

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; ***permitting ambulance services in rural counties***
8 ***to operate with one emergency medical services provider***; requiring
9 entities placing automated external defibrillators for use within the state
10 to register with the emergency medical services board; amending
11 K.S.A. 65-6121 and 65-6149a and K.S.A. 2024 Supp. 65-6112, 65-
12 6119, 65-6120, 65-6129a, 65-6135 and 65-6144 and repealing the
13 existing sections.

14

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 (l) "Medical director" means a physician.

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

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

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

32 (p) "Nonemergency transportation" means the care and transport of a
33 sick or injured person under a foreseen combination of circumstances
34 calling for continuing care of such person. As used in this subsection,
35 "transportation" includes performance of the authorized level of services
36 of the emergency medical service provider whether within or outside the
37 vehicle as part of such transportation services.

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

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

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

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

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

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

7 (w) **"Public place" means the same as defined in K.S.A. 21-6109,**
8 **and amendments thereto.**

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

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

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

25 (a) Perform all the authorized activities identified in K.S.A. 65-6120,
26 65-6121, 65-6144, and amendments thereto; *and*

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

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

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

41 Sec. 3. K.S.A. 2024 Supp. 65-6120 is hereby amended to read as
42 follows: 65-6120. Notwithstanding any other provision of law *to the*
43 *contrary, after successfully completing an approved course of instruction,*

1 *local specialized device training and competency validation and when*
 2 *authorized by medical protocols or upon the order of a qualified*
 3 *healthcare provider; an advanced emergency medical technician may:*

4 (a) Perform any of the activities identified by K.S.A. 65-6121 *and*
 5 *65-6144, and amendments thereto; and*

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

16 (1) Advanced airway management;

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

20 (5)(3) initiation and maintenance of intravenous infusion or saline
 21 lock;

22 (6)(4) initiation *and maintenance* of intraosseous infusion;

23 (7) ~~nebulized therapy;~~

24 (8)(5) manual defibrillation;

25 (9)(6) cardiac monitoring;

26 (10)(7) electrocardiogram interpretation;

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

28 (12)(8) administration of medications ~~by methods as specified by~~
 29 ~~rules and regulations of~~, *as approved by the board by appropriate routes.*

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

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

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

1 physician assistant when authorized by a physician, an advanced practice
2 registered nurse when authorized by a physician or a professional nurse
3 when authorized by a physician, upon order of such person:

4 (1) Airway maintenance, including use of:

5 (A) Single lumen airways as approved by the board;

6 (B) multilumen airways;

7 (C) ventilator devices;

8 (D) non-invasive positive pressure ventilation;

9 (E) forceps removal of airway obstruction;

10 (F) CO2 monitoring; *and*

11 (G) airway suctioning;

12 (2) monitoring *a* urinary catheter;

13 (3) capillary blood sampling *for purposes other than blood glucose*
14 *monitoring*;

15 (4) administration of patient assisted medications as approved by the
16 board;

17 (5) administration of medications, as approved by the board by
18 appropriate routes;

19 (6) *monitoring a saline lock*;

20 (7) monitor, maintain or discontinue flow of IV line ~~if a physician~~
21 ~~approves transfer by an emergency medical technician~~;

22 (8) *monitoring of a nasogastric tube*; and

23 (7)(9) application of a traction splint.

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

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

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

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

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

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

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

- 37 ~~(1)~~(a) Emergency vehicle operations;
38 ~~(2)~~(b) initial scene management;
39 ~~(3)~~(c) patient assessment and stabilization;
40 ~~(4)~~(d) cardiac arrest management through the use of cardiopulmonary
41 resuscitation and the use of an automated external defibrillator;
42 ~~(5)~~(e) airway management and oxygen therapy;
43 ~~(6)~~(f) utilization of equipment for the purposes of acquiring~~—an~~ *and*

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

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

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

43 (3) ~~No person licensed to practice medicine and surgery physician~~

1 who, pursuant to a prescription order, authorizes the acquisition of an
2 automated external defibrillator or participates in the development of usual
3 and customary protocols for an automated external defibrillator by a
4 person or entity ~~which~~ *that* owns, leases, possesses or otherwise controls
5 such automated external defibrillator and provides such automated
6 external defibrillator for use by others shall be held liable for any civil
7 damages as a result of such use.

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

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

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

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

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

31 (3) integration with existing emergency response plans;

32 (4) proper maintenance and testing of the devices;

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

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

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

39 Sec. 9. K.S.A. 65-6121 and 65-6149a and K.S.A. 2024 Supp. 65-
40 6112, 65-6119, 65-6120, 65-6129a, 65-6135 and 65-6144 are hereby
41 repealed.

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