

202 KAR 7:540. Emergency Medical Services data collection, management, and compliance.

RELATES TO: KRS 311A.020, 311A.035, 311A.045, 311A.060, 311A.155, 311A.190, 23 U.S.C. 403(b)(1)(A)(iv), 405(c)(3)(C), 42 U.S.C. 300d-4(b)(1)

STATUTORY AUTHORITY: KRS 311A.190

NECESSITY, FUNCTION, AND CONFORMITY: KRS 311A.190 authorizes the Kentucky Board of Emergency Medical Services to promulgate administrative regulations concerning EMS information that ambulance services shall furnish to the board and authorizes the Kentucky Board of Emergency Medical Services to require collection and submission of EMS data that will allow for analysis of the state's needs for provision of EMS and that will allow the state to participate in the National Emergency Medical Services Information System (NEMSIS), a multi-partnered project that is funded by the National Highway Traffic Safety Administration, the Health Resources and Services Administration, the Centers for Disease Control and Prevention, the Federal Emergency Management Administration, and HRSA's Office of Rural Health Policy. This administrative regulation establishes standards and criteria for data collection, submission, and compliance.

Section 1. Data Collection and Statewide Compliance Plan.

- (1) The board shall require each licensed ambulance service to collect and submit run report data that aids in identifying patient care needs in the Commonwealth of Kentucky.
- (2) The board shall collect, maintain, and use data provided by licensed ground and air ambulance services to assist the board and other state and federal agencies relevant to emergency management or public health.
- (3) The information and data collected shall be used at a minimum to determine demographic trends and other emerging situations involving the provision of EMS to and the medical transport of individuals within the state.
- (4) The board shall collect and use the submitted data to develop and adopt a statewide plan for EMS Information and Analysis.

Section 2. Data Management Committee.

- (1) A Data Management Committee shall be established by this section.
- (2) The Data Management Committee shall consist of seven (7) members appointed by the board chair in the manner established in 202 KAR 7:020.
- (3) Any office of the board staff member specifically employed through or designated by the Kentucky Community and Technical College System (KCTCS) for the purpose of EMS data collection and analysis shall serve as the staff liaison for the Data Management Committee.
- (4) The Data Management Committee shall be responsible for the following:
 - (a) The development of a statewide plan for data collection and compliance;
 - (b) Identification of information initiatives for EMS in Kentucky;
 - (c) Identification and research of funding sources tied to EMS data collection;
 - (d) Assistance to licensed services with questions or other needs associated with this administrative regulation, KRS Chapter 311A, and other issues associated with the board's statutory authority to require data collection and submission; and
 - (e) Matters identified by board members, the chair, or the executive director that involve data collection, data submission, or information use.
- (5) The Data Management Committee shall be conducted in accordance with 202 KAR 7:020 and the board bylaws.
- (6) The Data Management Committee shall schedule on an annual basis at least six (6) regular meetings.

Section 3. Data Collection and Submission.

- (1) Each licensed ground and air ambulance service shall collect data relevant to patient care in Kentucky.
- (2) Each service shall collect data at a rate that allows the service to submit the required data elements to the board on a schedule established by Section 5 of this administrative regulation.
- (3) Each service shall ensure data is collected and electronically entered only by the certified or licensed EMS professional involved in the delivery of care for the incident reported.
- (4) Clinical data entry by individuals unaffiliated with the incident shall not be permitted and may subject the agency to discipline in accordance with KRS Chapter 311A.

Section 4.

- (1) The most recent version of the National EMS Information System (NEMSIS) data dictionary, US Department of Transportation National Highway Traffic Safety Administration (NHTSA), Office of Emergency Medical Services, NEMSIS Data Dictionary, NHTSA v3.5.0, EMS Data Standard found at www.nemsis.org shall be Kentucky's standard for required data elements.
- (2) The board may specify additional mandatory, required, recommended, or optional NEMSIS data elements be documented and submitted to the board as determined by the needs of the data program, EMS system, or research projects.
- (3) The required data set shall be known as the Kentucky State Ambulance Reporting System (KSTARS) project.
- (4) Modifications to the state required data elements may be received by the Data Management Committee continuously and evaluated not more than bi-annually or as determined by the Committee Chair at regularly scheduled or specially called meetings of the Committee.
 - (a) The Data Management Committee shall evaluate the requested state data standard modification and vote to recommend modification or to take no action on the request.
 - (b) Recommendations on modification to the state data standard from the Data Management Committee shall then be forwarded to the board for action.
 - (c) If approved by the board, the office of the board shall initiate coordination of system and process modifications with applicable software vendors within fourteen (14) days.
 - (d)
 1. Licensed Kentucky EMS agencies shall coordinate with software vendors to implement modifications to applicable agency software within 120 days of notice.
 2. Licensed Kentucky EMS agencies retain ultimate responsibility for data submission as required by this administrative regulation.

Section 5. Compliance; Manner and Rate of Submission.

- (1) Each licensed service shall submit data electronically upon the full implementation of KSTARS.
- (2) Data shall be provided electronically to the board no later than 120 hours after incident completion for ninety (90) percent of responses per calendar month.
- (3) Failure to timely submit collected data at the rate required by subsection (2) of this section shall subject a service to disciplinary action pursuant to KRS Chapter 311A and late fees pursuant to 202 KAR 7:030.

Section 6. Quality of Data Determined by Completeness.

- (1) The board shall determine a service's compliance with data collection requirements by the quality of data submitted.
- (2) The quality of a service's data shall be determined by the completeness of the submitted data using incident validation scores.

(3) The board shall impose on a service a plan of correction pursuant to KRS 311A.060 and 202 KAR 7:501 if a service's rate of completeness falls below ninety (90) percent for three (3) consecutive months.

(4) Failure to comply with a plan of correction shall subject a service to disciplinary action pursuant to KRS 311A.060.

(5) The board staff shall report to the Data Management Committee a determination of incomplete data submission that results in a plan of correction.

Section 7. Run Reports.

(1) Each ambulance service shall provide a copy of the completed run report, or its electronic equivalent, to the receiving medical facility prior to departure.

(2) A service that cannot leave a copy of the completed run report, or its electronic equivalent, with the receiving medical facility prior to departure shall leave a continuation of care form that contains at least the following data elements for the patient:

- (a) First name;
- (b) Last Name;
- (c) Date of birth;
- (d) Complaint;
- (e) Duration of complaint;
- (f) Time units of duration of complaint;
- (g) Provider's primary impression;
- (h) Current medications;
- (i) Medical and surgical history;
- (j) Medication allergies;
- (k) SBP (Systolic Blood Pressure);
- (l) DBP (Diastolic Blood Pressure);
- (m) Heart rate;
- (n) Respiratory rate;
- (o) Date and time medication administered;
- (p) Medication given;
- (q) Condition of patient at destination;
- (r) Unit notified by dispatch date and time;
- (s) EMS agency name; and
- (t) EMS provider name.

(3) If a service provides the receiving hospital or other healthcare facility with a continuation of care form that meets the requirements of subsection (2) of this section, the service shall have twenty-four (24) hours to provide the full patient care report.

(4) The twenty-four (24) hour timeframe for delivery of the full patient care report shall not apply to situations involving mass disaster, mass casualty, or other documented emergency of similar scope.

Section 8. Data Use and Confidentiality.

(1) Unless otherwise required by law, the board shall not release information of a confidential or private nature or any information protected by local, state, or federal non-disclosure laws.

(2) The board may release information of a statistical nature that does not reveal or contain personal information.

(3) The board may share information with research, state, and other organizations that have a shared interest in the promotion of EMS or patient care.

(4) Unless otherwise required by law, the board shall not release information for purely commercial uses.

Section 9. Incorporation by Reference.

- (1) "National Highway Traffic Safety Administration, Office of Emergency Medical Services, NEMSIS Data Dictionary, NHTSA v3.5.0, EMS Data Standard", 2019, is incorporated by reference.
 - (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Emergency Medical Services, 2464 Fortune Drive, Suite 195, Lexington, Kentucky 40509. Monday through Friday, 8:30 a.m. to 4:30 p.m.
 - (3) This material may also be obtained at https://nemsis.org/media/nemsis_v3/release-3.5.0/DataDictionary/PDFHTML/EMSDEMSTATE/NEMSISDataDictionary.pdf.
- (39 Ky.R. 2092; 40 Ky.R. 30; 281; eff. 8-21-2013; Crt eff. 2-12-2020; 47 Ky.R. 2452, 414; eff. 9-22-2021.)