

CHAPTER 78
SENATE BILL No. 512

AN ACT concerning emergency medical services; relating to attendant's certificate requirements; amending K.S.A. 65-6112 and 65-6129 and repealing the existing sections.

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

Section 1. K.S.A. 65-6112 is hereby amended to read as follows: 65-6112. As used in this act:

(a) "Administrator" means the ~~administrator~~ *executive director* of the emergency medical services board.

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

(c) "Ambulance service" means any organization operated for the purpose of transporting sick or injured persons to or from a place where medical care is furnished, whether or not such persons may be in need of emergency or medical care in transit.

(d) "Attendant" means a first responder, emergency medical technician, emergency medical technician-intermediate, emergency medical technician-defibrillator or a mobile intensive care technician certified pursuant to this act.

(e) "Board" means the emergency medical services board established pursuant to K.S.A. 65-6102, and amendments thereto.

(f) "Emergency medical service" means the effective and coordinated delivery of such care as may be required by an emergency which includes the care and transportation of individuals by ambulance services and the performance of authorized emergency care by a physician, professional nurse, a licensed physician assistant or attendant.

(g) "Emergency medical technician" means a person who holds an emergency medical technician certificate issued pursuant to this act.

(h) "Emergency medical technician-defibrillator" means a person who holds an emergency medical technician defibrillator certificate issued pursuant to this act.

(i) "Emergency medical technician-intermediate" means a person who holds an emergency medical technician intermediate certificate issued pursuant to this act.

(j) "First responder" means a person who holds a first responder certificate issued pursuant to this act.

(k) "Hospital" means a hospital as defined by K.S.A. 65-425, and amendments thereto.

(l) "Instructor-coordinator" means a person who is certified under this act to teach initial courses of certification of instruction and continuing education classes.

(m) "Medical adviser" means a physician.

(n) "Medical protocols" mean written guidelines which authorize attendants to perform certain medical procedures prior to contacting a physician, or professional nurse authorized by a physician. These protocols shall be developed and approved by a county medical society or, if there is no county medical society, the medical staff of a hospital to which the ambulance service primarily transports patients.

(o) "Mobile intensive care technician" means a person who holds a mobile intensive care technician certificate issued pursuant to this act.

(p) "Municipality" means any city, county, township, fire district or ambulance service district.

(q) "Nonemergency transportation" means the care and transport of a sick or injured person under a foreseen combination of circumstances calling for continuing care of such person. As used in this subsection, transportation includes performance of the authorized level of services of the attendant whether within or outside the vehicle as part of such transportation services.

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

(s) "Person" means an individual, a partnership, an association, a joint-stock company or a corporation.

(t) "Physician" means a person licensed by the state board of healing arts to practice medicine and surgery.

(u) "Physician assistant" means a person who is licensed under the physician assistant licensure act and who is acting under the direction of a responsible physician.

(v) "Professional nurse" means a licensed professional nurse as defined by K.S.A. 65-1113, and amendments thereto.

(w) "Provider of training" means a corporation, partnership, accredited postsecondary education institution, ambulance service, fire department, hospital or municipality that conducts training programs that include, but are not limited to, initial courses of instruction and continuing education for attendants, instructor-coordinators or training officers.

(x) "Responsible physician" means responsible physician as such term is defined under K.S.A. 65-28a02 and amendments thereto.

(y) "Training officer" means a person who is certified pursuant to this act to teach initial courses of instruction for first responders and continuing education as prescribed by the board.

Sec. 2. K.S.A. 65-6129 is hereby amended to read as follows: 65-6129. (a) Application for an attendant's certificate shall be made to the board ~~upon forms provided by the administrator.~~ The board ~~may shall~~ not grant an attendant's certificate ~~if unless~~ the applicant meets the following requirements:

~~(1) (A) Has made application within one year from the date of the last class of a course of instruction approved by the board for the classification of attendant's certificate for which application has been made; and~~

~~—(B) has completed successfully such course of instruction, passed an examination prescribed by the board and paid a fee prescribed by the board; or~~

~~—(2) has completed successfully a course of instruction or training accredited by the commission on accreditation of allied health education programs, a program of instruction or training offered by the armed forces of the United States or a program of instruction completed in another state that is equivalent to a program approved by the board for the class of attendant's certificate applied for, passed an examination prescribed by the board and paid a fee prescribed by the board.~~

~~(1) (A) Has successfully completed coursework required by the rules and regulations adopted by the board; or~~

~~(B) has successfully completed coursework in another jurisdiction that is substantially equivalent to that required by the rules and regulations adopted by the board; and~~

~~(2) (A) has passed the examination required by the rules and regulations adopted by the board; or~~

~~(B) has passed the certification or licensing examination in another jurisdiction that has been approved by the board.~~

~~(b) (1) The board shall not grant a temporary attendant's certificate unless the applicant meets the following requirements:~~

~~(A) If the applicant is certified or licensed as an attendant in another jurisdiction, but the applicant's coursework is determined not to be substantially equivalent to that required by the board, such temporary certificate shall be valid for one year from the date of issuance or until the applicant has completed the required coursework, whichever occurs first; or~~

~~(B) if the applicant has completed the required coursework, has taken the required examination, but has not received the results of the examination, such temporary certificate shall be valid for 120 days from the date of the examination.~~

~~(2) An applicant who has been granted a temporary certificate shall be under the direct supervision of a physician, a physician's assistant, a professional nurse or an attendant holding a certificate at the same level or higher than that of the applicant.~~

~~(c) The board shall not grant an initial emergency medical technician-intermediate certificate, an initial emergency medical technician-defibrillator certificate or an initial mobile intensive care technician certificate as a result of successful course completion in the state of Kansas, unless the applicant for such an initial certificate is certified as an emergency medical technician.~~

~~(d) (e) On and after January 1, 2001, An attendant's certificate shall expire on the date prescribed by the board. An attendant's certificate may be renewed for a period of two years upon payment of a fee as prescribed by rule and regulation of the board and upon presentation of satisfactory~~

proof that the attendant has successfully completed continuing education as prescribed by the board. The board may prorate to the nearest whole month the fee fixed under this subsection as necessary to implement the provisions of this subsection.

~~(d) (1) The emergency medical services board may issue a temporary certificate to any person who has not qualified for an attendant's certificate under paragraph (1) or (2) of subsection (a) when:~~

~~— (A) The operator for whom such person serves as an attendant requests a temporary certificate for that person, and~~

~~— (B) such person meets or exceeds certain minimum requirements prescribed by the board by rules and regulations.~~

~~(2) A temporary certificate shall be effective for one year from the date of its issuance or until the person has qualified as an attendant under paragraph (1) or (2) of subsection (a), whichever comes first. A temporary certificate shall not be renewed and shall be valid only while an attendant works for the operator requesting the temporary certificate. A person holding a temporary certificate as an emergency medical technician shall not be eligible to apply for certification as an emergency medical technician intermediate, emergency medical technician defibrillator or a mobile intensive care technician.~~

~~(c) (1) Upon request by an operator to the board and upon approval by the board of such request, an applicant for certification may perform activities that are within the authorized activities of the certification level applied for, provided that the applicant:~~

~~— (A) Has successfully completed the appropriate course of instruction for the level applied for;~~

~~— (B) serves with the ambulance service identified in this subsection (c); and~~

~~— (C) is practicing under the direct supervision of a physician, physician assistant, professional nurse or an attendant who is at or above the certification level for which the applicant has applied.~~

~~(2) The authority to perform activities under this subsection (c) shall terminate 120 days from the date of the last class or until the results of the first examination are received by the board, whichever comes first. Such authority to practice shall not be renewed and shall be valid only while the applicant serves with the ambulance service identified in this subsection (c).~~

~~(f) (e) All fees received pursuant to the provisions of this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.~~

~~(g) (f) If a person who was previously certified as an attendant applies for an attendant's certificate within two years of the date of after the certificate's expiration, the board may grant a certificate without the person completing ~~a~~ an initial course of instruction or passing ~~an~~ a certification examination if the person has completed continuing education requirements and has paid a fee prescribed by rules and regulations as specified in rules and regulations adopted by the board.~~

~~(g) The board shall adopt, through rules and regulations, a formal list of graduated sanctions for violations of article 61 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, which shall specify the number and severity of violations for the imposition of each level of sanction.~~

Sec. 3. K.S.A. 65-6112 and 65-6129 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 11, 2008.
