

REFERENCE TITLE: ambulances; emergency medical services

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1711

Introduced by
Senator Gowan

AN ACT

AMENDING SECTION 36-2201, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2022, CHAPTER 381, SECTION 1; AMENDING SECTION 36-2202, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2022, CHAPTER 381, SECTION 2; RELATING TO EMERGENCY MEDICAL SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-2201, Arizona Revised Statutes, as amended by
3 Laws 2022, chapter 381, section 1, is amended to read:

4 36-2201. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Administrative medical direction" means supervision of
7 emergency medical care technicians by a base hospital medical director,
8 administrative medical director or basic life support medical director.
9 For the purposes of this paragraph, "administrative medical director"
10 means a physician who is licensed pursuant to title 32, chapter 13 or 17
11 and who provides direction within the emergency medical services and
12 trauma system.

13 2. "Advanced emergency medical technician" means a person who has
14 been trained in an advanced emergency medical technician program certified
15 by the director or in an equivalent training program and who is certified
16 by the director to render services pursuant to section 36-2205.

17 3. "Advanced life support" means the level of assessment and care
18 identified in the scope of practice approved by the director for the
19 advanced emergency medical technician, emergency medical technician I-99
20 and paramedic.

21 4. "Advanced life support base hospital" means a health care
22 institution that offers general medical and surgical services, that is
23 certified by the director as an advanced life support base hospital and
24 that is affiliated by written agreement with a licensed ambulance service,
25 municipal rescue service, fire department, fire district or health
26 services district for medical direction, evaluation and control of
27 emergency medical care technicians.

28 5. "Ambulance":

29 (a) Means any publicly or privately owned surface, water or air
30 vehicle, including a helicopter, that contains a stretcher and necessary
31 medical equipment and supplies pursuant to section 36-2202 and that is
32 especially designed and constructed or modified and equipped to be used,
33 maintained or operated primarily to transport individuals who are sick,
34 injured or wounded or who require medical monitoring or aid.

35 (b) Does not include a surface vehicle that is owned and operated
36 by a private sole proprietor, partnership, private corporation or
37 municipal corporation for the emergency transportation and in-transit care
38 of its employees or a vehicle that is operated to accommodate an
39 incapacitated person or person with a disability who does not require
40 medical monitoring, care or treatment during transport and that is not
41 advertised as having medical equipment and supplies or ambulance
42 attendants.

1 6. "Ambulance attendant" means any of the following:

2 (a) An emergency medical technician, an advanced emergency medical
3 technician, an emergency medical technician I-99 or a paramedic whose
4 primary responsibility is the care of patients in an ambulance and who
5 meets the standards and criteria adopted pursuant to section 36-2204.

6 (b) An emergency medical responder who is employed by an ambulance
7 service operating under section 36-2202 and whose primary responsibility
8 is driving an ambulance.

9 (c) A physician who is licensed pursuant to title 32, chapter 13
10 or 17.

11 (d) A professional nurse who is licensed pursuant to title 32,
12 chapter 15 and who meets the state board of nursing criteria to care for
13 patients in the prehospital care system.

14 (e) A professional nurse who is licensed pursuant to title 32,
15 chapter 15 and whose primary responsibility is the care of patients in an
16 ambulance during an interfacility transport.

17 7. "Ambulance service" means a person who owns and operates one or
18 more ambulances.

19 8. "Basic life support" means the level of assessment and care
20 identified in the scope of practice approved by the director for the
21 emergency medical responder and emergency medical technician.

22 9. "Bureau" means the bureau of emergency medical services and
23 trauma system in the department.

24 10. "Centralized medical direction communications center" means a
25 facility that is housed within a hospital, medical center or trauma center
26 or a freestanding communication center that meets the following criteria:

27 (a) Has the ability to communicate with ambulance services and
28 emergency medical services providers rendering patient care outside of the
29 hospital setting via radio and telephone.

30 (b) Is staffed twenty-four hours a day seven days a week by at
31 least a physician licensed pursuant to title 32, chapter 13 or 17.

32 11. "Certificate of necessity" means a certificate that is issued to
33 an ambulance service by the department and that describes the following:

34 (a) The service area.

35 (b) The level of service.

36 (c) The type of service.

37 (d) The hours of operation.

38 (e) The effective date.

39 (f) The expiration date.

40 (g) The legal name and address of the ambulance service.

41 (h) The any limiting or special provisions the director prescribes.

42 12. "Council" means the emergency medical services council.

43 13. "Department" means the department of health services.

44 14. "Director" means the director of the department of health
45 services.

1 15. "Emergency medical care technician" means an individual who has
2 been certified by the department as an emergency medical technician, an
3 advanced emergency medical technician, an emergency medical technician
4 I-99 or a paramedic.

5 16. "Emergency medical responder" as an ambulance attendant, whose
6 primary responsibility is driving an ambulance, means a person who has
7 successfully completed training in an emergency medical responder program
8 that is certified by the director or IS APPROVED BY THE EMERGENCY MEDICAL
9 SERVICES PROVIDER'S ADMINISTRATIVE MEDICAL DIRECTOR ON FILE WITH THE
10 DEPARTMENT OR in an equivalent training program ~~or who is approved by the~~
11 ~~emergency medical services provider's administrative medical director on~~
12 ~~file with the department.~~

13 17. "Emergency medical responder program" means a program that
14 includes at least the following:

- 15 (a) Emergency vehicle driver training.
- 16 (b) Cardiopulmonary resuscitation certification.
- 17 (c) Automated external defibrillator training.
- 18 (d) Training in the use of noninvasive diagnostic devices,
19 including blood glucose monitors and pulse oximeters.
- 20 (e) Training on obtaining a patient's vital signs, including blood
21 pressure, pulse and respiratory rate.

22 18. "Emergency medical services" means those services required
23 following an accident or an emergency medical situation:

- 24 (a) For on-site emergency medical care.
- 25 (b) To transport the sick or injured by a licensed ground or air
26 ambulance.
- 27 (c) In using emergency communications media.
- 28 (d) In using emergency receiving facilities.
- 29 (e) In administering initial care and preliminary treatment
30 procedures by emergency medical care technicians.

31 19. "Emergency medical services provider" means any governmental
32 entity, quasi-governmental entity or corporation whether public or private
33 that renders emergency medical services in this state.

34 20. "Emergency medical technician" means a person who has been
35 trained in an emergency medical technician program certified by the
36 director or in an equivalent training program and who is certified by the
37 director as qualified to render services pursuant to section 36-2205.

38 21. "Emergency receiving facility" means a licensed health care
39 institution that offers emergency medical services, is staffed twenty-four
40 hours a day and has a physician on call.

41 22. "Fit and proper" means that the director determines that an
42 applicant for a certificate of necessity or a certificate holder has the
43 expertise, integrity, fiscal competence and resources to provide ambulance
44 service in the service area.

1 23. "Medical record" means any patient record, including clinical
2 records, prehospital care records, medical reports, laboratory reports and
3 statements, any file, film, record or report or oral statements relating
4 to diagnostic findings, treatment or outcome of patients, whether written,
5 electronic or recorded, and any information from which a patient or the
6 patient's family might be identified.

7 24. "National certification organization" means a national
8 organization that tests and certifies the ability of an emergency medical
9 care technician and whose tests are based on national education standards.

10 25. "National education standards" means the emergency medical
11 services education standards of the United States department of
12 transportation or other similar emergency medical services education
13 standards developed by that department or its successor agency.

14 26. "Paramedic" means a person who has been trained in a paramedic
15 program certified by the director or in an equivalent training program and
16 who is certified by the director to render services pursuant to section
17 36-2205.

18 27. "Physician" means any person licensed pursuant to title 32,
19 chapter 13 or 17.

20 28. "Stretcher van" means a vehicle that contains a stretcher and
21 that is operated to accommodate an incapacitated person or person with a
22 disability who does not require medical monitoring, aid, care or treatment
23 during transport.

24 29. "Suboperation station" means a physical facility or location at
25 which an ambulance service conducts operations for the dispatch of
26 ambulances and personnel and that may be staffed twenty-four hours a day
27 or less as determined by system use.

28 30. "Trauma center" means any acute care hospital that provides
29 in-house twenty-four-hour daily dedicated trauma surgical services that is
30 designated pursuant to section 36-2225.

31 31. "Trauma registry" means data collected by the department on
32 trauma patients and on the incidence, causes, severity, outcomes and
33 operation of a trauma system and its components.

34 32. "Trauma system" means an integrated and organized arrangement
35 of health care resources having the specific capability to perform triage,
36 transport and provide care.

37 33. "Validated testing procedure" means a testing procedure that
38 includes practical skills, or attests practical skills proficiency on a
39 form developed by the department by the educational training program,
40 identified pursuant to section 36-2204, paragraph 2, that is certified as
41 valid by an organization capable of determining testing procedure and
42 testing content validity and that is recommended by the medical direction
43 commission and the emergency medical services council before the
44 director's approval.

1 2. Successfully completing an emergency medical technician
2 challenge course approved by the department.

3 3. For emergency medical care technicians who are currently
4 certified at the emergency medical technician level by the department,
5 attesting on a form provided by the department that the applicant holds a
6 valid and current cardiopulmonary resuscitation certification, has and
7 will maintain documented proof of a minimum of twenty-four hours of
8 continuing medical education within the last two years consistent with
9 department rules and has functioned in the capacity of an emergency
10 medical technician for at least two hundred forty hours during the last
11 two years.

12 C. After consultation with the emergency medical services council,
13 the director may authorize pilot programs designed to improve the safety
14 and efficiency of ambulance inspections for governmental or
15 quasi-governmental entities that provide emergency medical services in
16 this state.

17 D. The rules, standards and criteria adopted by the director
18 pursuant to subsection A, paragraphs 2, 3, 4 and 5 of this section shall
19 be adopted in accordance with title 41, chapter 6, except that the
20 director may adopt on an emergency basis pursuant to section 41-1026 rules
21 relating to the regulation of ambulance services in this state necessary
22 to protect the public peace, health and safety in advance of adopting
23 rules, standards and criteria as otherwise provided by this subsection.

24 E. The director may waive the requirement for compliance with a
25 protocol adopted pursuant to section 36-2205 if the director determines
26 that the techniques, drug formularies or training makes the protocol
27 inconsistent with contemporary medical practices.

28 F. The director may suspend a protocol adopted pursuant to
29 section 36-2205 if the director does all of the following:

- 30 1. Determines that the rule is not in the public's best interest.
31 2. Initiates procedures pursuant to title 41, chapter 6 to repeal
32 the rule.

33 3. Notifies all interested parties in writing of the director's
34 action and the reasons for that action. Parties interested in receiving
35 notification shall submit a written request to the director.

36 G. To be eligible for appointment as the medical director of the
37 emergency medical services and trauma system, the person shall be
38 qualified in emergency medicine and shall be licensed as a physician in
39 one of the states of the United States.

40 H. Applicants for certification shall apply to the director for
41 certification. Emergency medical care technicians shall apply for
42 recertification to the director every two years. The director may extend
43 the expiration date of an emergency medical care technician's certificate
44 for thirty days. The department shall establish a fee for this extension
45 by rule. Emergency medical care technicians shall pass an examination

1 administered by the department as a condition for recertification only if
2 required to do so by the advanced life support base hospital's medical
3 director or the emergency medical care technician's medical director.

4 I. The medical director of the emergency medical services and
5 trauma system is exempt from title 41, chapter 4, articles 5 and 6 and is
6 entitled to receive compensation pursuant to section 38-611, subsection A.

7 J. The standards, criteria and procedures adopted by the director
8 pursuant to subsection A, paragraph 5 of this section shall require that
9 ambulance services:

10 1. Providing interfacility transportation ~~OR~~ IN ANY CERTIFICATE OF
11 NECESSITY AREA OF THIS STATE HAVE AT LEAST ONE AMBULANCE ATTENDANT AS
12 DEFINED IN SECTION 36-2201, PARAGRAPH 6, SUBDIVISION (a), (c), (d) OR (e)
13 AND ONE AMBULANCE ATTENDANT AS DEFINED IN SECTION 36-2201, PARAGRAPH 6,
14 SUBDIVISION (a) OR (b) STAFFING AN AMBULANCE WHILE TRANSPORTING A PATIENT.

15 2. Serving a rural or wilderness certificate of necessity area with
16 a population of less than ten thousand persons have at least one ambulance
17 attendant as defined in section 36-2201, paragraph 6, subdivision (a),
18 (c), (d) OR (e) and one ambulance attendant as defined in section 36-2201,
19 paragraph 6, subdivision (a) OR (b) staffing an ambulance while
20 transporting a patient. ~~and that ambulance services providing~~
21 ~~interfacility transportation or~~

22 3. Serving a population of ten thousand persons or more have at
23 least one ambulance attendant as defined in section 36-2201, paragraph 6,
24 subdivision (a) and one ambulance attendant as defined in section 36-2201,
25 paragraph 6, subdivision (a), (c), (d) or (e) staffing an ambulance while
26 transporting a patient.

27 K. If the department determines there is not a qualified
28 administrative medical director, the department shall ensure the provision
29 of administrative medical direction for an emergency medical technician if
30 the emergency medical technician meets all of the following criteria:

31 1. Is employed by a nonprofit or governmental provider employing
32 less than twelve full-time emergency medical technicians.

33 2. Stipulates to the inability to secure a physician who is willing
34 to provide administrative medical direction.

35 3. Stipulates that the provider agency does not provide
36 administrative medical direction for its employees.

37 Sec. 3. Effective date

38 This act is effective from and after December 31, 2023.