

**KENTUCKY BOARD OF EMERGENCY MEDICAL SERVICES
(Amendment)**

202 KAR 7:030. Fees of the board.

RELATES TO: KRS 311A.145

STATUTORY AUTHORITY: KRS 311A.145

NECESSITY, FUNCTION, AND CONFORMITY: KRS 311A.145 authorizes the board to promulgate administrative regulations establishing a reasonable schedule of fees for examinations, licensure, certification, inspections, applications, and other provided services and materials. This administrative regulation establishes those fees.

Section 1. Definitions. As used in this administrative regulation, the following terms have the following meanings:

(1) "Critical violation" means an inspection deficiency listed in the current Agency License & Vehicle Inspection Critical Violation List.

(2) "Non-critical violation" means any inspection deficiency that is not a critical violation as defined by subsection (1) of this section. [The skills evaluation fee shall be fifty (50) dollars. This fee shall be required of students from all disciplines.]

Section 2. EMS-TEI.

(1) EMS-TEI Initial Application fee shall be \$500. ~~[This fee includes the licensing fee for the initial five (5) year period.]~~

(2) EMS-TEI Renewal licensing of all levels shall be ~~\$250~~ \$500 which shall be valid for subsequent ~~five (5) year periods~~.

(3) In addition to the licensing fee, an EMS-TEI shall remit an additional fee for each course taught which has the potential to lead to state or national certification or licensure as follows:

(a) Emergency Medical ~~[First -]Responder~~ ~~[or First Responder]~~ - ~~\$100~~ Fifty (50) dollars;

(b) Emergency Medical Technician ~~[or EMT Basic]~~ - ~~\$150~~ Seventy (75) dollars;

(c) Advanced Emergency Medical Technician ~~[Advanced]~~ - ~~\$200~~ \$150; and

(d) Paramedic- ~~\$300~~ \$200.

~~[Section 3.] [Issuance of Certificates and Licenses.]~~

~~[(1)] [The certificate or license or EMS instructor application fee shall be ten (10) dollars.]~~

~~[(2)] [First responder initial certification fee shall be fifteen (15) dollars.]~~

~~[(3)] [EMT initial certification fee shall be thirty (30) dollars.]~~

~~[(4)] [Advanced EMT initial certification fee shall be fifty (50) dollars.]~~

~~[(5)] [Paramedic initial licensure fee shall be sixty-five (65) dollars.]~~

~~[(6)] [Level I or II EMS instructor initial certification fee shall be eighty-five (85) dollars.]~~

~~[(7)] [Level III EMS instructor initial certification fee shall be eighty-five (85) dollars.]~~

Section 3. ~~[Section 4.]~~ Certification and License Renewal. ~~[Recertification and Relicensure.]~~

(1) EMR certification renewal ~~[First responder recertification]~~ fee shall be fifteen (15) dollars.

(2) EMT certification renewal ~~[recertification]~~ fee shall be twenty-five (25) dollars.

(3) AEMT certification renewal ~~[Advanced EMT recertification]~~ fee shall be forty (40) dollars.

(4) Paramedic license renewal ~~[relicensure]~~ fee shall be fifty (50) dollars. A paramedic shall not be required to pay the fee established in subsection (2) of this section.

(5) Advanced practice paramedic certification renewal fee shall be ten (10) dollars for each specialty certification.

(6) ~~{(5)}~~ EMS Educator certification renewal ~~{Level III EMS instructor recertification}~~ fee shall be sixty (60)~~{ninety (90)}~~ dollars. An EMS Educator shall not be required to pay the fees established in subsections (1) through (4) of this section.

~~{(6)} {Level I and II EMS instructors recertification fee shall be seventy (70) dollars.}~~

~~{(7)} {The recertification fee for an individual recertifying as a Level I, II, and III EMS Instructor shall be \$135.}~~

Section 4. Certification and License Reciprocity and Reinstatement.

(1) The fee for a reciprocal certification or license shall be \$100. A paramedic seeking reciprocity as an Advanced Practice Paramedic shall only be required to pay the \$100 fee for a reciprocal paramedic license. A reciprocity fee for an Advanced Practice Paramedic license or certification shall not be required.

(2) The fee to reinstate a certification or license shall be \$100.

~~{Section 5.} {Application for reciprocity or for a temporary certificate for all levels shall include a fee of \$125. This fee shall be in addition to the application fee and initial certification fee for each level.}~~

Section 5. ~~{Section 6.}~~ Ground Ambulance Service Licensing and License Renewal~~{Relicensing}~~.

(1) Initial prelicense fee, to establish compliance with 202 KAR 7:501 shall be \$3,000~~{\$2,500}~~.

(2) Transfer of license fee shall be \$3,000~~{\$1,500 dollars}~~.

~~{(3)} {Additional units requiring inspection in excess of the five (5) units noted in subsection (4) of this section, and which are located at the same location shall be inspected for a fee of thirty (30) dollars each.}~~

(3) ~~{(4)}~~ License renewal ~~{Relicensure}~~ fee ~~{for up to, and including, the inspection of five (5) licensed units}~~ shall be \$500.

(4) Inspection fee shall be fifty (50) dollars for each ambulance.

(5) Each ~~{Reinspection required as the result of a}~~ cited deficiency shall be a fee of \$100 per non-critical violation and \$500 per critical violation.~~{\$100 per cited deficiency. The maximum penalty shall not exceed the sum of \$500.}~~

(6) Inspection of additional or replacement ambulances~~{units}~~ for an existing license ~~{if inspected at the provider's site}~~ shall be a fee of \$150 per ambulance~~{unit and if inspected at the inspector's site shall be a fee of \$100 per unit}~~.

Section 6. ~~{Section 7.}~~ Administrative Fees.

(1) Late fee shall be \$100~~{fifty (50) dollars}~~ for any certification or license renewal~~{recertification or relicensure}~~ applicant or any official document required to be received by the KBEMS office, which is postmarked after the due date or expiration date.

(2) A request for license or certification verification or other request for documentation to be forwarded to an out-of-state regulatory entity shall be \$100 dollars for each entity to which the verification or documentation is to be sent.

~~{(2)} {Duplicate card, certification, or license fee for each shall be twenty-five (25) dollars.}~~

~~{(3)} {Application for reinstatement for all levels shall be a fee of \$150. This fee is in addition to the application fee and initial certification fee for each level.}~~

Section 7. ~~{Section 8.}~~ Non-Transport Providers. ~~{ALS Medical First Response Providers.}~~

(1) Initial license fee to establish compliance with 202 KAR 7:501 shall be \$3,000~~{\$250}~~.

(2) Transfer of license fee shall be \$3,000.

(3) ~~{(2)}~~ License renewal fee ~~[Relicensure inspection up to four (4) vehicles]~~ shall be ~~[a fee of]~~ ~~\$400~~ \$200.

(4) ~~{(3)}~~ Inspection fee ~~[Each additional unit for inspection]~~ shall be ~~[a fee of]~~ \$100 for each set of equipment ~~[thirty (30) dollars]~~.

(5) Each cited deficiency shall be a fee of \$100 per non-critical violation and \$500 per critical violation.

Section 8. ~~[Section—9.]~~ Air Ambulance Service Licensing and License Renewal ~~[Relicensing]~~.

(1) Initial preclicensing fee, to establish compliance with 202 KAR 7:510, shall be \$5,000.

(2) Transfer of license fee shall be ~~\$4,000~~ \$2,500.

(3) License renewal ~~[Relicensure]~~ fee ~~[for up to, and not including, the inspection of five (5) licensed aircraft]~~ shall be \$1,000.

(4) Inspection fee shall be \$400 dollars per air ambulance. ~~[Reinspection required as the result of a cited deficiency shall be a fee of \$500 per cited deficiency. The maximum penalty shall not exceed \$2,500.]~~

(5) Each cited deficiency. ~~[Inspection of additional or replacement units for an existing license]~~ shall be a fee of \$100 per non-critical violation and \$500 per critical violation ~~[\$250 per unit and shall be inspected at the provider's site].~~

Section 9. Incorporation by Reference.

(1) "Agency License & Vehicle Inspection Critical Violation List", KBEMS OPS-11-1, available at kbems.ky.gov, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Office of the Kentucky Board of Emergency Medical Services, 500 Mero Street, 5th Floor 5SE32, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. This material is also available on the board's Web site at: kbems.ky.gov.

JOHN R. HOLDER, Chair

APPROVED BY AGENCY: October 10, 2023

FILED WITH LRC: October 12, 2023 at 3:15 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on December 21, 2023 at 1:00 p.m. ET at the Kentucky Board of Emergency Medical Services, 500 Mero Street, 5th Floor 5SE32, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five (5) workdays prior to the hearing of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through December 31, 2023. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: John K. Wood, Legal Counsel, Kentucky Board of Emergency Medical Services, 163 E. Main Street, Suite 200, Lexington, Kentucky 40507, phone (859) 225-4714, fax (859) 225-1493, email administrativeregulations@wgmfirm.com.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: John K. Wood

(1) Provide a brief summary of:

(a) What this administrative regulation does:

KRS 311A.145 authorizes the Board to promulgate administrative regulations establishing a reasonable schedule of fees for examinations, licensure, certification, inspections, applications, and other provided services and materials. This administrative regulation establishes those fees.

(b) The necessity of this administrative regulation:

This administrative regulation is necessary to establish the schedule of fees authorized by KRS 311A.145. This administrative regulation was certified in 2019, but has not been amended since 2009.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

KRS 311A.145 authorizes the Board to promulgate administrative regulations establishing a reasonable schedule of fees for examinations, licensure, certification, inspections, applications, and other provided services and materials. This administrative regulation conforms to the content of KRS 311A.145 by establishing fees for examinations, licensure, certification, inspections, applications, and other provided services and materials.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

KRS 311A.145 authorizes the Board to promulgate administrative regulations establishing a reasonable schedule of fees for examinations, licensure, certification, inspections, applications, and other provided services and materials. This administrative regulation will assist in the effective administration of this statute by establishing those fees.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

This amendment changes the fees for examinations, licensure, certification, inspections, applications, and other services and materials provided by the Board. Specifically, this amendment increases most of the fees that agencies must pay, but either removes, retains, or decreases the existing fees for individual providers (i.e., EMRs, EMTs, AEMTs, and paramedics).

(b) The necessity of the amendment to this administrative regulation:

This administrative regulation has not been amended since 2009 and fee changes are necessary to promote the fiscal stability of the Board.

(c) How the amendment conforms to the content of the authorizing statutes:

This amendment conforms to the content of KRS 311A.145 by establishing a reasonable schedule of fees for examinations, licensure, certification, inspections, applications, and other services and materials provided by the Board.

(d) How the amendment will assist in the effective administration of the statutes:

KRS 311A.145 authorizes the Board to promulgate administrative regulations establishing a reasonable schedule of fees for examinations, licensure, certification,

inspections, applications, and other provided services and materials. This amendment will assist in the effective administration of this statute by establishing those fees.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

All Kentucky EMS agencies, applicants, and personnel will be affected by this administrative regulation.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

To comply with this amendment, all EMS agencies, applicants, and personnel will be required to pay the fees as established by this amendment.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

The costs to EMS agencies, applicants, and personnel will be the fees established by this amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

All Kentucky EMS agencies, applicants, and personnel will benefit from the fiscal stability of the Board that the amended fees will promote and, as a result, the Board's ability to maintain its services to and regulatory oversight of EMS providers and personnel. Additionally, individual providers (i.e., EMRs, EMTs, AEMTs, and paramedics) will benefit from the changes to existing fees for individual providers, which are either removed, retained, or decreased by this amendment.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

There will be no cost to the administrative body to implement this administrative regulation.

(b) On a continuing basis:

There will be no cost to the administrative body to implement this administrative regulation.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

No funding source is necessary to implement and enforce this administrative regulation.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

This amendment increases fees and increases in fees are necessary to implement this amendment.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

This administrative regulation establishes fees for examinations, licensure, certification, inspections, applications, and other provided services and materials and

directly increases certain fees as set forth in this amendment.

(9) TIERING: Is tiering applied?

Tiering is not applied to this administrative regulation because this amendment applies to all Kentucky EMS agencies, applicants, and personnel.

FISCAL NOTE

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?

The administrative regulation will impact all Kentucky EMS agencies, applicants, and providers.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 311A.145 authorizes the Board to promulgate administrative regulations establishing a reasonable schedule of fees for examinations, licensure, certification, inspections, applications, and other provided services and materials. This administrative regulation establishes those fees.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?

This amendment is projected to increase the Board's revenue by approximately \$54,850 for the first year.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?

This amendment is projected to increase the Board's revenue by approximately \$54,850 for each subsequent year.

(c) How much will it cost to administer this program for the first year?

This administrative regulation will not impose any additional administrative costs on the Board.

(d) How much will it cost to administer this program for subsequent years?

This administrative regulation will not impose any additional administrative costs on the Board.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):This administrative regulation is projected to increase the Board's annual revenue by approximately \$54,850.

Expenditures (+/-):This administrative regulation will impose additional costs on EMS agencies as set forth in this administrative regulation. The dollar amount of such expenditures will vary by provider.

Other Explanation:

This amendment will decrease the costs to individual providers (i.e., EMRs, EMTs, AEMTs, and paramedics).

(4) Estimate the effect of this administrative regulation on the expenditures and cost savings of regulated entities for the first full year the administrative regulation is to be in effect.

(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year?

This administrative regulation will not generate any net cost savings. However, this amendment removes all initial licensure and certification fees for individual providers (i.e., EMRs, EMTs, AEMTs, and paramedics). Additionally, this amendment either retains or decreases all other existing fees for individual providers.

(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years?

This administrative regulation will not generate any net cost savings. However, this amendment removes all initial licensure and certification fees for individual providers (i.e., EMRs, EMTs, AEMTs, and paramedics). Additionally, this amendment either retains or decreases all other existing fees for individual providers.

(c) How much will it cost the regulated entities for the first year?

The costs to regulated entities will vary by agency. For example, ground agencies seeking initial licensure will be required to pay \$3,000, a \$500 increase. This amendment does increase any costs to individual providers (i.e., EMRs, EMTs, AEMTs, and paramedics).

(d) How much will it cost the regulated entities for subsequent years?

The costs to regulated entities for subsequent years will vary by provider. However, the fees will remain the same each year until this administrative regulation is amended.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Cost Savings (+/-):This administrative regulation will not generate any net cost savings.

Expenditures (+/-):This administrative regulation will impose additional costs on EMS agencies as set forth in this amendment.

Other Explanation:

For example, ground agencies seeking initial licensure will be required to pay \$3,000, a \$500 increase. This amendment does increase any costs to individual providers (i.e., EMRs, EMTs, AEMTs, and paramedics).

(5) Explain whether this administrative regulation will have a major economic impact, as defined below.

"Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars (\$500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. This administrative regulation will have a major economic impact as defined by KRS 13A.010(13). This administrative regulation currently generates revenue for the Board in excess of \$500,000 annually. This amendment is projected to increase the Board's annual revenue by approximately \$54,850. These funds are supplied by the regulated entities as fees for examinations, licensure, certification, inspections, applications, and other services and materials provided by the Board.