~ levy in the next  
 0387 succeeding year and in each succeeding year thereafter ~~in any~~  
 0388 amount ~~not exceeding three mills. Any such tax levy shall be in~~  
 0389 ~~addition to all other tax levies authorized or limited by law and~~  
 0390 ~~shall be exempt from the limitation imposed under the provi-~~  
 0391 ~~sions of K.S.A. 79-5001 to 79-5016, inclusive, and amendments~~  
 0392 ~~thereto.~~

the  
 specified in the ordinance or resolution, but  
 may  
 the  
 specified in the ordinance or resolution, but

0393 (d) In the case of a county, the board of county commission-  
 0394 ers shall not provide ambulance service under the provisions of  
 0395 this act in any part of the county which receives ambulance  
 0396 service, but the county shall reimburse any taxing district which  
 0397 provides ambulance services to such district with its proportion-  
 0398 ate share of the county general fund ~~budgeted~~ for ambulance  
 0399 services within the county. Such reimbursement shall be based  
 0400 on the amount that ~~assessed~~ tangible taxable valuation of the  
 0401 taxing district bears to the total taxable tangible valuation of the  
 0402 county, but in no event shall such taxing district receive from the  
 0403 county more than the district's cost of furnishing such ambulance  
 0404 services.

on the effective date of this act  
 or special tax levy fund  
 the

Any taxing district establishing ambulance service in any part of  
 a county under the provisions of this act on or after the effective  
 date of this act shall not be entitled to receive reimbursement  
 pursuant to this subsection until a final order of the emergency  
 medical services board ordering such reimbursement is issued  
 following the furnishing of notice and an opportunity for a hearing  
 to the interested parties.

0405 Sec. 13. The governing body of any municipality may es-  
 0406 tablish, operate and maintain a centralized emergency service  
 0407 communication system as a municipal function, within or with-  
 0408 out the boundaries of the municipality, for the purpose of fur-  
 0409 nishing those services required to establish, operate and main-  
 0410 tain ~~the~~ emergency medical service, and such emergency  
 0411 communication system may include a county or city fire dispatch  
 0412 communication service for the purpose of providing a common  
 0413 communication network for all fire-fighting facilities, equipment  
 0414 and personnel. Such emergency communication system ~~shall~~  
 0415 ~~provide~~ for coordinated communication between all law en-  
 0416 forcement agencies, ambulances, ambulance services and dis-

an  
 or ambulance service  
 may

0417 patchers, emergency receiving centers, fire dispatcher services,  
0418 fire departments, health care institutions, medical practitioners,  
0419 motor vehicle repair and towing services, and such other persons  
0420 and service agencies as may be required.

0421 Sec. 14. In addition to other powers set forth in this act, the  
0422 governing body of any municipality operating an emergency  
0423 medical service or ambulance service shall have the power:

0424 (a) To acquire by gift, bequest, purchase or lease from public  
0425 or private sources, and to plan, construct, operate and maintain  
0426 the services, equipment and facilities which are incidental or  
0427 necessary to the establishment, operation and maintenance of an  
0428 emergency medical service or ambulance service;

0429 (b) to enter into contracts including, but not limited to, the  
0430 power to enter into contracts for the construction, operation,  
0431 management, maintenance and supervision of emergency medi-  
0432 cal services or ambulance services with any person or govern-  
0433 mental entity;

0434 (c) to make application for and to receive any contributions,  
0435 moneys or properties from the federal government or any agency  
0436 thereof, ~~any governmental entity~~ or from any other public or  
0437 private source;

0438 (d) to contract or otherwise agree to combine or coordinate its  
0439 activities, facilities and personnel with those of any person or  
0440 governmental entity for the purpose of furnishing the emergency  
0441 medical services or ambulance services within or without the  
0442 municipality;

0443 (e) to establish and collect the charges to be made for emer-  
0444 gency medical services or ambulance services within or without  
0445 the municipality and to provide for ~~audit and~~ records of the  
0446 emergency medical services operation or ambulance services;  
0447 and

0448 (f) to perform all other necessary and incidental functions for  
0449 the purposes of this act.

0450 Sec. 15. If the governing body of a municipality establishes  
0451 an emergency medical service, as provided in this act, it shall  
0452 establish a minimum set of standards for the operation of such  
0453 service, for its facilities and equipment, and for the qualifications

Sec. 14. The governing body of any municipality is hereby authorized to continue, in accordance with the provisions of this act, operation of any emergency medical service or ambulance service or centralized emergency service communications system previously established, operated and maintained, or continue any contract with any person, other municipality or board of a county hospital for the furnishing of emergency medical services or ambulance service previously executed, pursuant to the authority of any statute repealed by this act. Such governing body is hereby authorized to continue to levy under authority of this section any tax for the operation and maintenance of such services or contracts previously authorized and levied pursuant to any statute repealed by this act in any amount not exceeding the amount specified in the ordinance or resolution providing for the levy in such municipality under such repealed statute. No increase in the amount of the tax previously authorized for the operation and maintenance of such services or contracts shall be levied until the governing body of such municipality adopts a new ordinance or resolution which authorizes such increase and is subject to referendum in accordance with the provisions of subsection (c) of section 12.

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state or

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of the

necessary to accomplish

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or ambulance service

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0454 and training of personnel.

0455 Sec. 16: Notwithstanding any other provision of law, mobile

0456 intensive care technicians may perform any of the following:

0457 (a) Render rescue, first-aid and resuscitation services.

0458 (b) During training at a medical care facility and while caring

0459 for patients in a medical care facility administer parenteral med-

0460 ications under the direct supervision of a person licensed to

0461 practice medicine and surgery or a registered professional nurse.

0462 (c) Perform cardiopulmonary resuscitation and defibrillation

0463 in a pulseless, nonbreathing patient.

0464 (d) When voice contact or a telemetered electrocardiogram is

0465 monitored by a person licensed to practice medicine and surgery

0466 or a registered professional nurse where authorized by a person

0467 licensed to practice medicine and surgery, and direct communi-

0468 cation is maintained, and upon order of such person or such

0469 nurse do any of the following:

0470 (1) Perform venipuncture for the purpose of blood sampling

0471 collection and initiation and maintenance of intravenous infu-

0472 sion of saline solutions, dextrose and water solutions or ringers

0473 lactate IV solutions.

0474 (2) Perform gastric suction by intubation.

0475 (3) Perform endotracheal intubation.

0476 (4) Administer parenteral injections of any of the following

0477 classes of drugs:

0478 (A) Antiarrhythmic agents.

0479 (B) Vagolytic agents.

0480 (C) Chronotropic agents.

0481 (D) Analgesic agents.

0482 (E) Alkalinizing agents.

0483 (F) Vasopressor agents.

0484 (5) Administer such other medications or procedures as may

0485 be deemed necessary by such an ordering person.

0486 (e) Perform, during an emergency, those activities specified

0487 in subsection (d) before contacting the person licensed to prac-

0488 tice medicine and surgery or authorized registered professional

0489 nurse when specifically authorized to perform such activities by

0490 written protocols approved by the local component medical

Sec. 17. Whenever the board of county commissioners of any county which is furnishing ambulance services within the county under the authority of this act shall determine that such service can best be provided by the creation of an ambulance service taxing district such board shall by resolution create and establish such district and define the boundaries thereof. The boundaries of such district shall include the territory receiving ambulance service provided by the county on the date of the adoption of the resolution creating such district. The board of county commissioners shall be the governing body of the district and shall have the authority, powers and duties granted to boards of county commissioners under the authority of this act, except that all costs incurred by the governing body of the district in providing ambulance services in such district shall be paid from the proceeds of the tax levies of the district hereinafter authorized. The provisions of this act shall govern the operation of ambulances providing services within districts established under the provisions of this section. The governing body of each ambulance service taxing district is hereby authorized to levy an annual tax upon all taxable tangible property in such district in accordance with the provisions of section 12. The county treasurer shall receive and have custody of all of the funds of the district and shall expend the same upon the order of the governing body of the district as provided by law.

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0491 society. \_\_\_\_\_ 19  
 0492 Sec. ~~17~~. Notwithstanding any other provision of law to the  
 0493 contrary, an emergency medical technician-intermediate:  
 0494 (a) May perform any of the activities described by section ~~18~~ \_\_\_\_\_ 20  
 0495 which an emergency medical technician may perform;  
 0496 (b) when approved by the local component medical society  
 0497 and where voice contact by radio or telephone is monitored by a  
 0498 person licensed to practice medicine and surgery or a registered  
 0499 professional nurse, where authorized by a person licensed to  
 0500 practice medicine and surgery, and direct communication is  
 0501 maintained, upon order of such person or such nurse may per-  
 0502 form veni-puncture for the purpose of blood sampling collection  
 0503 and initiation and maintenance of intravenous infusion of saline  
 0504 solutions, dextrose and water solutions or ringers lactate IV  
 0505 solutions; or  
 0506 (c) when under the direct supervision of a mobile intensive  
 0507 care technician who is functioning under the provisions of sub-  
 0508 section (e) of section ~~16~~ may perform the functions authorized \_\_\_\_\_ 18  
 0509 under subsection (a) of this section. \_\_\_\_\_ 20  
 0510 Sec. ~~18~~. Notwithstanding any other provision of law to the  
 0511 contrary, an emergency medical technician may perform any of  
 0512 the following:  
 0513 (a) Patient assessment and vital signs;  
 0514 (b) airway maintenance to include use of:  
 0515 (1) Oropharyngeal and nasopharyngeal airways;  
 0516 (2) esophageal obturator airways with or without gastric suc-  
 0517 tion device; and  
 0518 (3) oxygen demand valves.  
 0519 (c) Oxygen therapy;  
 0520 (d) oropharyngeal suctioning;  
 0521 (e) cardiopulmonary resuscitation procedures;  
 0522 (f) control accessible bleeding;  
 0523 (g) application of pneumatic anti-shock garment;  
 0524 (h) management of outpatient medical emergencies;  
 0525 (i) extrication of patients and lifting and moving techniques;  
 0526 (j) management of musculoskeletal and soft tissue injuries to  
 0527 include dressing and bandaging wounds or the splinting of

1-15

0528 fractures, dislocations, sprains or strains;  
 0529 (k) use of backboards to immobilize the spine; or  
 0530 (l) monitor peripheral intravenous line delivering intra-  
 0531 venous fluids during interfacility transport with the following  
 0532 restrictions:  
 0533 (1) The patient is noncritical and deemed stable by the  
 0534 transferring physician and the physician approves the transfer by  
 0535 an emergency medical technician;  
 0536 (2) no medications or nutrients have been added to the in-  
 0537 travenous fluids;  
 0538 (3) the emergency medical technician may monitor and  
 0539 maintain the flow of intravenous fluid and shut off the flow  
 0540 except that by voice contact with a person licensed to practice  
 0541 medicine and surgery or a registered professional nurse when  
 0542 authorized by a person licensed to practice medicine and surgery  
 0543 the intravenous line may be discontinued.

21

0544 Sec. ~~19~~. Notwithstanding any other provision of law to the  
 0545 contrary, a crash injury management technician may perform any  
 0546 of the following:

- 0547 (a) Initial scene management;
- 0548 (b) patient assessment and vital signs;
- 0549 (c) airway maintenance to include:
  - 0550 (1) Oropharyngeal airways;
  - 0551 (2) oropharyngeal suctioning; or
  - 0552 (3) use of bag valve mask.
- 0553 (d) Oxygen therapy;
- 0554 (e) provide cardiopulmonary resuscitation procedures;
- 0555 (f) control accessible bleeding;
- 0556 (g) application of pneumatic anti-shock trousers;
- 0557 (h) management of outpatient medical emergencies;
- 0558 (i) extrication of patients and lifting and moving techniques;
- 0559 (j) management of musculoskeletal and soft tissue injuries to  
 0560 include dressing and bandaging wounds and the splinting of  
 0561 fractures, dislocations, sprains or strains; or  
 0562 (k) use of backboards to immobilize the spine.

22

0563 Sec. ~~20~~. Notwithstanding any other provision of law to the  
 0564 contrary, an emergency medical technician-defibrillator:

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0565 (a) May perform any of the activities described by section ~~18~~ 20  
0566 which an emergency medical technician may perform;  
0567 (b) when approved by the local component medical society  
0568 and where voice contact by radio or telephone is monitored by a  
0569 person licensed to practice medicine and surgery or a registered  
0570 professional nurse, where authorized by a person licensed to  
0571 practice medicine and surgery, and direct communication is  
0572 maintained, upon order of such person or such nurse, may  
0573 perform electrocardiographic monitoring and defibrillation; or  
0574 (c) perform, during an emergency, those activities specified  
0575 in subsection (b) before contacting the person licensed to prac-  
0576 tice medicine and surgery or authorized registered professional  
0577 nurse when specifically authorized to perform such activities by  
0578 written protocols approved by the local component medical  
0579 society.

0580 Sec. ~~21~~. (a) No person licensed to practice medicine and 23  
0581 surgery or registered professional nurse, who gives emergency  
0582 instructions to a mobile intensive care technician or emergency  
0583 medical technician-intermediate during an emergency, shall be  
0584 liable for any civil damages as a result of issuing the instructions,  
0585 except such damages which may result from gross negligence in  
0586 giving such instructions.

0587 (b) No mobile intensive care technician or emergency medi-  
0588 cal technician-intermediate who renders emergency care during  
0589 an emergency pursuant to instructions given by a person li-  
0590 censed to practice medicine and surgery or a registered profes-  
0591 sional nurse shall be liable for civil damages as a result of  
0592 implementing such instructions, except such damages which  
0593 may result from gross negligence or by willful or wanton acts or  
0594 omissions on the part of such mobile intensive care technician or  
0595 emergency medical technician-intermediate rendering such  
0596 emergency care.

0597 (c) No person certified as an instructor-coordinator shall be  
0598 liable for any civil damages which may result from such instruc-  
0599 tor-coordinator's course of instruction, except such damages  
0600 which may result from gross negligence or by willful or wanton  
0601 acts or omissions on the part of the instructor-coordinator.

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0602 (d) No medical adviser who reviews, approves and monitors  
0603 the activities of attendants shall be liable for any civil damages as  
0604 a result of such review, approval or monitoring, except such  
0605 damages which may result from gross negligence in such review,  
0606 approval or monitoring.

24

0607 Sec. ~~22~~. It shall be unlawful for any person or municipality  
0608 to operate an ambulance service within this state without ob-  
0609 taining a permit pursuant to this act.

25

0610 Sec. ~~23~~. (a) Except as provided in subsection (b), each emer-  
0611 gency medical service shall have a medical adviser appointed by  
0612 the operator of the service to review, approve and monitor the  
0613 activities of the attendants. The board may approve an alterna-  
0614 tive procedure for medical oversight if no medical adviser is  
0615 available.

0616 (b) Each emergency medical service which employs an  
0617 emergency medical technician-defibrillator shall have a medical  
0618 adviser appointed by the operator of the service to review,  
0619 approve and monitor the activities of the emergency medical  
0620 technician-defibrillator.

26

0621 Sec. ~~24~~. (a) Application for a permit to operate an ambulance  
0622 service shall be made to the emergency medical services board  
0623 by the operator of the ambulance service upon forms provided by  
0624 the administrator and shall be accompanied by a permit fee  
0625 which shall be a base amount plus an amount for each vehicle  
0626 used by such operator in such operator's ambulance service and  
0627 which shall be fixed by rules and regulations of the board to  
0628 cover all or any part of the cost of regulation of ambulance  
0629 services, ~~but such fee shall not exceed \$25.~~

0630 (b) The application shall state the name of the operator, the  
0631 names of the attendants of such ambulance service, the primary  
0632 territory for which the permit is sought, the type of service  
0633 offered, the location and physical description of the facility  
0634 whereby calls for service will be received, the facility wherein  
0635 vehicles are to be garaged, a description of vehicles and other  
0636 equipment to be used by the service and such other information  
0637 as the board may require.

0638 (c) Nothing in this act shall be construed as granting an

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0639 exclusive territorial right to operate an ambulance service. Upon  
0640 change of ownership of an ambulance service the permit issued  
0641 to such service shall expire 60 days after the change of owner-  
0642 ship.

0643 (d) The permit fee in effect immediately prior to the effective  
0644 date of this act shall continue in effect until the board adopts  
0645 rules and regulations fixing a different fee under subsection (a).

0646 Sec. ~~23~~. A permit shall not be issued to an operator unless  
0647 the board finds the ambulance service is or will be staffed and  
0648 equipped in accordance with the rules and regulations promul-  
0649 gated by the board pursuant to section 9. If the board determines  
0650 that an applicant is not qualified, such applicant shall be notified  
0651 of the denial of such application with a statement of the reasons  
0652 for such denial. The applicant may reapply upon submission of  
0653 evidence that the disqualifying factor alleged by the board has  
0654 been corrected. No fee shall be required for the first reapplica-  
0655 tion made if it is submitted to the board within one year of the  
0656 date of the denial of the application.

27

0657 A permit to operate an ambulance service shall be valid for the  
0658 calendar year for which it is issued and may be renewed upon  
0659 payment of a permit in the amount pursuant to section ~~24~~. At  
0660 least once each month, all fees received pursuant to the provi-  
0661 sions of this section shall be remitted to the state treasurer. Upon  
0662 receipt of each such remittance, the state treasurer shall deposit  
0663 the entire amount thereof in the state treasury. Each such deposit  
0664 shall be credited to the state general fund.

26

0665 Sec. ~~26~~. (a) Application for an attendant's certificate shall be  
0666 made to the emergency medical services board upon forms  
0667 provided by the administrator. The board may grant an attend-  
0668 ant's certificate to an applicant who: (1) Has made application  
0669 within one year after successfully completing the appropriate  
0670 course of instruction for the classification of attendant's certifi-  
0671 cate for which application has been made; (2) has passed an  
0672 examination prescribed by the board; and (3) has paid a fee ~~of not~~  
0673 ~~to exceed \$25~~ as prescribed by rule and regulation of the board.

28

for the classification of attendant's certificate for which application has been made

0674 (b) An attendant applying for a crash injury management  
0675 technician's certificate shall have at least 72 clock hours of

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0676 training in preliminary emergency medical care in a course of  
0677 instruction approved by the emergency medical services board.  
0678 An attendant applying for an emergency medical technician's  
0679 certificate shall have at least 81 clock hours of training in pre-  
0680 liminary emergency medical care in a course of instruction  
0681 approved by the emergency medical services board, or the  
0682 equivalent thereof of preliminary emergency medical care, or a  
0683 program of instruction in emergency medical care offered by the  
0684 armed forces of the United States which has been approved by  
0685 the board. An attendant applying for a mobile intensive care  
0686 technician's certificate shall have completed a training program,  
0687 in a course of instruction approved by the emergency medical  
0688 services board, consisting of a minimum of 200 clock hours of  
0689 training including, but not limited to, didactic and clinical expe-  
0690 rience in a cardiac care unit and in an emergency vehicle unit.  
0691 An attendant applying for an emergency medical technician-in-  
0692 termediate certificate shall have been certified as an emergency  
0693 medical technician for not less than one year and, after certifica-  
0694 tion as an emergency medical technician for at least one year,  
0695 shall have completed a training program, approved by the emer-  
0696 gency medical services board, consisting of a minimum of 40  
0697 clock hours and including training in veni-puncture for blood  
0698 sampling and administration of intravenous fluids and advanced  
0699 patient assessment. An attendant applying for an emergency  
0700 medical technician-defibrillator certificate shall have been cer-  
0701 tified as an emergency medical technician for not less than one  
0702 year and, after certification as an emergency medical technician  
0703 for at least one year, shall have completed a training program  
0704 approved by the emergency medical services board.

0705 (c) An attendant's certificate shall be valid through De-  
0706 cember 31 of the year following the date of its initial issuance  
0707 and may be renewed thereafter for a period of one year for each  
0708 renewal for a fee ~~not to exceed \$25~~ as prescribed by rule and  
0709 regulation of the board upon presentation of satisfactory proof  
0710 that the attendant has successfully completed continuing educa-  
0711 tion in emergency medical care as provided in this subsection.  
0712 Attendants shall complete not less than eight hours of continuing

0713 education as prescribed and approved by the emergency medical  
0714 services board for each full calendar year that has elapsed since  
0715 the certification or the last renewal thereof. If a certificate is not  
0716 renewed within 30 days after its expiration such certificate shall  
0717 be void.

0718 (d) The emergency medical services board may issue a tem-  
0719 porary certificate to any person who has not qualified for an  
0720 attendant's certificate under subsection (a) when:

0721 (1) The operator for whom such person serves as an attendant  
0722 requests a temporary certificate for that person; and

0723 (2) such person meets or exceeds minimum training pre-  
0724 scribed by the board by rules and regulations.

0725 A temporary certificate shall be effective for one year from the  
0726 date of its issuance or until the person has qualified as an  
0727 attendant under subsection (a), whichever comes first. A tempo-  
0728 rary certificate shall not be renewed and shall be valid only  
0729 while an attendant works for the operator requesting the tempo-  
0730 rary certificate.

0731 (e) At least once each month all fees received pursuant to the  
0732 provisions of this section shall be remitted to the state treasurer.  
0733 Upon receipt of each such remittance, the state treasurer shall  
0734 deposit the entire amount thereof in the state treasury to the  
0735 credit of the state general fund.

0736 (f) If, within two years of the date of expiration of an attend-  
0737 ant's certificate, such person applies for renewal of the certifi-  
0738 cate, the board may grant a certificate to such applicant without  
0739 such applicant completing a course of instruction specified in  
0740 subsection (b) if the applicant has passed an examination pre-  
0741 scribed by the board and has paid a fee not to exceed ~~\$25~~ as  
0742 prescribed by rule and regulation of the board.

0743 ~~Sec. 27.~~ The board may inquire into the operation of am-  
0744 bulance services and the conduct of attendants, and may conduct  
0745 periodic inspections of facilities, communications services, ma-  
0746 terials and equipment at any time without notice. The board may  
0747 require an operator holding a permit to make records regarding  
0748 services performed and to furnish such other information as the  
0749 board may require to carry out the provisions of this act. A copy

issue subpoenas to compel

access to or for the production of

to the same extent and subject to the same limitations as would apply  
if the subpoenas were issued or served in aid of a civil action in  
the district court

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0750 of such records shall be kept in the operator's files for a period of  
0751 not less than three years. ~~The records shall be made available to~~  
0752 ~~the board upon request.~~ The board also may require operators to  
0753 submit lists of personnel employed and to notify the board of any  
0754 changes in personnel or in ownership of the ambulance service.

0755 Sec. 28. Nothing in this act shall be construed to preclude  
0756 any municipality from licensing and regulating ambulance ser-  
0757 vices located within its jurisdiction, but any licensing require-  
0758 ments or regulations imposed by a municipality shall be in  
0759 addition to and not in lieu of the provisions of this act and the  
0760 rules and regulations promulgated thereunder.

0761 Sec. 29. (a) An operator's permit may be denied, revoked or  
0762 suspended by the board upon proof that such operator or any  
0763 agent or employee thereof:

0764 (1) Has been guilty of misrepresentation in obtaining the  
0765 permit or in the operation of the ambulance service;

0766 (2) has engaged or attempted to engage in, or represented  
0767 themselves as entitled to perform, any ambulance service not  
0768 authorized in the permit;

0769 (3) has demonstrated incompetence as defined by rules and  
0770 regulations adopted by the board or has shown themselves  
0771 otherwise unable to provide adequate ambulance service;

0772 (4) has failed to keep and maintain the records required by  
0773 the provisions of this act, or the rules and regulations promul-  
0774 gated thereunder, or has failed to make reports when and as  
0775 required;

0776 (5) has knowingly operated faulty or unsafe equipment; or

0777 (6) has violated or aided and abetted in the violation of any  
0778 provision of this act or the rules and regulations promulgated  
0779 thereunder.

0780 ~~(b)~~ An attendant's certificate may be revoked or suspended  
0781 by the board upon proof that such attendant:

0782 (1) Has been guilty of misrepresentation in obtaining the  
0783 certificate;

0784 (2) has engaged or attempted to engage in, or represented  
0785 themselves as entitled to perform, any service not authorized in  
0786 the certificate;

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31

(b) The board shall not revoke or suspend any operator's permit pursuant to this section without first conducting a hearing in accordance with the provisions of the administrative procedure act.

Sec. 32 (a)

or instructor-coordinator's

0787 (3) has demonstrated incompetence as defined by rules and  
0788 regulations adopted by the board or has shown themselves  
0789 otherwise unable to provide adequate service;

0790 (4) has violated or aided and abetted in the violation of any  
0791 provision of this act or the rules and regulations promulgated  
0792 thereunder;

0793 (5) has been convicted of a felony and, after investigation by  
0794 the board, it is determined that such person has not been suffi-  
0795 ciently rehabilitated to warrant the public trust;

0796 (6) has demonstrated habitual intemperance or is addicted to  
0797 the use of habit-forming drugs; or

0798 (7) has engaged in unprofessional conduct, as defined by  
0799 rules and regulations adopted under this act.

0800 ~~(c)~~ The board shall not revoke or suspend any operator's  
0801 permit or attendant's certificate pursuant to this section without  
0802 first conducting a hearing in accordance with the provisions of  
0803 the Kansas administrative procedure act.

(b)  
or instructor-coordinator's

0804 Sec. ~~30~~. An operator's permit may be temporarily limited or  
0805 restricted by the board, pending a hearing, upon receipt of a  
0806 complaint indicating the public health, safety or welfare to be in  
0807 imminent danger. If an inspection proves the complaint to be  
0808 invalid, or that the cause therefor has been corrected, the sus-  
0809 pension shall be terminated.

33  
limitation or restriction

0810 Proceedings under this section may be initiated by the board  
0811 or by any person filing written charges with the board. The board  
0812 shall not limit nor restrict any permit pursuant to this section  
0813 without first conducting a hearing in accordance with the provi-  
0814 sions of the Kansas administrative procedure act.

0815 Sec. ~~31~~. (a) All ambulance services providing emergency  
0816 care as defined by the rules and regulations adopted by the board  
0817 shall offer service 24 hours per day every day of the year.

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0818 (b) Whenever an operator is required to have a permit, at  
0819 least one person on each vehicle providing emergency medical  
0820 service shall be an attendant certified as an emergency medical  
0821 technician or a mobile intensive care technician, a person li-  
0822 censed to practice medicine and surgery, a registered physician's  
0823 assistant or a registered professional nurse.

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0824 Sec. ~~32~~ (a) Nothing in this act shall be construed:

0825 (1) To prevent the operation of a police emergency vehicle;

0826 (2) to affect any statute or regulatory authority vested in the  
0827 department of transportation concerning automotive equipment  
0828 and safety requirements;

0829 (3) to prohibit any privately owned vehicles and aircraft not  
0830 ordinarily used in the ambulance service business from trans-  
0831 porting persons who are sick, injured, wounded or otherwise  
0832 incapacitated or helpless;

0833 (4) to prevent any vehicle from being pressed into service as  
0834 an ambulance; or

0835 (5) to prohibit any ambulance lawfully operating under the  
0836 laws of a state adjoining Kansas from providing emergency  
0837 transportation of a patient from a municipality not otherwise  
0838 served by an ambulance service located in Kansas to a location  
0839 within or outside the state of Kansas when the governing body of  
0840 such municipality declares a hardship. The governing body or  
0841 board shall notify the board 30 days prior to the initiation of such  
0842 out-of-state service.

0843 (b) Ambulances owned and operated by an agency of the  
0844 United States government shall be exempt from the provisions of  
0845 this act.

0846 (c) Any ambulance based outside of this state receiving a  
0847 patient within the state for transportation to a location within this  
0848 state or receiving a patient within this state for emergency  
0849 transportation to a location outside this state shall comply with  
0850 the provisions of this act except when such ambulance is ren-  
0851 dering service in the case of a major catastrophe, such ambulance  
0852 is making a prearranged hospital-to-hospital transfer or except as  
0853 otherwise provided by rules and regulations adopted by the  
0854 board.

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0855 Sec. ~~33~~ Any person violating any provision of this act or any  
0856 rule and regulation issued hereunder shall be deemed guilty of a  
0857 class B misdemeanor.

37

0858 Sec. ~~34~~ In order to provide adequate emergency medical  
0859 care for the people of this state, the emergency medical services  
0860 board is hereby authorized to establish, maintain and operate an

1.24

0861 emergency medical services communications system, subject to  
0862 approval by the secretary of administration under K.S.A. 75-4709,  
0863 and amendments thereto. The emergency medical services  
0864 board shall establish communication centers, to be known as  
0865 medical communications centers, in various locations in the state  
0866 to be determined by the emergency medical services board, for  
0867 the purposes of receiving requests for emergency medical as-  
0868 sistance and for coordinating the activities of ambulances with  
0869 medical care facilities and other emergency public safety agen-  
0870 cies. Subject to approval by the secretary of administration under  
0871 K.S.A. 75-4709, and amendments thereto, the emergency medi-  
0872 cal services board may provide mobile radio units to ambulance  
0873 services, as hereinafter provided, which will provide such am-  
0874 bulance services with direct communication to or from medical  
0875 communication centers established for such purpose.

38

0876 Sec. 35. For the purpose of establishing, operating and  
0877 maintaining the emergency medical services communications  
0878 system, the board may enter into contracts with any state agency,  
0879 and any such agency is authorized to contract for such purpose  
0880 with the board. The board also may enter into contracts or other  
0881 agreements with any city, county, township, fire district or hos-  
0882 pital district, or any person, firm or corporation for the establish-  
0883 ment of an emergency medical services communications system  
0884 or the establishment or operation of any part thereof including  
0885 placement, operation and maintenance of equipment. In accord-  
0886 ance with the authority of the secretary of administration under  
0887 K.S.A. 75-4709, and amendments thereto, all contracts entered  
0888 into by the board under this section shall be subject to approval  
0889 by the secretary of administration.

0890 Any contract or agreement for the placement or operation of  
0891 equipment with any ambulance service shall provide that the  
0892 person, firm, corporation or municipality operating such ambu-  
0893 lance service shall maintain such equipment in accordance with  
0894 terms and conditions established by the board. The contracts,  
0895 agreements or contracts for the placement of equipment in med-  
0896 ical communication centers shall provide that such equipment  
0897 shall only be used for the purpose of operating the emergency

0898 medical services communications system and that the board or  
0899 the board's designated agent may inspect such equipment at any  
0900 time. Ownership of any such equipment shall remain with the  
0901 state and any contracts for the placement of such equipment may  
0902 be withdrawn or canceled at any time, at the option of the board  
0903 and the secretary of administration under K.S.A. 75-4709, and  
0904 amendments thereto.

39

0905 Sec. 36. For the purposes of establishing, operating and  
0906 maintaining an emergency medical services communications  
0907 system, the emergency medical services board may accept any  
0908 grant of money or property, including any federal moneys avail-  
0909 able therefor. Within the limits of appropriations available  
0910 therefor and subject to approval by the secretary of administra-  
0911 tion under K.S.A. 75-4709, and amendments thereto, the emer-  
0912 gency medical services board may acquire, in the name of the  
0913 state, any equipment necessary for such communications system.

40

0914 Sec. 37. (a) It shall be unlawful for any individual to repre-  
0915 sent oneself as a certified first responder unless such individual  
0916 holds a valid certificate as a first responder under this act.

0917 (b) Any violation of subsection (a) shall constitute a class B  
0918 misdemeanor.

41

0919 Sec. 38. (a) Application for a first responder's certificate shall  
0920 be made to the emergency medical services board upon forms  
0921 provided by the administrator. The board may grant a certificate  
0922 to an applicant who: (1) Has made application within two years  
0923 after successfully completing the appropriate course of instruc-  
0924 tion for the first responder as specified in subsection (b) if such  
0925 course of instruction was completed prior to the effective date of  
0926 this act or has made application within one year after success-  
0927 fully completing such course of instruction if such course of  
0928 instruction was completed on or after the effective date of this  
0929 act; (2) has passed an examination prescribed by the board; and  
0930 (3) has paid a registration fee in an amount ~~not to exceed \$25 as~~  
0931 ~~provided~~ by rules and regulations of the board.

prescribed

0932 (b) An individual applying for a first responder's certificate  
0933 shall have completed training in preliminary emergency medical  
0934 care of not less than 45 clock hours in a course of instruction

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0935 approved by the board.

0936 (c) A first responder's certificate shall be valid through De-  
0937 cember 31 of the year following the date of its initial issuance  
0938 and may be renewed thereafter for a period of one year for each \_\_\_\_\_ prescribed  
0939 renewal for a fee in an amount ~~not to exceed \$25 as provided~~ by  
0940 rules and regulations of the board and upon presentation of  
0941 satisfactory proof that the first responder has successfully com-  
0942 pleted continuing education in emergency medical care as pro-  
0943 vided in this subsection. First responders shall complete not less  
0944 than eight hours of continuing education as prescribed and  
0945 approved by the board for each full calendar year that has  
0946 elapsed since the certification or the last renewal thereof. If a  
0947 certificate is not renewed within 30 days after its expiration, such  
0948 certificate shall be void.

0949 (d) The administrator shall remit to the state treasurer at least  
0950 monthly all fees received pursuant to the provisions of this act.  
0951 Upon receipt of each such remittance, the state treasurer shall  
0952 deposit the entire amount thereof in the state treasury to the  
0953 credit of the state general fund.

0954 (e) If an applicant for a certificate has within two years  
0955 preceding the date of the application held a first responder's  
0956 certificate, the board may grant a certificate to such applicant  
0957 without such applicant completing a course of instruction speci-  
0958 fied in subsection (b) if the applicant has passed an examination  
0959 prescribed by the board and has paid a registration fee in an \_\_\_\_\_ prescribed  
0960 amount ~~not to exceed \$25 as provided~~ by rules and regulations of  
0961 the board. 42

0962 Sec. ~~39~~, The board may inquire into the conduct of first  
0963 responders. The board may require a first responder certified  
0964 under this act to make records regarding services performed and  
0965 to furnish such other information as the board may require to  
0966 carry out the provisions of this act. A copy of such records shall  
0967 be kept in the first responder's files for a period of not less than  
0968 three years. The records shall be made available to the board  
0969 upon request. 43

0970 Sec. ~~40~~. A first responder may perform any of the following  
0971 activities:

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- 0972 (a) Initial scene management including, but not limited to,
- 0973 gaining access to the individual in need of emergency care, and
- 0974 only in life or limb threatening situations, the appropriate extri-
- 0975 cation, lifting and moving the individual;
- 0976 (b) cardiopulmonary resuscitation and airway management;
- 0977 (c) control of bleeding;
- 0978 (d) extremity splinting excluding traction splinting;
- 0979 (e) stabilization of the condition of the individual in need of
- 0980 emergency care;
- 0981 (f) oxygen therapy;
- 0982 (g) use of oropharyngeal airways;
- 0983 (h) use of bag valve masks; and
- 0984 (i) other techniques of preliminary care a first responder is
- 0985 trained to provide as approved by the board.

44

- 0986 Sec. ~~41~~. Nothing in this act shall be construed: (a) To pre-
- 0987 clude any municipality from licensing or otherwise regulating
- 0988 first responders operating within its jurisdiction, but any licens-
- 0989 ing requirements or regulations imposed by a municipality shall
- 0990 be in addition to and not in lieu of the provisions of this act and
- 0991 the rules and regulations adopted pursuant to this act;
- 0992 (b) to preclude any person certified as an attendant from
- 0993 providing emergency medical services to persons requiring such
- 0994 services; or
- 0995 (c) to preclude any individual who is not a certified first
- 0996 responder from providing assistance during an emergency so
- 0997 long as such individual does not represent oneself to be a
- 0998 certified first responder.

45

- 0999 Sec. ~~42~~. (a) A first responder's certificate may be denied,
- 1000 revoked, limited or suspended by the board upon proof that such
- 1001 first responder:
- 1002 (1) Has been guilty of misrepresentation in obtaining the
- 1003 certificate;
- 1004 (2) has engaged or attempted to engage in, or represented
- 1005 oneself as entitled to perform, any service not authorized in the
- 1006 certificate;
- 1007 (3) has demonstrated incompetence as defined by rules and
- 1008 regulations adopted by the board or has shown oneself otherwise

1-28



1009 unable to provide adequate service;

1010 (4) has violated or aided and abetted in the violation of any  
1011 provision of this act or the rules and regulations promulgated  
1012 thereunder;

1013 (5) has been convicted of a felony and, after investigation by  
1014 the board, it is determined that such person has not been suffi-  
1015 ciently rehabilitated to warrant the public trust;

1016 (6) has demonstrated habitual intemperance or is addicted to  
1017 the use of habit-forming drugs; or

1018 (7) has engaged in unprofessional conduct.

1019 (b) The board shall not revoke, limit or suspend any first  
1020 responder's certificate pursuant to this section without first con-  
1021 ducting a hearing in accordance with the provisions of the  
1022 Kansas administrative procedure act. Proceedings under this  
1023 section may be initiated by the board or by any person filing  
1024 written charges with the board.

46

1025 Sec. ~~46~~. No first responder who renders emergency care  
1026 during an emergency shall be liable for civil damages as a result  
1027 of rendering such emergency care, except for such damages  
1028 which may result from gross negligence or from willful or wan-  
1029 ton acts or omissions on the part of the first responder rendering  
1030 such emergency care.

47

1031 Sec. ~~44~~. K.S.A. 19-262, 19-263, 19-263a, 19-263b, 19-3623b,  
1032 19-3633, 19-3634, 19-3635, 19-3636, 19-3636a, 65-4302 to 65-  
1033 4306, inclusive, 65-4307 to 65-4309, inclusive, 65-4314 to 65-  
1034 4316, inclusive, 65-4318 to 65-4320, inclusive, 65-4322, 65-4323,  
1035 65-4326 to 65-4331, inclusive, 74-2126 to 74-2132, inclusive,  
1036 80-1423, 80-1424, 80-1426 to 80-1428, inclusive, and K.S.A. 1987  
1037 Supp. 19-261, 19-3632, 65-4301, 65-4306a, 65-4306b, 65-4306c,  
1038 65-4306d, 65-4317, 65-4321, 65-4324, 65-4325, 65-4325a, 65-4339  
1039 to 65-4348, inclusive, and 80-1425 are hereby repealed.

48

1040 Sec. ~~45~~. This act shall take effect and be in force from and  
1041 after its publication in the Kansas register.

1-29

3. COUNTY REORGANIZATION: The Kansas ASSOCIATION OF Counties recommends the following with respect to Article 39 of Chapter 12 of the Kansas Statutes Annotated concerning county reorganization:

1. Any elections called and held pursuant to K.S.A. 12-3903 on the question of the elimination of an elective office shall be held only in conjunction with a regular general county wide election.
2. Any proposed reorganization plan that eliminates an elective office should coincide with the normal termination of the elected officer's term.
3. A reorganization calling for the elimination of an elective officer shall not be voted on by the county governing board until at least three special public hearings (held at a minimum of seven day intervals) have been held to discuss the reorganization plan. Affected individuals and state and local government agencies shall be notified of the hearings and be given the opportunity to provide input.

2-1-88  
Attachment 2