KENTUCKY BOARD OF EMERGENCY MEDICAL SERVICES
(Amendment)

202 KAR 7:201. Emergency medical responders.

RELATES TO: KRS 12.355, 311A.010, 311A.025, 311A.030, 311A.050-311A.090, 311A.095, 311A.100, 311A.120, 311A.140, 311A.145, 311A.160, 10 U.S.C. 121, 12304

STATUTORY AUTHORITY: KRS 311A.020, 311A.025, 311A.160

NECESSITY, FUNCTION, AND CONFORMITY: KRS 311A.020 requires the board to promulgate administrative regulations relating to emergency medical responders. KRS 311A.025 and 311A.160 require the board to establish standards relating to emergency medical responders. This administrative regulation establishes the standards relating to emergency medical responders.

Section 1. Emergency Medical Responder Student Eligibility. An individual shall be eligible to enroll as a student in an Emergency Medical Responder training program if the applicant:

(1) Is not currently subject to disciplinary action pursuant to KRS Chapter 311A that would prevent certification; and

(2) Meets all additional requirements established by the EMS Training and Educational Institution (TEI).

Section 2. Certification Requirements. Individuals desiring initial certification as an Emergency Medical Responder shall:

(1) Successfully complete a board approved training program that conforms to the United States Department of Transportation, National Highway Traffic Safety Administration, National Emergency Medical Services Education Standards-Emergency Medical Responder Instructional Guidelines, except that the education curriculum shall not be satisfied by the completion of refresher or transition courses alone;

(2) Meet all educational standards established in 202 KAR 7:601;

(3) Obtain certification as a NREMT-Emergency Medical Responder;

(4) Submit a completed EMR Initial Certification Application in KEMSIS;

(5) Pay the fee required for certification pursuant to 202 KAR 7:030;

(6) Undergo a background check pursuant to KRS 311A.050 and 311A.100, which shall be:

(a) National in scope for an applicant not currently certified at any level in Kentucky;

(b) Statewide in scope for an applicant with current certification in Kentucky;

(c) Less than six (6) months old when the applicant submits to the board all requirements for certification;

(d) Provided by a vendor that has been contracted through the board; and

(e) Submitted to the board by the company that conducts the background check; and

(7) Be a citizen of the United States, a permanent resident of the United States, or otherwise lawfully present in the United States, as evidenced by submission to the board of:

(a) A Social Security card;

(b) Birth certificate;

(c) A United States Citizenship and Immigration Services (U.S.C.I.S.) Permanent Resident Card (form I-551/Green Card); or

(d) Other legal authorization to live and work in the United States.

Section 3. Renewal of Certification and Continuing Education Requirements.

(1) An Emergency Medical Responder shall be eligible for certification renewal if:

(a) The applicant submits a completed EMR Certification Renewal Application in KEMSIS;

(b) The applicant maintains written evidence of:
1. HIV/AIDS training required by KRS 311A.120;
2. Pediatric Abusive Head Trauma training required by KRS 311A.120; and
3. Awareness of Sexual Violence Training required by KRS 311A.120;
(c) The applicant pays the fee pursuant to 202 KAR 7:030; and
(d) The applicant maintains evidence of:
1. Current certification by the NREMT as an Emergency Medical Responder, except that if this option is used, the board may request, though a continuing education audit, proof of continuing education to verify compliance with the requirements of this section; or
2. Successful completion of the NREMT Emergency Medical Responder National Component of the Continued Competency Program for Continuing Education, which shall be validated by entities authorized to conduct continuing education pursuant to 202 KAR 7:601.

(2) An application for certification renewal shall be denied if:
(a) Prior to the certification expiration date, the applicant has not met the applicable requirements of this section; or
(b) The applicant has been subjected to disciplinary action that prevents certification renewal at the time of application.

(3) A certified Emergency Medical Responder, in good standing, who is a member of a National Guard or military reserve unit called to active duty by presidential order pursuant to 10 U.S.C. §§ 121 and 12304, shall be renewed according to KRS 12.355 upon submission of the Military Extension Application.

(4) The board office may audit an Emergency Medical Responder's continuing education and continuing education records. The Emergency Medical Responder shall submit the documentation requested within ten (10) business days of receipt of the board's request.

(5) The Emergency Medical Responder shall maintain documentation of all continuing education for three (3) years from the date of completion.

(6) If documentation of continuing education hours consistent with this administrative regulation are not received using the board-approved submission process within ten (10) business days of receipt of the board's request, the Emergency Medical Responder certification for the individual shall be summarily revoked and the individual shall reapply for certification through Reinstatement, if eligible.

(7) The ten (10) business days for submission shall not apply to investigations pursuant to KRS Chapter 311A.

Section 4. Reinstatement of Certification.

(1) An Emergency Medical Responder whose certification has lapsed may reinstate his or her certificate by submitting to the board:
(a) A completed EMR Reinstatement Certification Application in KEMSIS;
(b) Evidence of previous certification as an Emergency Medical Responder in the Commonwealth of Kentucky;
(c) Proof of current training in:
1. Pediatric Abusive Head Trauma as required by KRS 311A.120;
2. Awareness of Sexual Violence Training required by KRS 311A.120; and
3. HIV/AIDS training required by KRS 311A.120; and
(d) Evidence of successful completion of the NREMT Emergency Medical Responder National Component of the Continued Competency Program for Continuing Education within twelve (12) months preceding his or her application for reinstatement of Emergency Medical Responder.

(2) The applicant shall pay the fee required for reinstatement pursuant to 202 KAR 7:030.

(3) The applicant shall undergo a national background check provided by a vendor that has been contracted through the board. The applicant shall not directly submit a background check to meet the requirements of this section. The background check shall be submitted to the board by the company that conducts the background check.

(4) Background checks that are older than six (6) months shall not be considered current, and the applicant shall undergo another national background check prior to approval of reinstatement of certification.

(5) The applicant for reinstatement of certification shall bear the burden of proof of previous certification in Kentucky if the previous certification is in issue or dispute.

(6) An applicant who is ineligible for certification pursuant to KRS 311A.050 through 311A.090 shall be ineligible for reinstatement.

Section 5. Emergency Medical Responder Reciprocity.

(1) An individual who is certified in another state as an Emergency Medical Responder or by the NREMT as a NREMT-Emergency Medical Responder or any member of the United States Armed Forces, or veteran who has transitioned within the past six (6) years from the United States Armed Forces, and has been registered by the National Registry as a NREMT-Emergency Medical Responder or EMT shall be eligible for reciprocity for Kentucky certification as an Emergency Medical Responder if the applicant submits:

(a) A completed EMR Reciprocity Certification Application in KEMSIS;

(b) Proof of the applicant's current unrestricted certification as a NREMT-Emergency Medical Responder or current Emergency Medical Responder certification in another state, or proof of completing a board-approved United States Armed Forces medical training course which included NREMT-Emergency Medical Technician certification; and

(c) Proof of current training in:

1. HIV/AIDS training required by KRS 311A.120;
2. Pediatric Abusive Head Trauma as required by KRS 311A.120; and
3. Awareness of Sexual Violence Training required by KRS 311A.120.

(2) An applicant shall pay the fee required for reciprocity pursuant to 202 KAR 7:030.

(3) An applicant for Emergency Medical Responder reciprocity shall undergo a national background check provided by a vendor that has been contracted through the board.

(a) An applicant shall not directly submit a background check to meet the requirements of this section. The background check shall be submitted to the board by the company that conducts the background check.

(b) Background checks that are older than six (6) months shall not be considered current, and the applicant shall undergo another national background check prior to approval of certification through reciprocity.

(4) An applicant shall not have been convicted of offenses described in KRS 311A.050.

(5) An applicant shall not have been subjected to discipline that would prevent reciprocity at the time of application.

(6) An Emergency Medical Responder certified pursuant to this administrative regulation shall not perform any procedures or skill on which the Emergency Medical Responder has not been trained. An Emergency Medical Responder who performs a skill for which the Emergency Medical Responder does not have documented training shall have exceeded the scope of practice and shall be in violation of KRS 311A.050.

(7) An Emergency Medical Responder certified pursuant to this section shall complete the Kentucky supplemental Emergency Medical Responder curricula for the procedures listed in 202 KAR 7:701 prior to beginning work for a licensed agency in Kentucky.

(a) Kentucky supplemental Emergency Medical Responder curricula consistent with 202 KAR 7:701 shall be provided during employee orientation, or by entities authorized to conduct continuing education pursuant to 202 KAR 7:601.

(b) Verification of competency on the supplemental curricula procedures in 202 KAR 7:701 shall be maintained by the Emergency Medical Responder for a minimum of three (3) years. Failure to submit the EMR Supplemental Curriculum Training Verification Report upon request shall result in revocation of the Emergency Medical Responder certification.

(c) If an Emergency Medical Responder certified pursuant to this section fails to supply verification of competency as required by subsection (7) of this section, the Emergency Medical Responder shall be ineligible to apply for and receive Emergency Medical Responder reciprocity certification until the applicant has submitted the EMR Supplemental Curriculum Training Verification Report as required by 202 KAR 7:701, and shall reapply for Reciprocity through the process listed in this section.

Section 6. Scope of Practice. An Emergency Medical Responder shall provide emergency medical services consistent with the skills and procedures in the National EMS Scope of Practice Model and 202 KAR 7:701.

Section 7. Expiration of Certification.

(1) Certification periods and expiration dates shall be pursuant to KRS 311A.095.

(2) If an Emergency Medical Responder's certification lapses or expires, the Emergency Medical Responder shall cease provision of emergency medical services.

(3) An Emergency Medical Responder who has allowed his or her certification to lapse or expire shall reinstate certification pursuant to Section 4 of this administrative regulation.

Section 8. Surrender of Certification.

(1) An Emergency Medical Responder surrendering certification shall:

(a) Submit a completed Voluntary Surrender of EMR Certification Application in KEMSIS; and

(b) Pay the fee pursuant to 202 KAR 7:030.

(2) The applicant shall notify the board's licensed service director with whom the applicant is affiliated immediately upon surrendering his or her certification.

Section 9. Reporting Requirements.

(1) An Emergency Medical Responder shall maintain current demographic information in KEMSIS including:

(a) Legal name;

1. Any changes to an Emergency Medical Responder's legal name shall be submitted using the Name Change Application in KEMSIS; and

2. One (1) of the following documents as verification of name change:

a. Social Security card;

b. Driver's license; or

c. Passport;

(b) Mailing address;

(c) Email address; and

(d) Phone number.

(2) An Emergency Medical Responder who does not comply with this section shall be subject to disciplinary action pursuant to KRS Chapter 311A.

Section 10. Exemptions from Emergency Medical Responder Administrative Regulations. Certification requirements for an Emergency Medical Responder shall not apply to:

(1) United States military personnel or state National Guard or employees of the United States government while providing services on a United States government-owned or operated facility, or while engaged in the performance of their official duties under federal law, or while providing assistance in a mass casualty or disaster type situation; or

(2) An Emergency Medical Responder certified in another state or territory of the United States who:

(a) Comes into Kentucky to transport a patient from another state into Kentucky; or

(b) Is transporting a patient through the state of Kentucky to an out-of-Kentucky location.

Section 11. Public Notice of Negative Action. The board office shall cause to be published on the board website the name of an Emergency Medical Responder who:

(1) Is fined;

(2) Is placed on probationary status;

(3) Is placed on restricted status;

(4) Is suspended; or

(5) Has had his or her certification revoked.

Section 12. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "National Emergency Medical Services Education Standards-Emergency Medical Responder Instructional Guidelines", The United States Department of Transportation, National Highway Traffic Safety Administration, DOT HS 811 077B, January 2009;

(b) "EMR Initial Certification Application" in KEMSIS, July 2019;

(c) "EMR Certification Renewal Application" in KEMSIS, July 2019;

(d) "EMR Reciprocity Certification Application" in KEMSIS, July 2019;

(e) "EMR Reinstatement Certification Application" in KEMSIS, July 2019;

(f) "National EMS Scope of Practice Model", National Highway Traffic Safety Administration, DOT HS 810 657, February 2007;

(g) "National EMS Scope of Practice Model", National Highway Traffic Safety Administration, DOT HS 812 666, February 2019;

(h) "EMR Supplemental Curriculum Training Verification Report", July 2019;

(i) "Voluntary Surrender of EMR Certification Application" in KEMSIS, July 2019;

(j) "National Registry of Emergency Medical Technicians National Continued Competency Program EMR", October 2016;

(k) "Name Change Application" in KEMSIS, July 2019;

(l) "Military Extension Application" in KEMSIS, July 2019; and

(m) "United States Citizenship and Immigration Services (U.S.C.I.S.) Permanent Resident Card (form I-551/Green Card)", July 2019.

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(3) This material is also available on the board's Web site at: kyems.com.

(30 Ky.R. 147; 915; 1214; 1476; eff. 11-19-2003; Cert eff. 2-19-2019; 47 Ky.R. 2428, 48 Ky.R. 390; eff. 9-22-2021; 49 Ky.R.1484, 1911; eff. 6-21-2023; 51 Ky.R. 748; eff. 2-5-2025.)

JOHN R. HOLDER, Chair

APPROVED BY AGENCY: August 8, 2024

FILED WITH LRC: September 3, 2024 at 3 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 27, 2024, 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 November 30, 2024. 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, counsel for the Kentucky Board of Emergency Medical Services, 163 East Main Street, Suite 200, Lexington, Kentucky 40507, phone (859) 225-4714, email administrativeregulations@wgmfirm.com.