

HOUSE BILL No. 2280

By Committee on Federal and State Affairs

Requested by Sean Gatewood on behalf of Sunflower Consulting

2-5

1 AN ACT concerning health and healthcare; relating to emergency medical
2 services; establishing that the authorized activities of paramedics,
3 advanced emergency medical technicians, emergency medical
4 technicians and emergency medical responders may be authorized upon
5 the order of a healthcare professional; permitting nonemergency
6 ambulance services to offer service for less than 24 hours per day,
7 every day of the year; requiring entities placing automated external
8 defibrillators for use within the state to register with the emergency
9 medical services board; amending K.S.A. 65-6121 and 65-6149a and
10 K.S.A. 2024 Supp. 65-6112, 65-6119, 65-6120, 65-6129a, 65-6135 and
11 65-6144 and repealing the existing sections.

12

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

14 Section 1. K.S.A. 2024 Supp. 65-6112 is hereby amended to read as
15 follows: 65-6112. As used in article 61 of chapter 65 of the Kansas
16 Statutes Annotated, and amendments thereto:

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

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

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

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

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

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

- 1 (g) "Emergency medical service" means the effective and coordinated
 2 delivery of such care as may be required by an emergency that includes the
 3 care and transportation of individuals by ambulance services and the
 4 performance of authorized emergency care by a physician, advanced
 5 practice registered nurse, professional nurse, a licensed physician assistant
 6 or emergency medical service provider.
- 7 (h) "Emergency medical service provider" means an emergency
 8 medical responder, advanced emergency medical technician, emergency
 9 medical technician or paramedic certified by the emergency medical
 10 services board.
- 11 (i) *"Emergency medical responder" means a person who holds an*
 12 *emergency medical responder certificate issued pursuant to this act.*
- 13 (j) "Emergency medical technician" means a person who holds an
 14 emergency medical technician certificate issued pursuant to this act.
- 15 ~~(j) "Emergency medical responder" means a person who holds an~~
 16 ~~emergency medical responder certificate issued pursuant to this act.~~
- 17 (k) "Hospital" means a hospital as defined by K.S.A. 65-425, and
 18 amendments thereto.
- 19 (l) "Medical director" means a physician.
- 20 (m) "Medical oversight" means to review, approve and implement
 21 medical protocols and to approve and monitor the activities, competency
 22 and education of emergency medical service providers.
- 23 (n) "Medical protocols" means written guidelines that authorize
 24 emergency medical service providers to perform certain medical
 25 procedures prior to contacting a physician, physician assistant authorized
 26 by a physician, advanced practice registered nurse ~~authorized by a~~
 27 ~~physician~~ or professional nurse authorized by a physician.
- 28 (o) "Municipality" means any city, county, township, fire district or
 29 ambulance service district.
- 30 (p) "Nonemergency transportation" means the care and transport of a
 31 sick or injured person under a foreseen combination of circumstances
 32 calling for continuing care of such person. As used in this subsection,
 33 "transportation" includes performance of the authorized level of services
 34 of the emergency medical service provider whether within or outside the
 35 vehicle as part of such transportation services.
- 36 (q) "Operator" means a person or municipality ~~who~~ *that* has a permit
 37 to operate an ambulance service in the state of Kansas.
- 38 (r) "Paramedic" means a person who holds a paramedic certificate
 39 issued pursuant to this act.
- 40 (s) "Person" means an individual, a partnership, an association, a
 41 joint-stock company or a corporation.
- 42 (t) "Physician" means a person licensed by the state board of healing
 43 arts to practice medicine and surgery.

1 (u) "Physician assistant" means a physician assistant as defined in
2 K.S.A. 65-28a02, and amendments thereto.

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

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

8 (x) "Sponsoring organization" means any professional association,
9 accredited postsecondary educational institution, ambulance service that
10 holds a permit to operate in this state, fire department, other officially
11 organized public safety agency, hospital, corporation, governmental entity
12 or emergency medical services regional council, as approved by the
13 executive director, to offer initial courses of instruction or continuing
14 education programs.

15 Sec. 2. K.S.A. 2024 Supp. 65-6119 is hereby amended to read as
16 follows: 65-6119. Notwithstanding any other provision of law *to the*
17 *contrary, after successfully completing an approved course of instruction,*
18 *local specialized device training and competency validation and when*
19 *authorized by medical protocols or upon the order of a qualified*
20 *healthcare provider, a paramedic may:*

21 (a) Perform all the authorized activities identified in K.S.A. 65-6120,
22 65-6121, 65-6144, and amendments thereto; *and*

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

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

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

37 Sec. 3. K.S.A. 2024 Supp. 65-6120 is hereby amended to read as
38 follows: 65-6120. Notwithstanding any other provision of law *to the*
39 *contrary, after successfully completing an approved course of instruction,*
40 *local specialized device training and competency validation and when*
41 *authorized by medical protocols or upon the order of a qualified*
42 *healthcare provider, an advanced emergency medical technician may:*

43 (a) Perform any of the activities identified by K.S.A. 65-6121 *and*

1 65-6144, and amendments thereto; and

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

- 12 (1) Advanced airway management;
- 13 (2) ~~referral of patient of alternate medical care site based on~~
 14 ~~assessment;~~ (3) ~~transportation of a patient with a capped arterial line;~~ (4)
 15 ~~veni-puncture for obtaining blood sample;~~
- 16 (5)(3) initiation and maintenance of intravenous infusion or saline
 17 lock;
- 18 (6)(4) initiation *and maintenance* of intraosseous infusion;
- 19 (7) ~~nebulized therapy;~~
- 20 (8)(5) manual defibrillation;
- 21 (9)(6) cardiac monitoring;
- 22 (10)(7) electrocardiogram interpretation;
- 23 (11) ~~monitoring of a nasogastric tube;~~ and
- 24 (12)(8) administration of medications ~~by methods as specified by~~
 25 ~~rules and regulations of~~, *as approved by the board by appropriate routes.*

26 Sec. 4. K.S.A. 65-6121 is hereby amended to read as follows: 65-
 27 6121. ~~(a)~~ Notwithstanding any other provision of law to the contrary, *after*
 28 *successfully completing an approved course of instruction, local*
 29 *specialized device training and competency validation and when*
 30 *authorized by medical protocols or upon the order of a qualified*
 31 *healthcare provider*, an emergency medical technician may:

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

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

- 43 (1) Airway maintenance, including use of:

- 1 (A) Single lumen airways as approved by the board;
- 2 (B) multilumen airways;
- 3 (C) ventilator devices;
- 4 (D) non-invasive positive pressure ventilation;
- 5 (E) forceps removal of airway obstruction;
- 6 (F) CO2 monitoring; *and*
- 7 (G) airway suctioning;
- 8 (2) monitoring *a* urinary catheter;
- 9 (3) capillary blood sampling *for purposes other than blood glucose*
- 10 *monitoring*;
- 11 (4) administration of patient assisted medications as approved by the
- 12 board;
- 13 (5) administration of medications, as approved by the board by
- 14 appropriate routes;
- 15 (6) *monitoring a saline lock*;
- 16 (7) monitor, maintain or discontinue flow of IV line ~~if a physician~~
- 17 ~~approves transfer by an emergency medical technician~~;
- 18 (8) *monitoring of a nasogastric tube*; and
- 19 ~~(7)(9)~~ application of a traction splint.

20 Sec. 5. K.S.A. 2024 Supp. 65-6129a is hereby amended to read as
 21 follows: 65-6129a. (a) While engaged in a course of training or continuing
 22 education approved by the board ~~within a medical care facility~~, a student
 23 or emergency medical service provider engaged in such training or
 24 continuing education shall be under the supervision of a physician, *a*
 25 *physician assistant, an advanced practice registered nurse, a respiratory*
 26 *therapist, or a professional nurse or an emergency medical services*
 27 *provider who is, at a minimum, certified to provide the level of care for*
 28 *which the student is seeking certification. ~~While engaged in training or~~*
 29 ~~continuing education in emergency or nonemergency transportation~~
 30 ~~outside a medical care facility, a student or emergency medical service~~
 31 ~~provider shall be under the direct supervision of an emergency medical~~
 32 ~~service provider who is at the minimum certified to provide the level of~~
 33 ~~care for which the student is seeking certification or the emergency~~
 34 ~~medical service provider receiving the training is certified or shall be~~
 35 ~~under the direct supervision of a physician or a professional nurse.~~

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

40 Sec. 6. K.S.A. 2024 Supp. 65-6135 is hereby amended to read as
 41 follows: 65-6135. (a) *Except as provided in subsection (b)*, all ambulance
 42 services providing emergency care as defined by the rules and regulations
 43 adopted by the board shall offer service *for* 24 hours per day, every day of

1 the year.

2 (b) *Ambulance services providing only nonemergency transportation*
 3 *may offer service for less than 24 hours per day, every day of the year.*

4 (c) Whenever an operator is required to have a permit, at least one
 5 person on each vehicle providing emergency medical service shall be an
 6 emergency medical service provider certified *or authorized* pursuant to
 7 K.S.A. 65-6119, 65-6120~~—08~~, 65-6121, *or 65-6158*, and amendments
 8 thereto, *a physician*, an individual licensed ~~by the state board of healing~~
 9 ~~arts~~ to practice medicine and surgery *pursuant to K.S.A. 65-28,133, and*
 10 *amendments thereto*, a physician assistant, an advanced practice registered
 11 nurse~~—08~~, a professional nurse *or a registered nurse holding a multistate*
 12 *license pursuant to K.S.A. 65-1166, and amendments thereto.*

13 ~~(e)~~(d) The board shall not require any ground vehicle providing
 14 interfacility transfers from any county with a population of 30,000 or less
 15 to operate with more than one person who satisfies the requirements of
 16 subsection ~~(b)~~(c) if the driver of such vehicle is certified in
 17 cardiopulmonary resuscitation.

18 Sec. 7. K.S.A. 2024 Supp. 65-6144 is hereby amended to read as
 19 follows: 65-6144. ~~(a) Notwithstanding any other provision of law to the~~
 20 ~~contrary an emergency medical responder may perform any of the~~
 21 ~~following interventions, by use of the devices, medications and equipment,~~
 22 ~~or any combination thereof, after successfully completing an approved~~
 23 ~~course of instruction, local specialized device training and competency~~
 24 ~~validation and when authorized by medical protocols; or upon the order~~
 25 ~~when direct communication is maintained by radio, telephone or video~~
 26 ~~conference is monitored by a physician, physician assistant when~~
 27 ~~authorized by a physician, an advanced practice registered nurse when~~
 28 ~~authorized by a physician or a professional nurse when authorized by a~~
 29 ~~physician, upon order of such person of a qualified healthcare provider, an~~
 30 *emergency medical responder may perform any of the following*
 31 *interventions, by use of the devices, medications and equipment, or any*
 32 *combination thereof:*

- 33 ~~(1)~~(a) Emergency vehicle operations;
- 34 ~~(2)~~(b) initial scene management;
- 35 ~~(3)~~(c) patient assessment and stabilization;
- 36 ~~(4)~~(d) cardiac arrest management through the use of cardiopulmonary
 37 resuscitation and the use of an automated external defibrillator;
- 38 ~~(5)~~(e) airway management and oxygen therapy;
- 39 ~~(6)~~(f) utilization of equipment for the purposes of acquiring~~—an~~ *and*
 40 *transmitting EKG rhythm-strip strips;*
- 41 ~~(7)~~(g) control of bleeding;
- 42 ~~(8)~~(h) extremity splinting;
- 43 ~~(9)~~(i) spinal immobilization;

- 1 ~~(10) nebulizer therapy;~~
 2 ~~(11) intramuscular injections with auto-injector;~~
 3 ~~(12)(j)~~ administration of medications, as approved by the board by
 4 appropriate routes;
 5 ~~(13)(k)~~ recognize and comply with advanced directives;
 6 ~~(14)(l)~~ use of blood glucose monitoring;
 7 ~~(15)(m)~~ assistance with childbirth;
 8 ~~(16)(n)~~ non-invasive monitoring of hemoglobin derivatives;
 9 ~~(17)(o)~~ distribution of non prescription, over-the-counter medications
 10 as approved by the service medical director, except *that* an emergency
 11 medical responder shall not distribute *any compound, mixture or*
 12 *preparation that contains any detectable quantity of:*
 13 ~~(A)(1) Any compound, mixture, or preparation that contains any~~
 14 ~~detectable quantity of Ephedrine, its salts or optical isomers, or salts of~~
 15 ~~optical isomers and is exempt from being reported to the statewide~~
 16 ~~electronic logging system for the sale of methamphetamine precursors; or~~
 17 ~~(B)(2) any compound, mixture, or preparation that contains any~~
 18 ~~detectable quantity of pseudoephedrine, its salts or optical isomers, or salts~~
 19 ~~of optical isomers and is exempt from being reported to the statewide~~
 20 ~~electronic logging system for the sale of methamphetamine precursors; and~~
 21 ~~(18)(p)~~ other techniques and devices of preliminary care an
 22 emergency medical responder is trained to provide as approved by the
 23 board.

24 Sec. 8. K.S.A. 65-6149a is hereby amended to read as follows: 65-
 25 6149a. (a) (1) Any person who in good faith renders emergency care or
 26 treatment by the use of or provision of an automated external defibrillator
 27 shall not be held liable for any civil damages as a result of such care or
 28 treatment or as a result of any act or failure to act in providing or arranging
 29 further medical treatment where the person acts as an ordinary reasonably
 30 prudent person would have acted under the same or similar circumstances.

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

39 (3) No ~~person licensed to practice medicine and surgery~~ *physician*
 40 who, pursuant to a prescription order, authorizes the acquisition of an
 41 automated external defibrillator or participates in the development of usual
 42 and customary protocols for an automated external defibrillator by a
 43 person or entity ~~which that~~ owns, leases, possesses or otherwise controls

1 such automated external defibrillator and provides such automated
 2 external defibrillator for use by others shall be held liable for any civil
 3 damages as a result of such use.

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

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

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

- 23 (1) Which state owned or occupied facilities should have automated
- 24 external defibrillators readily available for use;
- 25 (2) recommendations for appropriate training courses in
- 26 cardiopulmonary resuscitation and automated external defibrillators use;
- 27 (3) integration with existing emergency response plans;
- 28 (4) proper maintenance and testing of the devices;
- 29 (5) coordination with appropriate professionals in the oversight of
- 30 training; and
- 31 (6) coordination with local emergency medical services regarding
- 32 placement and conditions of use.

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

35 Sec. 9. K.S.A. 65-6121 and 65-6149a and K.S.A. 2024 Supp. 65-
 36 6112, 65-6119, 65-6120, 65-6129a, 65-6135 and 65-6144 are hereby
 37 repealed.

38 Sec. 10. This act shall take effect and be in force from and after its
 39 publication in the statute book.