

CHAPTER 105**(HB 236)**

AN ACT relating to medical services.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 165A.310 is amended to read as follows:

As used in this chapter:

- (1) "Agent" means any person employed by a proprietary school to act as agent, solicitor, broker, or independent contractor to procure students for the school by solicitation of enrollment in any form made at any place other than the main office or principal place of business of the school;
- (2) "CDL" means a commercial driver's license as defined in KRS 281A.010;
- (3) "CDL driver training" means a course of study that complies with the provisions of KRS 332.095 governing the instruction of persons in the operation of commercial motor vehicles;
- (4) "CDL driver training school" means any person, firm, partnership, association, educational institution, establishment, agency, organization, or corporation, with the exception of an entry level driver training provider, that offers CDL driver training to persons desiring to obtain a Kentucky CDL in order to operate a commercial motor vehicle and for which a fee or tuition is charged;
- (5) "Commercial motor vehicle" has the same meaning as in KRS 281A.010;
- (6) "Commission" means the Kentucky Commission on Proprietary Education;
- (7) "Entry level driver training" means a federally mandated course of instruction for new CDL applicants as outlined in 49 C.F.R. secs. 380.600 to 380.609;
- (8) "Entry level driver training provider" means an entity that is certified by the Federal Motor Carrier Safety Administration as a training provider under 49 C.F.R. secs. 380.700 to 380.725 that is limited solely to providing entry level driver training;
- (9) "Formal complaint" means a written statement filed on a form specified by the commission in which the complainant alleges that a school has violated a Kentucky statute or administrative regulation and has negatively impacted the complainant, and resolution is requested by the commission;
- (10) "License" means authorization issued by the commission to operate or to contract to operate a proprietary school in Kentucky as described in this chapter and does not reflect accreditation, supervision, endorsement, or recommendation by the commission;
- (11) "Person" means an individual, corporation, business trust, estate, partnership, unincorporated association, two (2) or more of any of the foregoing having a joint or common interest, or any other legal or commercial entity;
- (12) "Proprietary school" or "school" means a privately owned educational institution, establishment, agency, organization, or person maintained on either a for-profit or not-for-profit basis, offering or administering a plan, course, or program of instruction in business, trade, technical, industrial, or related areas for which a fee or tuition is charged whether conducted in person, by mail, or by any other method, and does not include:
 - (a) A school or educational institution supported entirely or partly by taxation from either a local or state source;
 - (b) A parochial, denominational, or eleemosynary school or institution;
 - (c) A training program which offers instruction for payment by participants primarily in pursuit of a hobby, recreation, or entertainment, and does not result in the granting of postsecondary credits nor lead to an industry-recognized credential, academic certificate, or degree;
 - (d) A course or courses of instruction or study sponsored by an employer for the training and preparation of its own employees for the benefit of the employer and without charge to the employee;~~[-or-]~~
 - (e) A school or educational institution licensed or approved by or a course or courses of study or instruction sponsored by the Kentucky Board of Barbering established by KRS 317.430, the Kentucky Board of

Cosmetology established by KRS 317A.030, the Kentucky Board of Nursing established by KRS 314.121, the Kentucky Board of Embalmers and Funeral Directors established by KRS 316.170, or the Kentucky Council on Postsecondary Education established by KRS 164.011; *or*

(f) An emergency medical services training and education institute, as defined in Section 3 of this Act, unless the emergency medical services training and education institute elects to be governed as a proprietary school;

- (13) "Resident" means any person who has established Kentucky as his or her state of domicile. Proof of residency shall include but not be limited to a deed or property tax bill, utility agreement or utility bill, or rental housing agreement;
- (14) "School year" is beginning the first day of July and ending the thirtieth day of June next following, except when approval shall be suspended or canceled pursuant to KRS 165A.350; and
- (15) "Statement of quality assurance" means a statement required by the commission from a non-degree granting institution, in a form and manner determined by the commission, that attests to the institution meeting the minimum standards required for receiving and maintaining a license.

➔Section 2. KRS 165A.340 is amended to read as follows:

- (1) The Kentucky Commission on Proprietary Education is hereby created as an independent agency of the Commonwealth and shall be attached to the Education and Labor Cabinet for administrative purposes. The commission shall be composed of the following members:
- (a) Two (2) members who are representative of privately owned postsecondary educational institutions licensed by the commission and appointed by the Governor from a list of seven (7) names submitted by the Kentucky Association of Career Colleges and Schools;
 - (b) Two (2) members who are representative of privately owned postsecondary technical schools licensed by the commission and appointed by the Governor from a list of seven (7) names submitted by the Kentucky Association of Career Colleges and Schools;
 - (c) Four (4) members who are representative of the public at large with a background in education, business, or industry in Kentucky and appointed by the Governor;
 - (d) The secretary of the Education and Labor Cabinet, or the secretary's designee;
 - (e) The president of the Council on Postsecondary Education, or the president's designee; and
 - (f) The commissioner of education, or the commissioner's designee.
- (2) Terms of appointed members shall be four (4) years or until successors are duly appointed and qualified. A vacancy on the commission shall be filled for the remainder of the unexpired term in the same manner as the original appointment. An appointed member shall not serve more than two (2) consecutive full terms, except that a member may be reappointed after a break in service of one (1) full term.
- (3) The commission shall employ and fix the compensation of an executive director, who shall be its secretary and principal executive officer. The executive director shall have a background in the regulation of commerce, business, or education, and shall be responsible for:
- (a) Organizing and staffing meetings of the commission;
 - (b) Establishing policies to ensure retention of original licensing documentation;
 - (c) Ensuring that minutes and other financial, procedural, complaint, and operational records are securely maintained and archived;
 - (d) Internal and external correspondence and communication;
 - (e) Submitting reports and strategic agenda items for review and approval;
 - (f) Assisting the commission in the promulgation of administrative regulations;
 - (g) Carrying out policy and program directives of the commission;
 - (h) Preparing budget submissions;
 - (i) Ensuring that formal complaints are provided to the complaint committee and arranging for independent investigations as needed;

- (j) Ensuring that an independent audit of the commission's finances is conducted biennially;
 - (k) Ensuring that formal written agreements are executed for the procurement of administrative and legal services;
 - (l) Formalizing office policies and procedures relating to licensing and financial operations;
 - (m) Developing and implementing a process for monitoring expenditures and reconciling on a monthly basis commission and student protection fund receipts reported in the Enhanced Management Administrative Reporting System (EMARS); and
 - (n) Other activities necessary to ensure that the commission meets its designated duties and responsibilities.
- (4) The commission shall have full authority to employ and fix the compensation for any personnel, including counsel, as it may deem necessary to effectively administer and enforce the provisions of this chapter. The commission shall obtain office space, furniture, stationery, and any other proper supplies and conveniences reasonably necessary to carry out the provisions of this chapter.
- (5) The commission shall annually elect a chairperson. The chairperson shall not be a school representative appointed pursuant to subsection (1)(a) or (b) of this section.
- (6) (a) The commission shall promulgate administrative regulations in accordance with KRS Chapter 13A to establish:
- 1. Commission operating and accountability procedures;
 - 2. Requirements for each licensed institution to publicly disclose according to standardized protocols, both in print and Web-based materials, information about:
 - a. Any information that the schools are required to report by the federal Higher Education Opportunity Act, Pub. L. No. 110-315, using the Integrated Postsecondary Education Data System (IPEDS) of the National Center for Educational Statistics as a condition of participating in Title IV federal financial aid programs;
 - b. The job placement rate of program graduates in the field of study and the types of jobs for which graduates are eligible;
 - c. Articulation agreements with other postsecondary educational institutions and the rights and responsibilities of students regarding transfer of credits;
 - d. The complaint procedures available to students; and
 - e. The existence of the student protection fund created in KRS 165A.450, and procedures for students to file a claim, including but not limited to the documentation required for submission of a claim;
 - 3. Quality standards and compliance monitoring schedules of traditional programs, correspondence courses, and Web-based, distance learning courses offered over the Internet;
 - 4. Advertising requirements for schools issued a license, including no distribution of materials containing untrue, deceptive, or misleading statements and no representation that the commission is an accrediting agency for the school or its programs;
 - 5. A schedule for reviewing advertisements and recruitment materials and practices of member institutions to ensure compliance with this chapter;
 - 6. An equitable structure of licensure and renewal fees, to be paid by licensed schools, necessary to carry out the provisions and purposes of this chapter and to support adequate staffing of commission responsibilities. The fee structure shall be based on the gross revenue of licensed schools, number of students enrolled, and whether the school is located within the state or outside the state;~~and~~
 - 7. The method for calculating placement rates that are to be disclosed pursuant to this subsection; *and*
 - 8. *A process for an emergency medical services training and education institute as defined in Section 3 of this Act to elect to be governed as a proprietary school.*

- (b) The commission shall have the authority to promulgate other administrative regulations, in cooperation with the Kentucky Department of Education and the Council on Postsecondary Education, as it deems necessary for the proper administration of this chapter.
- (7) The commission shall hold meetings at least four (4) times a year and as frequently as it deems necessary at the times and places within this state as the commission may designate. The majority of the members shall constitute a quorum, and all meetings shall be conducted in accordance with the Open Meetings Act, KRS 61.805 to 61.850.
- (8) The commission may sue and be sued in its own name.
- (9) Commission members shall receive a per diem of one hundred dollars (\$100) for attendance at each commission meeting and may be reimbursed for ordinary travel and other expenses while engaged in the business of the commission.
- (10) The commission shall administer and enforce the provisions of this chapter pertaining to the conduct, operation, maintenance, and establishment of proprietary education institutions, and the activities of agents thereof when acting as such.
- (11) The commission shall have the power to subpoena witnesses and school records as it deems necessary.
- (12) The commission chairperson shall appoint a complaint committee and designate its chairperson. The chairperson of the complaint committee shall not be employed by, have ownership interest in, or be otherwise affiliated with a licensed institution. School representatives appointed pursuant to subsection (1)(a) or (b) of this section shall not constitute a majority of the committee's membership. A committee member shall not vote on a matter in which a conflict of interest exists. The committee shall review each formal complaint and, if evidence supports an alleged violation of this chapter or any administrative regulation promulgated thereunder, the committee shall:
 - (a) Authorize an investigative report;
 - (b) Participate in informal procedures to resolve complaints;
 - (c) Ensure timely correspondence to parties involved in complaints; and
 - (d) After review of all evidence and investigative reports, make recommendations for the disposition of complaints to the full commission.
- (13) No later than November 30, 2013, and annually thereafter, the commission shall provide a status report on the requirements of this section to the Interim Joint Committee on Licensing and Occupations and the Interim Joint Committee on Education. The report shall include a summary of the data, including school performance information, relating to the requirements of subsection (6)(a) of this section.

➔Section 3. KRS 311A.010 is amended to read as follows:

As used in this chapter, unless the context otherwise requires:

- (1) "Advanced emergency medical technician" or "AEMT" means a person certified by the board under this chapter as an advanced emergency medical technician;
- (2) "Advanced practice paramedic" or "APP" means a paramedic licensed by the board under this chapter as a paramedic and certified by the board under this chapter in at least one (1) emergency medical services subspecialty, including community paramedic, critical care paramedic, wilderness paramedic, tactical paramedic, or flight paramedic;
- (3) "Ambulance" means a vehicle which has been inspected and approved by the board, including a helicopter or fixed-wing aircraft, except vehicles or aircraft operated by the United States government, that are specially designed, constructed, or have been modified or equipped with the intent of using the same, for the purpose of transporting any individual who is sick, injured, or otherwise incapacitated who may require immediate stabilization or continued medical response and intervention during transit or upon arrival at the patient's destination to safeguard the patient's life or physical well-being;
- (4) "Ambulance provider" or "ambulance service" means any individual or private or public organization, except the United States government, who is licensed by the board to provide medical services that may include transport at either basic life support level or advanced life support level and who may have a vehicle or vehicles, including ground vehicles, helicopters, or fixed-wing aircraft, to provide such transportation;
- (5) "Board" means the Kentucky Board of Emergency Medical Services;

- (6) "Community paramedic" or "CP" means an advanced practice paramedic certified under this chapter as a CP;
- (7) "Emergency medical facility" means a hospital or any other institution licensed by the Cabinet for Health and Family Services that furnishes emergency medical services;
- (8) "Emergency medical responder" or "EMR" means a person certified under this chapter as an EMR or EMR instructor;
- (9) "Emergency medical services" or "EMS" means the services utilized in providing care for the perceived individual need for immediate medical care to protect against loss of life, or aggravation of physiological or psychological illness or injury;
- (10) "Emergency medical services educator" or "EMS educator" means a person who is certified and licensed by the board under this chapter as a Level I, II, or III EMS educator to provide emergency medical services education and training with the scope of practice established by the board through administrative regulations;
- (11) "Emergency Medical Services for Children Program" or "EMSC Program" means the program established under this chapter;
- (12) "Emergency medical services medical director" means a physician licensed in Kentucky and certified by the board under this chapter who is employed by, under contract to, or has volunteered to provide supervision for a paramedic or an ambulance service, or both;
- (13) "Emergency medical services personnel" means:
- (a) Persons trained to provide emergency medical services and certified or licensed by the board under this chapter as an AEMT, APP, EMR, EMR instructor, EMT, EMT instructor, paramedic, or paramedic instructor; and
 - (b) Authorized emergency medical services medical directors and mobile integrated healthcare program medical directors, whether on a paid or volunteer basis;
- (14) "Emergency medical services system" means a coordinated system of health-care delivery that responds to the needs of acutely sick and injured adults and children, and includes community education and prevention programs, mobile integrated healthcare programs, centralized access and emergency medical dispatch, communications networks, trained emergency medical services personnel, medical first response, ground and air ambulance services, trauma care systems, mass casualty management, medical direction, and quality control and system evaluation procedures;
- (15) "Emergency medical services training *and education institute*~~for educational institution~~" means any organization licensed by the board under this chapter *whose sole program of instruction is* to provide *an* emergency medical services training *program*~~for education or in-service training~~, other than a licensed ambulance service which provides training, or in-service training in-house for its own employees or volunteers;
- (16) *"Emergency medical services training program" means a program of instruction providing training or education for initial certification, advanced certification, in-service training, or continuing education of emergency medical services personnel, whether through an emergency medical services training and education institute or otherwise;*
- (17) "Emergency medical technician" or "EMT" means a person certified under this chapter as an EMT or EMT instructor;
- ~~(18)(17)~~ "Executive director" means the executive director of the Kentucky Board of Emergency Medical Services;
- ~~(19)(18)~~ "Mobile integrated healthcare" or "MIH" means a program licensed by the board under this chapter to provide services including evaluation, advice, and medical care for the purpose of preventing or improving a particular medical condition outside of a hospital setting to eligible patients who do not require or request emergency medical transportation;
- ~~(20)(19)~~ "Mobile integrated healthcare program medical director" or "MIH program medical director" means a physician licensed in Kentucky and certified by the board under this chapter who is employed by, under contract to, or has volunteered to provide supervision for a licensed MIH program;

- (21)~~(20)~~ "Paramedic" means a person who is involved in the delivery of medical services and is licensed under this chapter;
- (22)~~(21)~~ "Paramedic preceptor" means a licensed paramedic who supervises a paramedic student during the field portion of the student's training;
- (23)~~(22)~~ "Prehospital care" means the provision of emergency medical services, mobile integrated healthcare, or transportation by trained and certified or licensed emergency medical services personnel at the scene or while transporting sick or injured persons to a hospital or other emergency medical facility; and
- (24)~~(23)~~ "Trauma" means a single or multisystem life-threatening or limb-threatening injury requiring immediate medical or surgical intervention or treatment to prevent death or permanent disability.

➔Section 4. KRS 311A.020 is amended to read as follows:

- (1) The board shall:
- (a) Exercise all of the administrative functions of the state not regulated by the Board of Medical Licensure or Cabinet for Health and Family Services in the regulation of the emergency medical services system and the practice of emergency medical services, and emergency medical services training **and education institutes** ~~institutions~~, with the exception of employment of personnel as described in subsections (5) and (6) of this section;
 - (b) Issue any licenses or certifications authorized by this chapter;
 - (c) Oversee the operations and establish the organizational structure of the Office of the Kentucky Board of Emergency Medical Services, which is created and shall be attached to the board for administrative purposes. The office shall be headed by the executive director appointed under paragraph (d) of this subsection and shall be responsible for:
 1. Personnel and budget matters affecting the board;
 2. Fiscal activities of the board, including grant writing and disbursement of funds;
 3. Information technology, including the design and maintenance of databases;
 4. Certification and recertification of emergency medical responders;
 5. Certification and recertification of emergency medical technicians and advanced emergency medical technicians;
 6. Licensure and relicensure of ambulances, ambulance services, and mobile integrated healthcare programs;
 7. Licensure and relicensure of paramedics;
 8. Certification and recertification of advanced practice paramedics;
 9. Certification and recertification of EMS educators **and emergency medical services training programs**;
 10. **Licensure and relicensure of emergency medical services training and education institutes**;
 11. Investigation of and resolution of complaints and ethics issues pertaining to professional certifications and licenses;
 - 12.~~11~~ The resolution of complaints and ethics issues pertaining to ambulances, ambulance services, and mobile integrated healthcare programs; and
 - 13.~~12~~ Other responsibilities that may be assigned to the executive director by the board;
 - (d) Employ an executive director and deputy executive director and fix the compensation. The executive director and deputy executive director shall serve at the pleasure of the board, administer the day-to-day operations of the Office of the Kentucky Board of Emergency Medical Services, and supervise all directives of the board. The director and deputy executive director shall possess a baccalaureate degree and shall have no less than five (5) years of experience in public administration or in the administration of an emergency medical services program;

- (e) Employ or contract with a physician licensed in Kentucky who is board certified in emergency medicine and fix the compensation. The physician shall serve at the pleasure of the board and as the medical advisor to the Kentucky Board of Emergency Medical Services and the staff of the board;
 - (f) Employ or contract with an attorney licensed to practice law in Kentucky and fix the compensation. The attorney shall serve at the pleasure of the board and have primary assignment to the board. The board and the attorney shall implement and oversee the regulatory process;
 - (g) Employ personnel sufficient to carry out the statutory responsibilities of the board in accordance with the following:
 - 1. Personnel assigned to investigate an emergency medical responder program complaint or regulate the emergency medical responder programs shall be certified emergency medical responders, emergency medical technicians, advanced emergency medical technicians, or licensed paramedics;
 - 2. Personnel assigned to investigate an emergency medical technician program complaint or regulate the emergency medical technician program shall be certified emergency medical technicians, advanced emergency medical technicians, or paramedics;
 - 3. Personnel assigned to investigate an advanced emergency medical technician program complaint or regulate the advanced emergency medical technician program shall be certified advanced emergency medical technicians or paramedics;
 - 4. Personnel assigned to investigate a paramedic program complaint or regulate the paramedic program shall be licensed paramedics;
 - 5. A person who is employed by the board who is licensed or certified by the board shall retain his or her license or certification if he or she meets the in-service training requirements and pays the fees specified by administrative regulation;
 - 6. A person who is employed by the board may instruct in emergency medical subjects in which he or she is qualified, with the permission of the board. All instruction shall be rendered without remuneration other than his or her state salary and the employee shall be considered as on state duty when teaching; and
 - 7. A person who is employed by the board may render services for which the person is qualified at a declared disaster or emergency or in a situation where trained personnel are not available until those personnel arrive to take over the patient, or where insufficient trained personnel are available to handle a specific emergency medical incident. All aid shall be rendered without remuneration other than the employee's state salary and the employee shall be considered as on state duty when rendering aid. In cases specified in this paragraph, the state medical advisor shall serve as the emergency medical services medical director for the employee;
 - (h) Establish committees and subcommittees and the membership thereof. Members of committees and subcommittees do not need to be members of the board but shall reflect the qualifications of the board members;
 - (i) Enter into contracts, apply for grants and federal funds, and disburse funds to local units of government as approved by the General Assembly. All funds received by the board shall be placed in a trust and agency account in the State Treasury subject to expenditure by the board;
 - (j) Administer the Emergency Medical Services for Children Program; and
 - (k) Establish minimum curriculum and standards for emergency medical services training.
- (2) The board may utilize materials, services, or facilities as may be made available to it by other state agencies or may contract for materials, services, or facilities.
 - (3) The board may delegate to the executive director, by written order, any function specified in this chapter other than promulgation of an administrative regulation.
 - (4) Except for securing funding for trauma centers, the board shall not serve as the lead agency relating to the development or regulation of trauma systems, but shall be a partner with other state agencies in the development, implementation, and oversight of such systems.

(5) The chair of the board shall appoint a personnel committee. The personnel committee shall conduct an annual job performance review of the executive director, the medical advisor, and the board attorney that conforms with the state personnel standards and includes a recommendation for or against continued employment to be presented to the board.

(6) The board shall develop a proposed biennial budget for all administrative and operational functions and duties.

➔Section 5. KRS 311A.030 is amended to read as follows:

(1) The board shall promulgate administrative regulations in accordance with KRS Chapter 13A to carry out the functions of this chapter, including but not limited to:

(a) Classifying, licensing, inspecting, and regulating ambulance services, mobile integrated healthcare programs, and medical first response providers;

(b) ***Certifying and recertifying EMS educators and emergency medical services training programs***; and

(c) ~~(b)~~ Licensing, inspecting, and regulating emergency medical services training ***and education institutes*** ~~institutes~~ ~~institutions~~.

(2) The licensure standards for ground ambulance providers shall distinguish between an ambulance service that provides only emergency transportation, only scheduled ambulance transportation, or both types of transportation.

(3) (a) The board shall not require an ambulance service to apply for licensure within a specified time period following the issuance of a certificate of need by the Cabinet for Health and Family Services.

(b) The board may promulgate an administrative regulation in accordance with KRS Chapter 13A to require an ambulance service to submit application progress reports on a six (6) month or annual basis following the issuance of a certificate of need by the Cabinet for Health and Family Services until the licensure application is submitted.

(c) An ambulance service that was issued a certificate of need on or after July 14, 2022, shall be eligible to apply for licensure from the board without obtaining a new certificate of need from the Cabinet for Health and Family Services.

(4) ***The licensure standards for emergency medical services training and education institutes shall:***

(a) ***Require reasonable measures to protect consumers against:***

1. ***Instances of insolvency or other inability to permit consumers to complete the required training or education at the emergency medical services training and education institute; and***

2. ***The loss of educational records upon the closure of an emergency medical services training and education institute; and***

(b) ***Include measures and standards to ensure accountability of the emergency medical services training and education institute to the board and to its consumers.***

➔Section 6. KRS 311A.015 is amended to read as follows:

(1) There is hereby created an independent agency of the state government to be known as the Kentucky Board of Emergency Medical Services.

(2) The board shall consist of the following members, who shall be residents of Kentucky:

(a) One (1) physician licensed in Kentucky who serves as the medical director for an ambulance provider and is board-certified in emergency medicine appointed by the Governor from a list of three (3) physicians submitted by the Kentucky Medical Association or the Kentucky Chapter of the American College of Emergency Physicians;

(b) One (1) physician licensed in Kentucky who is routinely involved in the emergency care of ill or injured children appointed by the Governor from a list of three (3) physicians submitted by the Kentucky Medical Association or the Kentucky Chapter of the American College of Emergency Physicians;

(c) One (1) local government representative appointed by the Governor from a list of three (3) individuals submitted by the Kentucky League of Cities;

(d) One (1) local government representative appointed by the Governor from a list of three (3) individuals submitted by the Kentucky Association of Counties;

- (e) One (1) licensed or certified emergency medical services field provider who is primarily employed by a hospital-based health care facility appointed by the Governor from a list of three (3) individuals submitted by the Kentucky Hospital Association;
 - (f) One (1) licensed or certified emergency medical services field provider appointed by the Governor from a list of three (3) individuals submitted by the Kentucky Ambulance Providers Association;
 - (g) One (1) licensed or certified emergency medical services field provider appointed by the Governor from a list of three (3) individuals submitted by the Kentucky Professional Fire Fighters;
 - (h) One (1) licensed or certified emergency medical services field provider appointed by the Governor from a list of three (3) individuals submitted by the Kentucky Association of Fire Chiefs;
 - (i) One (1) licensed or certified emergency medical services educator appointed by the Governor;
 - (j) One (1) licensed or certified emergency medical services field provider appointed by the Governor from a list of three (3) air medical transportation providers based in Kentucky submitted by the Kentucky Chapter of the Association of Air Medical Services;
 - (k) One (1) hospital administrator appointed by the Governor from a list of three (3) individuals submitted by the Kentucky Hospital Association;
 - (l) One (1) citizen at large appointed by the Governor who is not associated with or financially interested in the delivery of medical or emergency services; and
 - (m) The secretary of the Cabinet for Health and Family Services or his or her designee.
- (3) Members shall serve for a term of four (4) years, may be reappointed, and shall serve no more than two (2) consecutive terms. A member appointed to a partial term vacancy exceeding two (2) years shall be deemed to have served a full term. A former member may be reappointed following an absence of at least one (1) term.
- (4) The board shall:
- (a) Meet at least six (6) times a year; and
 - (b) At the first meeting of the board after September 1 of each year, elect a chair and vice chair by majority vote of the members present and set a schedule of six (6) regular meetings for the next twelve (12) month period.
- (5) The board shall adopt a quorum and rules of procedure by administrative regulation.
- (6)
- (a) A member of the board who misses three (3) regular meetings in a twelve (12) month period shall be deemed to have resigned from the board and his or her position shall be deemed vacant.
 - (b) The failure of a board member to attend a special or emergency meeting shall not result in any penalty.
 - (c) The Governor shall appoint a person with the same professional qualifications to fill the vacancy within ninety (90) days.
 - (d) The person removed under this subsection shall not be reappointed to the board for at least ten (10) years.
- (7) Members of the board shall be entitled to reimbursement for actual and necessary expenses when carrying out official duties of the board in accordance with state administrative regulations relating to travel reimbursement.
- (8) The board shall submit a report to the General Assembly by September 1 of each year. The report shall include but not be limited to:
- (a) A detailed list of income and expenses of the board;
 - (b) A detailed summary of data collected on the number of complaints against individuals certified or licensed by the board, **EMS educators or emergency medical services training programs certified by the board**, and emergency medical services training **and education institutes** ~~institutions~~ approved by the board, and the disposition of those complaints;
 - (c) An accounting of all new administrative regulations and amendments to administrative regulations promulgated by the board; and

(d) Recommendations for changes in administrative regulations, board policies, and statutes.

➔ Section 7. KRS 311A.024 is amended to read as follows:

- (1) There is hereby established an Emergency Medical Services Education Grant Program overseen by the board to increase the number of persons seeking paramedic initial certification, provide more facilities for certification, and encourage persons to be employed by Class I ground ambulance providers located in Kentucky. The program shall consist of three (3) components:
 - (a) Student tuition support;
 - (b) Agency support; and
 - (c) Emergency medical services training *program*~~[or educational institution]~~ support.
- (2) The student tuition support component shall be used for the training and education of individuals seeking initial paramedic certification under this chapter who are employed by a Class I ground ambulance provider. The tuition support shall be paid periodically to the emergency medical services training *and*~~[or]~~ education *institute or other operator of an emergency medical services training program*~~[institution]~~ in which the person is enrolled seeking paramedic certification. The board shall, at a minimum, promulgate administrative regulations on the following aspects of this component:
 - (a) Time limits for the individual seeking initial paramedic certification to complete certification and begin or continue service with a Class I ground ambulance provider;
 - (b) Minimum service length requirements that may be imposed by the board, by contract, or both, on the individual seeking initial paramedic certification;
 - (c) Uses of the funds, including but not limited to a prohibition against spending funds on prerequisite courses not included in the core course content of the paramedic certification program;
 - (d) Providing priority consideration for geographic areas that are underserved in terms of paramedic coverage, including those with lower populations and higher emergency medical response times, and for agencies that do not meet national standards of minimum staffing levels or response times for the dispatch of emergency medical care; and
 - (e) Any other aspect necessary to implement the student tuition support component.
- (3) The agency support component shall be used to reimburse Class I ground ambulance providers the wages paid to an employee while the employee seeks initial paramedic certification. The board shall, at a minimum, promulgate administrative regulations on the following aspects of this component:
 - (a) Maximum reimbursement for each employee of a Class I ground ambulance provider seeking initial paramedic certification;
 - (b) Maximum number of employees eligible for wage reimbursement within each Class I ground ambulance provider; and
 - (c) Any other aspect necessary to implement the agency support component.
- (4) The emergency medical services training *program*~~[or educational institution]~~ support component shall be used to provide funding to existing and start-up emergency medical service training *programs*~~[and educational institutes]~~ that are certified or seeking certification by the board and that offer or will offer initial education courses for emergency medical technician, advanced emergency medical technician, and paramedic programs. The board shall, at a minimum, promulgate administrative regulations on the following aspects of this component:
 - (a) Grant ceilings per applicant;
 - (b) Applicant qualification priorities, including but not limited to those that are nonprofit entities operating under KRS Chapter 273 and those that are serving or plan to serve areas in need of improved emergency medical service coverage;
 - (c) Time limits for commencing the classes or programs for which the grant was sought;
 - (d) 1. Eligible costs, which shall include but not be limited to:
 - a. Computer and computer-related equipment and software;

- b. Medical and training equipment, such as cardiac monitors, defibrillators, mannequins, and other medical equipment, personal protective gear, and durable emergency medical and trauma education simulation equipment;
 - c. Personnel costs used in directly delivering the education program; and
 - d. Services used in operating the program; and
2. Ineligible costs, which shall include but not be limited to:
- a. Real property purchases or improvements;
 - b. Building construction, renovation, or maintenance;
 - c. Personnel costs not directly related to delivering the education program, such as that related to educator training, including travel and meals, and perquisites that are part of a compensation package;
 - d. Lobbying; and
 - e. Uniforms and clothing; and
- (e) Any other aspect necessary to implement the emergency medical services training *program*~~for educational institution~~ support component.
- (5) (a) There is established in the State Treasury a trust and agency account to be known as the emergency medical services education grant fund.
- (b) The fund shall be administered by the Kentucky Board of Emergency Medical Services.
- (c) The fund shall consist of state appropriations, contributions, donations, and gifts.
- (d) Amounts deposited in the fund shall be used for the purposes outlined under this section.
- (e) Notwithstanding KRS 45.229, fund amounts not expended at the close of a fiscal year shall not lapse but shall remain in the fund.
- (f) Moneys deposited in the fund are hereby appropriated for the purposes set forth in this section.
- (6) The board shall administer the Emergency Medical Services Education Grant Program. The board may cease any or all components of the program once the desired goals have been achieved in the judgement of the board. The board shall provide staffing for the program and may use moneys in the emergency medical services education grant fund to do so. Staffing and administrative costs shall not exceed five percent (5%) of the fund amount. The board may promulgate any administrative regulations necessary, in addition to those listed in subsections (2) to (4) of this section, for its implementation and operation.

➔Section 8. KRS 311A.025 is amended to read as follows:

- (1) The board shall, subject to the provisions of this chapter, create levels of certification or licensure, as appropriate for providing services under this chapter. These may consist of but not be limited to:
- (a) Emergency medical services educator, Level I, II, and III;
 - (b) Emergency medical responder;
 - (c) Emergency medical technician and advanced emergency medical technician;
 - (d) Paramedic, advanced practice paramedic, and paramedic preceptor;
 - (e) Emergency medical services medical director who supervises a person or organization licensed or certified by the board;
 - (f) Mobile integrated healthcare program medical director who supervises an MIH program licensed by the board;
 - (g) Emergency medical services training *program*~~institution~~;
 - (h) Emergency medical services testing agency;
 - (i) Ground ambulance service, including categories thereof;

- (j) Air ambulance service;
 - (k) Medical first response provider;
 - (l) Emergency medical dispatcher, emergency medical dispatch instructor, and emergency medical dispatch instructor trainer;
 - (m) Emergency medical dispatch center or public safety answering point;
 - (n) ***Emergency medical services training and education institute***; and
 - (o)~~(n)~~ Any other entity authorized by this chapter.
- (2) The board shall promulgate administrative regulations in accordance with KRS Chapter 13A for any certification or license the board may create. The administrative regulations shall, at a minimum, address:
- (a) Requirements for students, if appropriate;
 - (b) Requirements for training;
 - (c) Eligibility for certification or licensure; and
 - (d) Renewal, recertification, and relicensure requirements.
- (3) The board may authorize a physician licensed to practice in Kentucky to serve as an emergency medical services medical director if that physician meets the requirements specified by the board by administrative regulation.
- (4) A hospital that owns an ambulance service that is exempt from certificate of need pursuant to KRS 216B.020(7) may provide transport services from another health facility to its hospital if authorized by the ambulance service provider with jurisdiction in the territory in which the other health facility is located.

➔Section 9. KRS 164.945 is amended to read as follows:

As used in KRS 164.945 to 164.947, unless the context otherwise requires:

- (1) (a) "College" means any educational facility or institution maintained or conducted by any person, association, partnership, corporation, or trust and operating as an institute, junior college, college, university, or entity of whatever kind which awards a degree, diploma, or other statement of recognition purporting to indicate a level of collegiate attainment beyond secondary school graduation. This definition includes private colleges located in Kentucky, private colleges located outside of Kentucky but which operate in Kentucky, and public colleges located outside of Kentucky but which operate in Kentucky.
- (b) The term "college" does not include:
- 1. State-supported colleges and universities authorized by KRS 164.100, 164.290, 164.580, and 164.810;~~;~~
 - 2. ***Emergency medical services training and education institutes under the authority of the Kentucky Board of Emergency Medical Services pursuant to Section 4 of this Act; or***
 - 3. ~~nor does it include~~ Colleges licensed or approved for establishment and operation under the statutory authority given to the Kentucky Board of Barbering under KRS 317.430, the Kentucky Board of Cosmetology under KRS 317A.030, the Kentucky Commission on Proprietary Education under KRS 165A.340, or the State Board of Nursing under KRS 314.121;~~;~~
- (2) "Degree" means any academic or honorary title of designation, mark, appellation, series of letters, numbers or words, such as, but not limited to, associate, bachelors, masters, doctorate, or fellow, which signifies, purports, or is generally taken to signify satisfactory completion of the requirements of an academic, educational, or professional program of study beyond the secondary school level; ~~and~~
- (3) "Diploma" means a certificate, transcript, report, document, or title of designation, mark, appellation, series of letters, numbers, or words which signifies, purports, or is generally taken to signify attendance, progress, or achievement in an academic program.

➔Section 10. KRS 311A.070 is amended to read as follows:

- (1) When a complaint is filed against an ambulance service, emergency medical services provider, or an emergency medical services ***training program***~~educational institution~~ or an employee or volunteer thereof, or

when the office of the board is contemplating action against an ambulance service, emergency medical services provider, or emergency medical services *training program*~~educational institution~~ or an employee or volunteer thereof, written notice of the complaint or proposed action shall be sent to:

- (a) The county judge/executive, in the event of a county-operated ambulance service, emergency medical services provider, or *training program*~~educational institution~~;
 - (b) The mayor, in the event of a city-operated ambulance service, emergency medical services provider, or *training program*~~educational institution~~;
 - (c) The mayor, in the event of an urban-county government-operated ambulance service, emergency medical services provider, or *training program*~~educational institution~~;
 - (d) The chairman of the fire protection district, in the event of a fire district-operated ambulance service, emergency medical services provider, or *training program*~~educational institution~~;
 - (e) The head of the public agency, in the event of an ambulance service, emergency medical services provider, or *training program*~~educational institution~~ operated by a public agency other than specified in paragraphs (a) to (d) of this subsection;
 - (f) The president, chancellor, or other officer in charge of an educational institution operated, in the event of an ambulance service or *training program*~~educational institution~~;
 - (g) The chief operating officer or president of a nonprofit corporation, corporation for profit, limited liability company, or other business entity, in the event of an ambulance service, emergency medical services provider, or *training program*~~educational institution~~ operated by the business entity; and
 - (h) Both the ambulance service, emergency medical services provider, or *training program*~~educational institution~~ officials specified in this subsection and the officials of any public agency contracting for services.
- (2) The notice specified in this section shall be in addition to any notice provided to any other person or organization.

➔Section 11. KRS 311A.130 is amended to read as follows:

- (1) The conduct of proper in-service training, including but not limited to in-house in-service training, in accordance with the standards specified by this chapter, administrative regulations, and the standards of relevant United States Department of Transportation curricula shall be that of the provider of the in-service training.
- (2) If in-service training is conducted by an ambulance service, emergency medical services provider, or *emergency medical services training program*~~educational institution~~, the organization, the instructor, and its medical director share responsibility for the provision of training which meets or exceeds the requirements of subsection (1) of this section.
- (3) Persons and organizations providing in-service training for any emergency medical services personnel shall keep the records required by the board by administrative regulation and shall make them available to a representative of the board upon request.
- (4) Failure to keep a record required by the board by administrative regulation or required to be kept by statute, falsifying a record, or grossly negligently maintaining a record required to be kept by administrative regulation or statute shall be subject to action by the office of the board.
- (5) Providing in-service training not meeting or exceeding the requirements specified in subsections (1) and (2) of this section shall be subject to action of the office of the board.
- (6) Penalties specified in this section shall be in addition to any action which the board may be permitted to take against the license or certification of any person or organization.
- (7) The board may refuse to recognize any in-service training not conducted in accordance with the provisions of this chapter, United States Department of Transportation curricula, or administrative regulations promulgated pursuant to this chapter. If the board determines that in-service training will not be accepted, the denial of credit shall be extended to all persons who completed that specific in-service training.

➔Section 12. KRS 216B.061 is amended to read as follows:

- (1) Unless otherwise provided in this chapter, no person shall do any of the following without first obtaining a certificate of need:
 - (a) Establish a health facility;
 - (b) Obligate a capital expenditure which exceeds the capital expenditure minimum;
 - (c) Make a substantial change in the bed capacity of a health facility;
 - (d) Make a substantial change in a health service;
 - (e) Make a substantial change in a project;
 - (f) Acquire major medical equipment;
 - (g) **Increase**~~Alter~~ a geographical area or alter a specific location which has been designated on a certificate of need or license;
 - (h) Transfer an approved certificate of need for the establishment of a new health facility or the replacement of a licensed facility.
- (2) No person shall separate portions of a single project into components in order to evade any expenditure minimum set forth in this chapter. For purposes of this chapter, the acquisition of one (1) or more items of functionally related diagnostic or therapeutic equipment shall be considered as one (1) project.
- (3) No person shall have ex parte contact with the final-decision-making authority engaged in certificate of need activities regarding a certificate-of-need application from the commencement of the review cycle to the final decision. If an ex parte contact occurs, it shall be promptly made a part of the record.
- (4) No person shall obligate a capital expenditure in excess of the amount authorized by an existing certificate of need unless the person has received an administrative escalation from the cabinet as prescribed by regulation.
- (5) No person shall proceed to obligate a capital expenditure under an approved certificate of need if there has been a substantial change in the project.
- (6) A certificate of need shall be issued for a specific location and, when applicable, for a designated geographical area.
- (7) No person shall establish an ambulatory surgical center as defined in KRS 216B.015 without obtaining a certificate of need. An ambulatory surgical center shall require a certificate of need and license, notwithstanding any exemption contained in KRS 216B.020.
- (8) Nothing in this chapter shall be interpreted to require any ambulatory surgical center licensed as of July 12, 2012, to obtain a certificate of need to continue operations and exercise all of the rights of a licensed health care facility, regardless of whether it obtained a certificate of need before being licensed.

➔Section 13. The Legislative Research Commission shall establish the Chapter 75 Fire District and Chapter 108 Emergency Ambulance Service District Task Force to study jurisdictional issues in terms of service provision and taxing issues that exist relative to fire and ambulance services provided by districts operating under KRS Chapter 75 and emergency ambulance services provided by districts under KRS Chapter 108 when those districts' territories overlap.

➔Section 14. The Chapter 75 Fire District and Chapter 108 Emergency Ambulance Service District Task Force established in Section 13 of this Act shall be composed as follows, with final membership of the task force subject to the consideration and approval by the Legislative Research Commission:

(1) (a) Five members of the House of Representatives, four of whom shall be appointed by the Speaker of the House of Representatives and one of whom shall be appointed by the Minority Floor Leader of the House of Representatives. One of the five members shall be designated by the Speaker of the House of Representatives as a co-chair of the task force;

(b) Five members of the Senate, four of whom shall be appointed by the President of the Senate and one of whom shall be appointed by the Minority Floor Leader of the Senate. One of the five members shall be designated by the President of the Senate as a co-chair of the task force;

(c) Three chairs of a KRS Chapter 108 emergency ambulance service district board, or their designees, of which at least two of the chairs, or their designees, are from counties where territory of the KRS Chapter 108 emergency ambulance service district has territory that is also served by a fire district operating under KRS Chapter 75 and providing ambulance service, appointed by the Legislative Research Commission from a list of at least six

chairs of a KRS Chapter 108 emergency ambulance service district board nominated by the Kentucky Association of Counties;

(d) One fire chief, or the fire chief's designee, from a fire district operating under KRS Chapter 75 appointed by the Legislative Research Commission from a list of three fire chiefs nominated by the Kentucky Firefighter's Association;

(e) One fire chief, or the fire chief's designee, from a fire district operating under KRS Chapter 75 appointed by the Legislative Research Commission from a list of three fire chiefs nominated by the Kentucky Association of Fire Chiefs; and

(f) One fire chief, or the fire chief's designee, from a fire district operating under KRS Chapter 75 appointed by the Legislative Research Commission from a list of three fire chiefs nominated by the Kentucky Professional Fire Fighters; and

(2) At least two of the fire chiefs, or the fire chief's designees, selected under subsection (1)(d) to (f) of this section shall be from fire districts operating under KRS Chapter 75 whose territories include territory of an emergency ambulance service district operating under KRS Chapter 108.

➔Section 15. The Chapter 75 Fire District and Chapter 108 Emergency Ambulance Service District Task Force established in Section 13 of this Act shall meet monthly during the 2026 Interim of the General Assembly. The task force shall submit any findings and recommendations to the Legislative Research Commission for referral to the appropriate committee or committees by December 1, 2026.

➔Section 16. The following KRS section is repealed:

311A.120 Educational course and continuing education -- Administrative regulations.

Signed by Governor April 13, 2026.