

HOUSE BILL No. 2039

AN ACT concerning healthcare providers; relating to the healthcare provider insurance availability act; adding maternity center to the definition of healthcare provider; relating to the Kansas credentialing act; amending definitions to provide that certain entities providing physical therapy, occupational therapy and speech-language pathology are not home health agencies; relating to emergency medical service providers; establishing that the authorized activities of paramedics, advanced emergency medical technicians, emergency medical technicians and emergency medical responders may be authorized upon the order of a healthcare professional; permitting nonemergency ambulance services to offer service for less than 24 hours per day, every day of the year; permitting certain emergency medical services in rural counties to operate with one emergency medical services provider; requiring entities placing automated external defibrillators for use within the state to register with the emergency medical services board; amending K.S.A. 40-3401, 65-5101, 65-6121 and 65-6149a and K.S.A. 2024 Supp. 65-6112, 65-6119, 65-6120, 65-6129a, 65-6135 and 65-6144 and repealing the existing sections.

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

Section 1. K.S.A. 40-3401 is hereby amended to read as follows:  
40-3401. As used in this act:

- (a) "Applicant" means any healthcare provider.
- (b) "Basic coverage" means a policy of professional liability insurance required to be maintained by each healthcare provider pursuant to the provisions of K.S.A. 40-3402(a) or (b), and amendments thereto.
- (c) "Commissioner" means the commissioner of insurance.
- (d) "Fiscal year" means the year commencing on the effective date of this act and each year, commencing on the first day of July thereafter.
- (e) "Fund" means the healthcare stabilization fund established pursuant to K.S.A. 40-3403(a), and amendments thereto.
- (f) (1) "Healthcare provider" means a:
  - (A) Person licensed to practice any branch of the healing arts by the state board of healing arts, ~~a~~;
  - (B) person who holds a temporary permit to practice any branch of the healing arts issued by the state board of healing arts, ~~a~~;
  - (C) person engaged in a postgraduate training program approved by the state board of healing arts, ~~a~~;
  - (D) medical care facility licensed by the state of Kansas, ~~a~~;
  - (E) podiatrist licensed by the state board of healing arts, ~~a~~;
  - (F) health maintenance organization issued a certificate of authority by the commissioner, ~~an~~;
  - (G) optometrist licensed by the board of examiners in optometry, ~~a~~;
  - ;
  - (H) pharmacist licensed by the state board of pharmacy, ~~a~~;
  - (I) licensed professional nurse who is authorized to practice as a registered nurse anesthetist, ~~a~~;
  - (J) licensed professional nurse who has been granted a temporary authorization to practice nurse anesthesia under K.S.A. 65-1153, and amendments thereto, ~~a~~;
  - (K) professional corporation organized pursuant to the professional corporation law of Kansas by persons who are authorized by such law to form such a corporation and ~~who~~ are healthcare providers as defined by this subsection, ~~a~~;
  - (L) Kansas limited liability company organized for the purpose of rendering professional services by its members who are healthcare providers as defined by this subsection and ~~who~~ are legally authorized to render the professional services for which the limited liability company is organized, ~~a~~;
  - (M) partnership of persons who are healthcare providers under this subsection, ~~a~~;
  - (N) Kansas not-for-profit corporation organized for the purpose of rendering professional services by persons who are healthcare providers as defined by this subsection, ~~a~~;
  - (O) nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine, ~~a~~;
  - (P) dentist certified by the state board of healing arts to administer

anesthetics under K.S.A. 65-2899, and amendments thereto;~~a;~~

~~(Q)~~ psychiatric hospital licensed prior to January 1, 1988, and continuously thereafter under K.S.A. 2015 Supp. 75-3307b, prior to its repeal, and K.S.A. 39-2001 et seq., and amendments thereto, or a mental health center or mental health clinic licensed by the state of Kansas. ~~On and after January 1, 2015, "healthcare provider" also means~~  
~~a;~~

~~(R)~~ physician assistant licensed by the state board of healing arts;  
~~a;~~

~~(S)~~ licensed advanced practice registered nurse who is authorized by the board of nursing to practice as an advanced practice registered nurse in the classification of a nurse-midwife;~~a;~~

~~(T)~~ maternity center, if such maternity center has been granted accreditation by the commission for accreditation of birth centers and is a maternity center as defined in K.S.A. 65-503, and amendments thereto;

~~(U)~~ licensed advanced practice registered nurse who has been granted a temporary authorization by the board of nursing to practice as an advanced practice registered nurse in the classification of a nurse-midwife;~~a;~~

~~(V)~~ nursing facility licensed by the state of Kansas;~~an;~~

~~(W)~~ assisted living facility licensed by the state of Kansas; or

~~(X)~~ a residential healthcare facility licensed by the state of Kansas.

~~(2)~~ "Healthcare provider" does not include:

~~(+)(A)~~ Any state institution for people with intellectual disability;

~~(-)(B)~~ any state psychiatric hospital;

~~(-)(C)~~ any person holding an exempt license issued by the state board of healing arts or the board of nursing;

~~(+)(D)~~ any person holding a visiting clinical professor license from the state board of healing arts;

~~(-)(E)~~ any person holding an inactive license issued by the state board of healing arts;

~~(-)(F)~~ any person holding a federally active license issued by the state board of healing arts;

~~(-)(G)~~ an advanced practice registered nurse who is authorized by the board of nursing to practice as an advanced practice registered nurse in the classification of nurse-midwife or nurse anesthetist and who practices solely in the course of employment or active duty in the United States government or any of its departments, bureaus or agencies or ~~who~~ provides professional services as a charitable healthcare provider as defined under K.S.A. 75-6102, and amendments thereto; or

~~(-)(H)~~ a physician assistant licensed by the state board of healing arts who practices solely in the course of employment or active duty in the United States government or any of its departments, bureaus or agencies or ~~who~~ provides professional services as a charitable healthcare provider as defined under K.S.A. 75-6102, and amendments thereto.

(g) "Inactive healthcare provider" means a person or other entity who purchased basic coverage or qualified as a self-insurer on or subsequent to the effective date of this act but who, at the time a claim is made for personal injury or death arising out of the rendering of or the failure to render professional services by such healthcare provider, does not have basic coverage or self-insurance in effect solely because such person is no longer engaged in rendering professional service as a healthcare provider.

(h) "Insurer" means any corporation, association, reciprocal exchange, inter-insurer and any other legal entity authorized to write bodily injury or property damage liability insurance in this state, including workers compensation and automobile liability insurance, pursuant to the provisions of the acts contained in article 9, 11, 12 or 16 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto.

(i) "Plan" means the operating and administrative rules and

procedures developed by insurers and rating organizations or the commissioner to make professional liability insurance available to healthcare providers.

(j) "Professional liability insurance" means insurance providing coverage for legal liability arising out of the performance of professional services rendered or that should have been rendered by a healthcare provider.

(k) "Rating organization" means a corporation, an unincorporated association, a partnership or an individual licensed pursuant to K.S.A. 40-956, and amendments thereto, to make rates for professional liability insurance.

(l) "Self-insurer" means a healthcare provider who qualifies as a self-insurer pursuant to K.S.A. 40-3414, and amendments thereto.

(m) "Medical care facility" means the same when used in the healthcare provider insurance availability act as defined in K.S.A. 65-425, and amendments thereto, except that, as used in the healthcare provider insurance availability act, such term, as it relates to insurance coverage under the healthcare provider insurance availability act, also includes any director, trustee, officer or administrator of a medical care facility.

(n) "Mental health center" means a mental health center licensed by the state of Kansas under K.S.A. 39-2001 et seq., and amendments thereto, except that, as used in the healthcare provider insurance availability act, such term, as it relates to insurance coverage under the healthcare provider insurance availability act, also includes any director, trustee, officer or administrator of a mental health center.

(o) "Mental health clinic" means a mental health clinic licensed by the state of Kansas under K.S.A. 39-2001 et seq., and amendments thereto, except that, as used in the healthcare provider insurance availability act, such term, as it relates to insurance coverage under the healthcare provider insurance availability act, also includes any director, trustee, officer or administrator of a mental health clinic.

(p) "State institution for people with intellectual disability" means Winfield state hospital and training center, Parsons state hospital and training center and the Kansas neurological institute.

(q) "State psychiatric hospital" means Larned state hospital, Osawatomie state hospital and Rainbow mental health facility.

(r) "Person engaged in residency training" means:

(1) A person engaged in a postgraduate training program approved by the state board of healing arts who is employed by and is studying at the university of Kansas medical center only when such person is engaged in medical activities that do not include extracurricular, extra-institutional medical service for which such person receives extra compensation and that have not been approved by the dean of the school of medicine and the executive vice-chancellor of the university of Kansas medical center. Persons engaged in residency training shall be considered resident healthcare providers for purposes of K.S.A. 40-3401 et seq., and amendments thereto; and

(2) a person engaged in a postgraduate training program approved by the state board of healing arts who is employed by a nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine or who is employed by an affiliate of the university of Kansas school of medicine as defined in K.S.A. 76-367, and amendments thereto, only when such person is engaged in medical activities that do not include extracurricular, extra-institutional medical service for which such person receives extra compensation and that have not been approved by the chief operating officer of the nonprofit corporation or the chief operating officer of the affiliate and the executive vice-chancellor of the university of Kansas medical center.

(s) "Full-time physician faculty employed by the university of Kansas medical center" means a person licensed to practice medicine and surgery who holds a full-time appointment at the university of

Kansas medical center when such person is providing healthcare. A person licensed to practice medicine and surgery who holds a full-time appointment at the university of Kansas medical center may also be employed part-time by the United States department of veterans affairs if such employment is approved by the executive vice-chancellor of the university of Kansas medical center.

(t) "Sexual act" or "sexual activity" means ~~that~~ sexual conduct that constitutes a criminal or tortious act under the laws of the state of Kansas.

(u) "Board" means the board of governors created by K.S.A. 40-3403, and amendments thereto.

(v) "Board of directors" means the governing board created by K.S.A. 40-3413, and amendments thereto.

(w) "Locum tenens contract" means a temporary agreement not exceeding 182 days per calendar year that employs a healthcare provider to actively render professional services in this state.

(x) "Professional services" means patient care or other services authorized under the act governing licensure of a healthcare provider.

(y) "Healthcare facility" means a nursing facility, an assisted living facility or a residential healthcare facility as all such terms are defined in K.S.A. 39-923, and amendments thereto.

(z) "Charitable healthcare provider" means the same as defined in K.S.A. 75-6102, and amendments thereto.

Sec. 2. K.S.A. 65-5101 is hereby amended to read as follows: 65-5101. As used in this act, unless the context otherwise requires:

(a) "Attendant care services" means basic and ancillary services provided under home and community based services waiver programs;

(b) "council" means the home health services advisory council created by this act;

(c) (1) "home health agency" means a public or private agency or organization or a subdivision or subunit of such agency or organization that provides for a fee one or more: (A) Home health services;; (B) supportive care services; or (C) attendant care services provided under home and community based services waiver programs at the residence of a patient ~~but~~; and

(2) "*home health agency*" does not include: (A) Local health departments ~~which~~ that are not federally certified home health agencies;; (B) durable medical equipment companies ~~which~~ that provide home health services by use of specialized equipment;; (C) independent living agencies;; (D) *entities that are not reimbursed by medicare part A and only provide services of persons licensed or certified under the physical therapy practice act, persons licensed under the occupational therapy practice act and persons licensed as speech-language pathologists*; (E) the Kansas department for aging and disability services; and (F) the department of health and environment;

(d) "home health services" means any of the following services provided at the current residence of the patient on a full-time, part-time or intermittent basis: Nursing, physical therapy, speech therapy, nutritional or dietetic consulting, occupational therapy, respiratory therapy, home health aide or medical social service;

(e) "home health aide" means an employee of a home health agency who is a certified nurse aide, is in good standing on the public nurse aide registry maintained by the Kansas department for aging and disability services and has completed a 20-hour home health aide course approved by the Kansas department for aging and disability services who assists, under registered nurse supervision, in the provision of home health services and ~~who~~ provides assigned ~~health care healthcare~~ to patients ~~but shall~~. "*Home health aide*" does not include employees of a home health agency providing only supportive care services or attendant care services;

(f) "independent living agency" means a public or private agency or organization or a subunit of such agency or organization whose primary function is to provide at least four independent living services, including independent living skills training, advocacy, peer counseling

and information and referral as defined by the rehabilitation act of 1973, title VII, part B, and such agency shall be recognized by the secretary for aging and disability services as an independent living agency. Such agencies include independent living centers and programs ~~which~~ *that* meet the following quality assurances:

(1) Accreditation by a nationally recognized accrediting body such as the commission on accreditation of rehabilitation facilities; or

(2) receipt of grants from the state or the federal government and currently meets standards for independent living under the rehabilitation act of 1973, title VII, part B, sections (a) through (k), or comparable standards established by the state; or

(3) compliance with requirements established by the federal government under rehabilitation services administration standards for centers for independent living;

(g) "part-time or intermittent basis" means the providing of home health services in an interrupted interval sequence on the average of not to exceed three hours in any ~~twenty-four-hour~~ *24-hour* period;

(h) "patient's residence" means the actual place of residence of the person receiving home health services, including institutional residences as well as individual dwelling units;

(i) "secretary" means secretary of health and environment;

(j) "subunit" or "subdivision" means any organizational unit of a larger organization ~~which~~ *that* can be clearly defined as a separate entity within the larger structure, ~~which can~~ meet all of the requirements of this act independent of the larger organization, ~~which can~~ be held accountable for the care of patients it is serving and ~~which~~ provides to all patients care and services meeting the standards and requirements of this act;

(k) "supportive care services" means services that do not require supervision by a healthcare professional, such as a physician assistant or registered nurse, to provide assistance with activities of daily living that the consumer could perform if such consumer were physically capable, including, but not limited to, bathing, dressing, eating, medication reminders, transferring, walking, mobility, toileting and continence care, provided in the consumer's temporary or permanent place of residence so that the consumer can remain safely and comfortably in the consumer's temporary or permanent place of residence. "Supportive care services" does not include any home health services; and

(l) "supportive care worker" means an employee of a home health agency who provides supportive care services.

Sec. 3. K.S.A. 2024 Supp. 65-6112 is hereby amended to read as follows: 65-6112. As used in article 61 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto:

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

(b) "Advanced emergency medical technician" means a person who holds an advanced emergency medical technician certificate issued pursuant to this act.

(c) "Advanced practice registered nurse" means an advanced practice registered nurse ~~as defined in K.S.A. 65-1113~~ *issued a license pursuant to K.S.A. 65-1130, and amendments thereto, who has authority to prescribe drugs as provided by K.S.A. 65-1130, and amendments thereto.*

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

(e) "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.

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

(g) "Emergency medical service" means the effective and coordinated delivery of such care as may be required by an emergency that includes the care and transportation of individuals by ambulance services and the performance of authorized emergency care by a physician, advanced practice registered nurse, professional nurse, ~~a licensed~~ physician assistant or emergency medical service provider.

(h) "Emergency medical service provider" means an emergency medical responder, advanced emergency medical technician, emergency medical technician or paramedic certified by the emergency medical services board.

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

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

~~(j) "Emergency medical responder" means a person who holds an emergency medical responder certificate issued pursuant to this act.~~

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

(l) "Medical director" means a physician.

(m) "Medical oversight" means to review, approve and implement medical protocols and to approve and monitor the activities, competency and education of emergency medical service providers.

(n) "Medical protocols" means written guidelines that authorize emergency medical service providers to perform certain medical procedures prior to contacting a physician, physician assistant authorized by a physician, advanced practice registered nurse ~~authorized by a physician~~ or professional nurse authorized by a physician.

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

(p) "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 emergency medical service provider whether within or outside the vehicle as part of such transportation services.

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

(r) "Paramedic" means a person who holds a paramedic certificate issued pursuant to this act.

(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 physician assistant as defined in K.S.A. 65-28a02, and amendments thereto.

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

(w) *"Public place" means any areas open to the public or used by the general public including, but not limited to, banks, bars, food service establishments, retail service establishments, retail stores, public means of mass transportation, passenger elevators, healthcare institutions or any other place where healthcare services are provided to the public, medical care facilities, educational facilities, libraries, courtrooms, public buildings, restrooms, grocery stores, school buses, museums, theaters, auditoriums, arenas and recreational facilities. A private residence shall not be considered a "public place" unless such residence is used as a day care home, as defined in K.S.A. 65-530, and amendments thereto.*

(x) *"Qualified healthcare provider" means a physician, a physician assistant when authorized by a physician, an advanced practice registered nurse or a professional nurse when authorized by a physician.*

(y) "Sponsoring organization" means any professional association,

accredited postsecondary educational institution, ambulance service that holds a permit to operate in this state, fire department, other officially organized public safety agency, hospital, corporation, governmental entity or emergency medical services regional council, as approved by the executive director, to offer initial courses of instruction or continuing education programs.

Sec. 4. K.S.A. 2024 Supp. 65-6119 is hereby amended to read as follows: 65-6119. Notwithstanding any other provision of law *to the contrary, after successfully completing an approved course of instruction, local specialized device training and competency validation and when authorized by medical protocols or upon the order of a qualified healthcare provider*, a paramedic may:

(a) Perform all the authorized activities identified in K.S.A. 65-6120, 65-6121, 65-6144, and amendments thereto; *and*

~~(b) when voice contact or a telemetered electrocardiogram is monitored by a physician, physician assistant where authorized by a physician or an advanced practice registered nurse where authorized by a physician or licensed professional nurse where authorized by a physician and direct communication is maintained, and upon order of such person, may administer such medications or procedures as may be deemed necessary by a person identified in this subsection;~~

~~(c) perform, during an emergency, those activities specified in subsection (b) before contacting a person identified in subsection (b) when specifically authorized to perform such activities by medical protocols; and~~

~~(d) perform, during nonemergency transportation, those activities specified in this section when specifically authorized to perform such activities by medical protocols~~ *qualified healthcare provider.*

Sec. 5. K.S.A. 2024 Supp. 65-6120 is hereby amended to read as follows: 65-6120. Notwithstanding any other provision of law *to the contrary, after successfully completing an approved course of instruction, local specialized device training and competency validation and when authorized by medical protocols or upon the order of a qualified healthcare provider*, an advanced emergency medical technician may:

(a) Perform any of the activities identified by K.S.A. 65-6121 *and* 65-6144, and amendments thereto; *and*

~~(b) perform any of the following interventions, by use of the devices, medications and equipment, or any combination thereof, as specifically identified in rules and regulations, after successfully completing an approved course of instruction, local specialized device training and competency validation and when authorized by medical protocols, or upon order when direct communication is maintained by radio, telephone or video conference with a physician, physician assistant where authorized by a physician, an advanced practice registered nurse where authorized by a physician, or professional nurse where authorized by a physician upon order of such a person:~~

~~(1) Advanced airway management;~~

~~(2) referral of patient of alternate medical care site based on assessment; (3) transportation of a patient with a capped arterial line; (4) veni-puncture for obtaining blood sample;~~

~~(5)(3) initiation and maintenance of intravenous infusion or saline lock;~~

~~(6)(4) initiation and maintenance of intraosseous infusion;~~

~~(7) nebulized therapy;~~

~~(8)(5) manual defibrillation;~~

~~(9)(6) cardiac monitoring;~~

~~(10)(7) electrocardiogram interpretation;~~

~~(11) monitoring of a nasogastric tube; and~~

~~(12)(8) administration of medications by methods as specified by rules and regulations of, as approved by the board by appropriate routes.~~

Sec. 6. K.S.A. 65-6121 is hereby amended to read as follows: 65-6121. ~~(a)~~ Notwithstanding any other provision of law *to the contrary,*

*after successfully completing an approved course of instruction, local specialized device training and competency validation and when authorized by medical protocols or upon the order of a qualified healthcare provider, an emergency medical technician may:*

(a) Perform any of the activities identified in K.S.A. 65-6144, and amendments thereto; and

(b) *perform* any of the following interventions, by use of the devices, medications and equipment, or any combination thereof; ~~after successfully completing an approved course of instruction, local specialized device training and competency validation and when authorized by medical protocols, or upon order when direct communication is maintained by radio, telephone or video conference is monitored by a physician, physician assistant when authorized by a physician, an advanced practice registered nurse when authorized by a physician or a professional nurse when authorized by a physician, upon order of such person:~~

- (1) Airway maintenance, including use of:
  - (A) Single lumen airways as approved by the board;
  - (B) multilumen airways;
  - (C) ventilator devices;
  - (D) non-invasive positive pressure ventilation;
  - (E) forceps removal of airway obstruction;
  - (F) CO2 monitoring; *and*
  - (G) airway suctioning;
- (2) monitoring a urinary catheter;
- (3) capillary blood sampling *for purposes other than blood glucose monitoring*;
- (4) administration of patient assisted medications as approved by the board;
- (5) administration of medications, as approved by the board by appropriate routes;
- (6) *monitoring a saline lock*;
- (7) monitor, maintain or discontinue flow of IV line ~~if a physician approves transfer by an emergency medical technician~~;
- (8) *monitoring of a nasogastric tube*; and
- ~~(7)~~(9) application of a traction splint.

Sec. 7. K.S.A. 2024 Supp. 65-6129a is hereby amended to read as follows: 65-6129a. (a) While engaged in a course of training or continuing education approved by the board ~~within a medical care facility~~, a student or emergency medical service provider engaged in such training or continuing education shall be under the supervision of a physician, *a physician assistant, an advanced practice registered nurse, a respiratory therapist, or a professional nurse or an emergency medical services provider who is, at a minimum, certified to provide the level of care for which the student is seeking certification.* ~~While engaged in training or continuing education in emergency or nonemergency transportation outside a medical care facility, a student or emergency medical service provider shall be under the direct supervision of an emergency medical service provider who is at the minimum certified to provide the level of care for which the student is seeking certification or the emergency medical service provider receiving the training is certified or shall be under the direct supervision of a physician or a professional nurse.~~

(b) Nothing in the provisions of article 61 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, shall be construed to preclude the provision of authorized activities by students enrolled in a training program while engaged in such program.

Sec. 8. K.S.A. 2024 Supp. 65-6135 is hereby amended to read as follows: 65-6135. (a) *Except as provided in subsection (b)*, all ambulance services providing emergency care as defined by the rules and regulations adopted by the board shall offer service *for 24 hours per day, every day of the year.*

(b) *Ambulance services providing only nonemergency transportation may offer service for less than 24 hours per day, every*

day of the year.

(c) Except as provided by subsection (d), whenever an operator is required to have a permit, at least one person on each vehicle in the patient compartment during patient transport who is providing emergency medical service shall be an emergency medical service provider certified or authorized pursuant to K.S.A. 65-6119, 65-6120 or 65-6121, or 65-6158, and amendments thereto, a physician, an individual licensed by the state board of healing arts to practice medicine and surgery pursuant to K.S.A. 65-28,133, and amendments thereto, a physician assistant, an advanced practice registered nurse or a professional nurse or a registered nurse holding a multistate license pursuant to K.S.A. 65-1166, and amendments thereto.

(d) The board shall not require any ground vehicle providing interfacility transfers from emergency medical services in any county with a population of 30,000 or less to operate with more than one person who satisfies the requirements of subsection (c) if the driver of such vehicle is certified in cardiopulmonary resuscitation. An operator that chooses to adopt this policy shall notify the board within 30 days of adoption of such policy.

Sec. 9. K.S.A. 2024 Supp. 65-6144 is hereby amended to read as follows: 65-6144. ~~(a) Notwithstanding any other provision of law to the contrary an emergency medical responder may perform any of the following interventions, by use of the devices, medications and equipment, or any combination thereof, after successfully completing an approved course of instruction, local specialized device training and competency validation and when authorized by medical protocols; or upon the order when direct communication is maintained by radio, telephone or video conference is monitored by a physician, physician assistant when authorized by a physician, an advanced practice registered nurse when authorized by a physician or a professional nurse when authorized by a physician, upon order of such person of a qualified healthcare provider; an emergency medical responder may perform any of the following interventions, by use of the devices, medications and equipment, or any combination thereof:~~

- ~~(1) Emergency vehicle operations;~~
- ~~(2) initial scene management;~~
- ~~(3)(a) Patient assessment and stabilization;~~
- ~~(4)(b) cardiac arrest management through the use of cardiopulmonary resuscitation and the use of an automated external defibrillator;~~
- ~~(5)(c) airway management and oxygen therapy;~~
- ~~(6)(d) utilization of equipment for the purposes of acquiring and transmitting EKG rhythm strip strips;~~
- ~~(7)(e) control of bleeding;~~
- ~~(8)(f) extremity splinting;~~
- ~~(9)(g) spinal immobilization;~~
- ~~(10) nebulizer therapy;~~
- ~~(11) intramuscular injections with auto-injector;~~
- ~~(12)(h) administration of medications, as approved by the board by appropriate routes;~~
- ~~(13)(i) recognize and comply with advanced directives;~~
- ~~(14)(j) use of blood glucose monitoring;~~
- ~~(15)(k) assistance with childbirth;~~
- ~~(16)(l) non-invasive monitoring of hemoglobin derivatives;~~
- ~~(17)(m) distribution of non prescription, over-the-counter medications as approved by the service medical director, except that an emergency medical responder shall not distribute any compound, mixture or preparation that contains any detectable quantity of:~~

~~(A)(1) Any compound, mixture, or preparation that contains any detectable quantity of Ephedrine, its salts or optical isomers, or salts of optical isomers and is exempt from being reported to the statewide electronic logging system for the sale of methamphetamine precursors; or~~

~~(B)(2) any compound, mixture, or preparation that contains any~~

~~detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers and is exempt from being reported to the statewide electronic logging system for the sale of methamphetamine precursors; and~~

~~(18)(n) other techniques and devices of preliminary care an emergency medical responder is trained to provide as approved by the board.~~

Sec. 10. K.S.A. 65-6149a is hereby amended to read as follows: 65-6149a. (a) (1) Any person who in good faith renders emergency care or treatment by the use of or provision of an automated external defibrillator shall not be held liable for any civil damages as a result of such care or treatment or as a result of any act or failure to act in providing or arranging further medical treatment where the person acts as an ordinary reasonably prudent person would have acted under the same or similar circumstances.

(2) No person or entity ~~which that~~ owns, leases, possesses or otherwise controls an automated external defibrillator and provides such automated external defibrillator to others for use shall be held liable for any civil damages as a result of such use where the person or entity ~~which that~~ owns, leases, possesses or otherwise controls the automated external defibrillator has developed, implemented and follows guidelines to ensure proper maintenance and operation of the device.

(3) ~~No person licensed to practice medicine and surgery~~ *physician* who, pursuant to a prescription order, authorizes the acquisition of an automated external defibrillator or participates in the development of usual and customary protocols for an automated external defibrillator by a person or entity ~~which that~~ owns, leases, possesses or otherwise controls such automated external defibrillator and provides such automated external defibrillator for use by others shall be held liable for any civil damages as a result of such use.

(4) No person or entity ~~which that~~ teaches or provides a training program for cardiopulmonary resuscitation that includes training in the use of automated external defibrillators shall be held liable for any civil damages as a result of such training or use if such person or entity has provided such training in a manner consistent with the usual and customary standards for the providing of such training.

(b) Pursuant to the provisions of this subsection, persons or entities ~~which that~~ purchase, *lease, possess* or otherwise *control or* acquire an automated external defibrillator *to be placed in a public place within the state* shall ~~notify the emergency medical service which operates in the geographic area of the location of~~ *register* the automated defibrillator *with the emergency medical services board*. ~~Persons or entities acquiring an automatic electronic defibrillator shall notify the emergency medical service providing local service on forms developed and provided by the emergency medical services board.~~

(c) The secretary of administration, in conjunction with the Kansas highway patrol, shall develop guidelines for the placement of automated external defibrillators in state owned or occupied facilities. The guidelines shall include, but not be limited to:

(1) Which state owned or occupied facilities should have automated external defibrillators readily available for use;

(2) recommendations for appropriate training courses in cardiopulmonary resuscitation and automated external defibrillators use;

(3) integration with existing emergency response plans;

(4) proper maintenance and testing of the devices;

(5) coordination with appropriate professionals in the oversight of training; and

(6) coordination with local emergency medical services regarding placement and conditions of use.

(d) Nothing in this ~~subsection~~ *section* shall be construed to require the state to purchase automated external defibrillators.

Sec. 11. K.S.A. 40-3401, 65-5101, 65-6121 and 65-6149a and K.S.A. 2024 Supp. 65-6112, 65-6119, 65-6120, 65-6129a, 65-6135 and 65-6144 are hereby repealed.

Sec. 12. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and was adopted by that body

\_\_\_\_\_  
HOUSE adopted  
Conference Committee Report \_\_\_\_\_

\_\_\_\_\_  
*Speaker of the House.*

\_\_\_\_\_  
*Chief Clerk of the House.*

Passed the SENATE  
as amended \_\_\_\_\_

SENATE adopted  
Conference Committee Report \_\_\_\_\_

\_\_\_\_\_  
*President of the Senate.*

\_\_\_\_\_  
*Secretary of the Senate.*

APPROVED \_\_\_\_\_

\_\_\_\_\_  
*Governor.*