

1 AN ACT relating to emergency medical services.

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

3 ➔Section 1. KRS 311A.010 is amended to read as follows:

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

- 5 (1) **"Advanced emergency medical technician" or "AEMT" means a person certified**  
 6 **by the board under this chapter as an advanced emergency medical technician;**
- 7 (2) **"Advanced practice paramedic" or "APP" means a paramedic licensed by the**  
 8 **board under this chapter as a paramedic and certified by the board under this**  
 9 **chapter in at least one (1) emergency medical services subspecialty, including**  
 10 **community paramedic, critical care paramedic, wilderness paramedic, tactical**  
 11 **paramedic, or flight paramedic;**
- 12 (3) "Ambulance" means a vehicle which has been inspected and approved by the board,  
 13 including a helicopter or fixed-wing aircraft, except vehicles or aircraft operated by  
 14 the United States government, that are specially designed, constructed, or have been  
 15 modified or equipped with the intent of using the same, for the purpose of  
 16 transporting any individual who is sick, injured, or otherwise incapacitated who  
 17 may require immediate stabilization or continued medical response and intervention  
 18 during transit or upon arrival at the patient's destination to safeguard the patient's  
 19 life or physical well-being;
- 20 (4)~~(2)~~ "Ambulance provider" means any individual or private or public organization,  
 21 except the United States government, who is licensed by the board to provide  
 22 medical ~~transportation~~ services **that may include transport** at either basic life  
 23 support level or advanced life support level and who may have a vehicle or vehicles,  
 24 including ground vehicles, helicopters, or fixed-wing aircraft to provide such  
 25 transportation. An ambulance provider may be licensed as **a Class I, II, III, or IV**  
 26 **ground ambulance provider, a Class VI medical first response provider, a Class**  
 27 **VII air ambulance provider, or a Class VIII event medicine provider**~~an air~~

1 ~~ambulance provider, as a Class I ground ambulance provider, as a Class II ground~~  
2 ~~ambulance provider, or as a Class III ground ambulance provider];~~

3 ~~(5)~~~~(3)~~ "Board" means the Kentucky Board of Emergency Medical Services;

4 **(6) "Community paramedic" or "CP" means an advanced practice paramedic**  
5 **certified under this chapter as a CP;**

6 ~~(7)~~~~(4)~~ "Emergency medical facility" means a hospital or any other institution  
7 licensed by the Cabinet for Health and Family Services that furnishes emergency  
8 medical services;

9 **(8) "Emergency medical responder" or "EMR" means a person certified under this**  
10 **chapter as an EMR or EMR instructor;**

11 ~~(9)~~~~(5)~~ "Emergency medical services" **or "EMS"** means the services utilized in  
12 providing care for the perceived individual need for immediate medical care to  
13 protect against loss of life, or aggravation of physiological or psychological illness  
14 or injury;

15 **(10) "Emergency medical services educator" or "EMS educator" means a person**  
16 **who is certified and licensed by the board under this chapter as a Level I, II, or**  
17 **III EMS educator to provide emergency medical services education and training**  
18 **with the scope of practice established by the board through administrative**  
19 **regulations;**

20 ~~(11)~~~~(6)~~ "Emergency Medical Services for Children Program" or "EMSC Program"  
21 means the program established under this chapter;

22 **(12) "Emergency medical services medical director" means a physician licensed in**  
23 **Kentucky and certified by the board under this chapter who is employed by, under**  
24 **contract to, or has volunteered to provide supervision for a paramedic or an**  
25 **ambulance service, or both;**

26 ~~(13)~~~~(7)~~ "Emergency medical services personnel" means:

27 **(a)** Persons~~[, certified or licensed, and]~~ trained to provide emergency medical

1 services and certified or licensed by the board under this chapter as an  
 2 AEMT, APP, EMR, EMR instructor, EMT, EMT instructor, paramedic; or  
 3 paramedic instructor; and~~[, and an ]~~

4 (b) Authorized emergency medical services medical directors and~~[director]~~  
 5 mobile integrated healthcare program medical directors, whether on a paid  
 6 or volunteer basis;

7 ~~(14)~~~~(8)~~ "Emergency medical services system" means a coordinated system of health-  
 8 care delivery that responds to the needs of acutely sick and injured adults and  
 9 children, and includes community education and prevention programs, mobile  
 10 integrated healthcare programs, centralized access and emergency medical  
 11 dispatch, communications networks, trained emergency medical services personnel,  
 12 medical first response, ground and air ambulance services, trauma care systems,  
 13 mass casualty management, medical direction, and quality control and system  
 14 evaluation procedures;

15 ~~(15)~~~~(9)~~ "Emergency medical services training or educational institution" means any  
 16 ~~[person or ]~~organization licensed by the board under this chapter to provide~~[which~~  
 17 ~~provides]~~ emergency medical services training or education or in-service training,  
 18 other than a licensed ambulance service which provides training, or in-service  
 19 training in-house for its own employees or volunteers;

20 ~~(16)~~~~(10)~~ "Emergency medical technician" or "EMT" means a person certified under  
 21 this chapter as an EMT or EMT instructor~~[basic, EMT-basic instructor, or EMT-~~  
 22 ~~instructor trainer]~~;

23 (17) "Executive director" means the executive director of the Kentucky Board of  
 24 Emergency Medical Services;

25 ~~[(11) "First responder" means a person certified under this chapter as a first responder or~~  
 26 ~~first responder instructor;~~

27 ~~(12) "Emergency medical services medical director" means a physician licensed in~~

1 Kentucky who is employed by, under contract to, or has volunteered to provide  
2 supervision for a paramedic or an ambulance service, or both;]

3 **(18) "Mobile integrated healthcare" or "MIH" means a program licensed by the**  
4 **board under this chapter to provide services including evaluation, advice, and**  
5 **medical care for the purpose of preventing or improving a particular medical**  
6 **condition outside of a hospital setting to eligible patients who do not require or**  
7 **request emergency medical transportation;**

8 **(19) "Mobile integrated healthcare program medical director" or "MIH program**  
9 **medical director" means a physician licensed in Kentucky and certified by the**  
10 **board under this chapter who is employed by, under contract to, or has**  
11 **volunteered to provide supervision for a licensed MIH program;**

12 **(20)**~~[(13)]~~ "Paramedic" means a person who is involved in the delivery of medical  
13 services and is licensed under this chapter;

14 ~~[(14) "Paramedic course coordinator" means a person certified under this chapter to~~  
15 ~~coordinate a paramedic course. A paramedic course coordinator shall not practice as~~  
16 ~~a paramedic unless they are also licensed as a paramedic;]~~

17 **(21)**~~[(15)]~~ "Paramedic preceptor" means a licensed paramedic who supervises a  
18 paramedic student during the field portion of the student's training;

19 **(22)**~~[(16)]~~ "Prehospital care" means the provision of emergency medical services, **mobile**  
20 **integrated healthcare,** or transportation by trained and certified or licensed  
21 emergency medical services personnel at the scene or while transporting sick or  
22 injured persons to a hospital or other emergency medical facility; and

23 **(23)**~~[(17)]~~ "Trauma" means a single or multisystem life-threatening or limb-threatening  
24 injury requiring immediate medical or surgical intervention or treatment to prevent  
25 death or permanent disability.

26 ➔Section 2. KRS 311A.015 is amended to read as follows:

27 (1) The Kentucky Board of Emergency Medical Services is created and shall be

1 attached to the Kentucky Community and Technical College System.

2 (2) The board shall consist of eleven (11)~~eighteen (18)~~ members who are residents of  
3 Kentucky appointed by the Governor in conjunction with recognized state  
4 emergency medical services related organizations. Membership shall be made up of  
5 the following:

6 ~~(a) One (1) paramedic who works for a government agency but is not serving in  
7 an educational, management, or supervisory capacity;~~

8 ~~(b) One (1) emergency medical technician~~basic~~ who works for a government  
9 agency but is not serving in an educational, management, or supervisory  
10 capacity;~~

11 ~~[(c) One (1) first responder who is not serving in an educational, management, or  
12 supervisory capacity;~~

13 ~~(d) One (1) physician licensed in Kentucky having a primary practice in the  
14 delivery of emergency medical care selected from a list of three (3) physicians  
15 submitted by the Kentucky Medical Association;~~

16 ~~(b)~~~~(e)~~ One (1) physician licensed in Kentucky serving as medical director of an  
17 advanced life support ambulance service selected from a list of three (3)  
18 physicians submitted by the Kentucky Medical Association;

19 ~~(c)~~~~(f)~~ One (1) physician licensed in Kentucky who is routinely ~~is~~ involved in  
20 the emergency care of ill or~~and~~ injured children selected from a list of three  
21 (3) physicians submitted by the Kentucky Medical Association;

22 ~~[(g) One (1) trauma surgeon licensed in Kentucky selected from a list of three (3)  
23 physicians submitted by the Kentucky Medical Association;]~~

24 ~~(d)~~~~(h)~~ One (1) citizen having no involvement in the delivery of medical or  
25 emergency services;

26 ~~(e)~~~~(i)~~ One (1) certified emergency medical services educator~~certified by the  
27 board;~~

- 1       ~~(j) One (1) mayor of a city that operates, either directly or through contract~~  
 2           ~~services, a licensed Class I ground ambulance service;~~
- 3       ~~(k) One (1) county judge/executive from a county that operates, whether directly~~  
 4           ~~or through contract services, a licensed Class I ground ambulance service;~~
- 5       ~~(l) One (1) volunteer staffed, licensed Class I ground ambulance service~~  
 6           ~~administrator who is a certified emergency medical technician or a licensed~~  
 7           ~~paramedic];~~
- 8       (f)(m)   One (1) fire-service-based, licensed Class I ground ambulance service  
 9           administrator who is a certified emergency medical technician, **an advanced**  
 10           **emergency medical technician,** or a licensed paramedic;
- 11       (g)(n)   One (1) licensed air ambulance service administrator or paramedic for a  
 12           licensed air ambulance service headquartered in Kentucky;
- 13       (h)(o)   One (1) **privately operated,**~~[private]~~ licensed Class I ground ambulance  
 14           service administrator who is a certified emergency medical technician, **an**  
 15           **advanced emergency medical technician,** or a licensed paramedic~~[who is a~~  
 16           ~~resident of Kentucky];~~
- 17       (i)(p)   One (1) hospital administrator selected from a list of **three (3)**~~[five (5)]~~  
 18           nominees submitted by the Kentucky Hospital Association;
- 19       ~~[(q) One (1) basic life support, licensed Class I government-operated ground~~  
 20           ~~ambulance service administrator who is a certified emergency medical~~  
 21           ~~technician or a licensed paramedic; and]~~
- 22       (j)(r)   One (1) advanced life support~~[, government-operated]~~ ambulance  
 23           **provider**~~[service administrator ]~~who is **an advanced emergency medical**  
 24           **technician**~~[a certified emergency medical technician]~~ or a licensed paramedic,  
 25           **who works for a government agency but is not serving in an educational,**  
 26           **management, or supervisory capacity; and**
- 27       (k) One (1) publicly operated Class I ground ambulance service administrator

1                   *who is a certified emergency medical technician, an advanced emergency*  
 2                   *medical technician, or a licensed paramedic.*

- 3   (3) *Members shall serve for a term of four (4) years, may be reappointed, and*~~[No~~  
 4   ~~board member]~~ shall serve **no** more than two (2) consecutive terms. A member  
 5   appointed to a partial term vacancy exceeding two (2) years shall be deemed to have  
 6   served a full term. A former member may be reappointed following an absence of **at**  
 7   **least** one (1) term.
- 8   (4) The board shall~~[annually]~~:
- 9       (a) Meet at least six (6) times a year; **and**
- 10      (b) At the first meeting of the board after September 1 **of each year**, elect a chair  
 11      and vice chair by majority vote of the members present~~[-]~~ and~~[~~  
 12      ~~(e)]~~ set a schedule of six (6) regular meetings for the next twelve (12) month  
 13      period.
- 14   (5) The board shall adopt a quorum and rules of procedure by administrative regulation.
- 15   (6) (a) A member of the board who misses three (3) regular meetings in **a twelve (12)**  
 16      **month period**~~[one (1) year]~~ shall be deemed to have resigned from the board  
 17      and his or her position shall be deemed vacant.
- 18      (b) The failure of a board member to attend a special or emergency meeting shall  
 19      not result in any penalty.
- 20      (c) ~~[The year specified in this subsection shall begin with the first meeting missed~~  
 21      ~~and end three hundred sixty five (365) days later or with the third meeting~~  
 22      ~~missed, whichever occurs earlier.~~
- 23      ~~(d)]~~ The Governor shall appoint a person of the same class to fill the vacancy  
 24      within ninety (90) days.
- 25      **(d)(e)** The person removed under this subsection shall not be reappointed to  
 26      the board for **at least** ten (10) years.
- 27   (7) Members of the board shall be entitled to reimbursement for actual and necessary

1 expenses when carrying out official duties of the board in accordance with state  
 2 administrative regulations relating to travel reimbursement. ~~[The board shall meet at  
 3 least six (6) times each year.]~~

4 (8) Annual reports and recommendations from the board shall be sent by September 1  
 5 each year to the Governor, the president of the Kentucky Community and Technical  
 6 College System, and the General Assembly.

7 ➔Section 3. KRS 311A.020 is amended to read as follows:

8 (1) The board shall:

9 (a) Exercise all of the administrative functions of the state not regulated by the  
 10 Board of Medical Licensure or Cabinet for Health and Family Services in the  
 11 regulation of the emergency medical services system and the practice of  
 12 emergency medical services ~~[first responders, emergency medical technicians,  
 13 paramedics, ambulance services]~~, and emergency medical services training  
 14 institutions, with the exception of employment of personnel as described in  
 15 subsections (5) and (6) of this section;

16 (b) Issue any licenses or certifications authorized by this chapter;

17 (c) Oversee the operations and establish the organizational structure of the Office  
 18 of the Kentucky Board of Emergency Medical Services, which is created and  
 19 shall be attached to the board for administrative purposes. The office shall be  
 20 headed by the executive director appointed under paragraph (d) of this  
 21 subsection and shall be responsible for:

22 1. Personnel and budget matters affecting the board;

23 2. Fiscal activities of the board, including grant writing and disbursement  
 24 of funds;

25 3. Information technology, including the design and maintenance of  
 26 databases;

27 4. Certification and recertification of emergency medical ~~[first]~~ responders;



- 1           5.    Certification and recertification of emergency medical technicians **and**  
2                   **advanced emergency medical technicians;**
- 3           6.    Licensure and relicensure of ambulances, ~~and~~ ambulance services, **and**  
4                   **mobile integrated healthcare programs;**
- 5           7.    Licensure and relicensure of paramedics;
- 6           8.    **Certification and recertification of advanced practice paramedics;**
- 7           9.    Certification and recertification of **EMS educators**~~[paramedic course~~  
8                   ~~coordinators];~~
- 9           ~~10.~~~~9.]~~    Investigation of and resolution of quality complaints and ethics  
10                    issues; and
- 11           ~~11.~~~~10.]~~    Other responsibilities that may be assigned to the executive  
12                    director by the board;
- 13       (d)   Employ an executive director and deputy executive director and fix the  
14                    compensation. The executive director and deputy executive director shall  
15                    serve at the pleasure of the board, administer the day-to-day operations of the  
16                    Office of the Kentucky Board of Emergency Medical Services, and supervise  
17                    all directives of the board. The director and deputy executive director shall  
18                    possess a baccalaureate degree and shall have no less than five (5) years of  
19                    experience in public administration or in the administration of an emergency  
20                    medical services program;
- 21       (e)   Employ or contract with a physician licensed in Kentucky who is board  
22                    certified in emergency medicine and fix the compensation. The physician shall  
23                    serve at the pleasure of the board and as the medical advisor to the Kentucky  
24                    Board of Emergency Medical Services and the staff of the board;
- 25       (f)   Employ or contract with an attorney licensed to practice law in Kentucky and  
26                    fix the compensation. The attorney shall serve at the pleasure of the board and  
27                    have primary assignment to the board;

1 (g) Employ personnel sufficient to carry out the statutory responsibilities of the  
2 board.

3 1. Personnel assigned to investigate an emergency medical~~[a first]~~  
4 responder program complaint or regulate the emergency medical~~[first]~~  
5 responder programs shall be certified emergency medical~~[first]~~  
6 responders, emergency medical technicians, advanced emergency  
7 medical technicians, or licensed paramedics.

8 2. Personnel assigned to investigate an emergency medical technician  
9 program complaint or regulate the emergency medical technician  
10 program shall be certified emergency medical technicians, advanced  
11 emergency medical technicians, or paramedics.

12 3. Personnel assigned to investigate an advanced emergency medical  
13 technician program complaint or regulate the advanced emergency  
14 medical technician program shall be certified advanced emergency  
15 medical technicians or paramedics.

16 4. Personnel assigned to investigate a paramedic program complaint or  
17 regulate the paramedic program shall be licensed paramedics.

18 5.~~[4.]~~ A person who is employed by the board who is licensed or certified by  
19 the board shall retain his or her license or certification if he or she meets  
20 the in-service training requirements and pays the fees specified by  
21 administrative regulation.

22 6.~~[5.]~~ A person who is employed by the board may instruct in emergency  
23 medical subjects in which he or she is qualified, with the permission of  
24 the board. All instruction shall be rendered without remuneration other  
25 than his or her state salary and the employee shall be considered as on  
26 state duty when teaching.

27 7.~~[6.]~~ A person who is employed by the board may render services for which

1 the person is qualified at a declared disaster or emergency or in a  
2 situation where trained personnel are not available until those personnel  
3 arrive to take over the patient, or where insufficient trained personnel are  
4 available to handle a specific emergency medical incident. All aid shall  
5 be rendered without remuneration other than the employee's state salary  
6 and the employee shall be considered as on state duty when rendering  
7 aid. In cases specified in this paragraph, the state medical advisor shall  
8 serve as the emergency medical services medical director for the  
9 employee;

10 (h) Establish committees and subcommittees and the membership thereof.  
11 Members of committees and subcommittees do not need to be members of the  
12 board;

13 (i) Enter into contracts, apply for grants and federal funds, and disburse funds to  
14 local units of government as approved by the General Assembly. All funds  
15 received by the board shall be placed in a trust and agency account in the State  
16 Treasury subject to expenditure by the board;

17 (j) Administer the Emergency Medical Services for Children Program; and

18 (k) Establish minimum curriculum and standards for emergency medical services  
19 training.

20 (2) The board may utilize materials, services, or facilities as may be made available to it  
21 by other state agencies or may contract for materials, services, or facilities.

22 (3) The board may delegate to the executive director, by written order, any function  
23 other than promulgation of an administrative regulation specified in this chapter.

24 (4) Except for securing funding for trauma centers ~~and the implementation of KRS~~  
25 ~~311A.170~~, the board shall not serve as the lead agency relating to the development  
26 or regulation of trauma systems, but shall be a partner with other state agencies in  
27 the development, implementation, and oversight of such systems.

1 (5) (a) The Kentucky Community and Technical College System shall employ  
2 personnel for the work of the board, and the personnel in the positions  
3 described in this section and all other persons in administrative and  
4 professional positions shall be transferred to the personnel system of the  
5 Kentucky Community and Technical College System on July 12, 2006, in the  
6 appropriate classification to carry out the mission of the board. All employees  
7 transferred under this paragraph shall have all employment records and  
8 months of service credit transferred to the Kentucky Community and  
9 Technical College System. Employees of the board transferred under this  
10 paragraph who subsequently return to state employment under KRS Chapter  
11 18A shall have their employment records and months of service credit under  
12 the Kentucky Community and Technical College System transferred back to  
13 the KRS Chapter 18A personnel system, and the employment records and  
14 months of service credit shall be used in calculations for all benefits under  
15 KRS Chapter 18A.

16 (b) New employees hired or contracted after July 12, 2006, shall be employed or  
17 contracted by the Kentucky Community and Technical College System.

18 (6) The board shall appoint a personnel committee consisting of the chair of the board,  
19 one (1) physician member of the board, one (1) ambulance service provider member  
20 of the board, one (1) additional member of the board selected by the chair of the  
21 board, and one (1) representative of the Kentucky Community and Technical  
22 College System administration. The personnel committee shall conduct an annual  
23 job performance review of the executive director, the medical advisor, and the  
24 board attorney that conforms with the personnel standards of the Kentucky  
25 Community and Technical College System and includes a recommendation for or  
26 against continued employment to be presented to the personnel office of the  
27 Kentucky Community and Technical College System.

1 (7) All state general fund moneys appropriated to the board, all federal funds, all  
 2 moneys collected by the board, and all equipment owned by the board shall be  
 3 transferred to the Kentucky Community and Technical College System on July 1,  
 4 2006.

5 (8) The board shall develop a proposed biennial budget for all administrative and  
 6 operational functions and duties in conjunction with the Kentucky Community and  
 7 Technical College System budget submission process. The Kentucky Community  
 8 and Technical College System shall not make changes to the budget proposal  
 9 submitted by the board, but may submit written comments on the board's budget  
 10 proposal to the board and other agencies in the budget submission process.

11 ➔Section 4. KRS 311A.025 is amended to read as follows:

12 (1) The board shall, subject to the provisions of this chapter, create levels of  
 13 certification or licensure, as appropriate for individuals providing services under  
 14 this chapter. These may consist of but not be limited to:

15 (a) **Emergency medical services educator, Level I, II, and III**~~First responder~~  
 16 ~~and first responder instructor~~;

17 (b) **Emergency medical responder**;

18 (c) Emergency medical technician **and advanced emergency medical**  
 19 **technician**~~basic, emergency medical technician basic instructor, and~~  
 20 ~~emergency medical technician basic instructor trainer~~;

21 (d)~~(e)~~ Paramedic, **advanced practice** paramedic~~course coordinator,~~  
 22 ~~paramedic instructor~~, and paramedic preceptor;

23 (e)~~(d)~~ Emergency medical services medical director who supervises a person  
 24 or organization licensed or certified by the board;

25 (f) **Mobile integrated healthcare program medical director who supervises a**  
 26 **MIH program licensed by the board**;

27 (g)~~(e)~~ Emergency medical service training institution;

- 1        ~~(h)(f)~~     Emergency medical service testing agency;
- 2        ~~(i)(g)~~     Ground ambulance service, including categories thereof;
- 3        ~~(j)(h)~~     Air ambulance service;
- 4        ~~(k)(i)~~     Medical first response provider;
- 5        ~~(l)(j)~~     Emergency medical dispatcher, emergency medical dispatch instructor,
- 6                    and emergency medical dispatch instructor trainer;
- 7        ~~(m)(k)~~     Emergency medical dispatch center or public safety answering point;
- 8                    and
- 9        ~~(n)(l)~~     Any other entity authorized by this chapter.

10    (2) The board shall promulgate administrative regulations for any certification or  
 11        license the board may create. The administrative regulations shall, at a minimum,  
 12        address:

- 13        (a) Requirements for students, if appropriate;
- 14        (b) Requirements for training;
- 15        (c) Eligibility for certification or licensure; and
- 16        (d) Renewal, recertification, and relicensure requirements.

17    (3) The board may authorize a physician licensed to practice in Kentucky to serve as an  
 18        emergency medical services medical director if that physician meets the  
 19        requirements specified by the board by administrative regulation.

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

21    The board shall promulgate administrative regulations in accordance with KRS Chapter  
 22    13A to carry out the functions of this chapter, including but not limited to:

23    (1) Licensing, inspecting, and regulating of ambulance services, *mobile integrated*  
 24        *healthcare programs*, and medical first-response providers. The administrative  
 25        regulations shall address specific requirements for:

- 26        (a) ~~[Air ambulance providers, which provide basic or advanced life support~~  
 27                    ~~services;~~

- 1       ~~(b)~~ Class I ground ambulance providers, which provide basic life support or  
 2       advanced life support services to all patients for emergencies or scheduled  
 3       ambulance transportation which is medically necessary;
- 4       ~~(b)~~~~(c)~~ Class II ground ambulance providers, which provide only basic life  
 5       support services but do not provide initial response to the general population  
 6       with medical emergencies and which are limited to providing scheduled  
 7       ambulance transportation which is medically necessary;
- 8       ~~(c)~~~~(d)~~ Class III ground ambulance providers, which provide mobile intensive  
 9       care services at or above the level of advanced life support to patients with  
 10      critical illnesses or injuries who must be transported between hospitals in  
 11      vehicles with specialized equipment as an extension of hospital-level care;~~;~~  
 12      ~~and~~
- 13      ~~(d)~~ *Class IV ground ambulance providers, which provide basic life support or*  
 14      *advanced life support services and transportation for restricted locations*  
 15      *such as industrial sites and other sites that do not provide services outside a*  
 16      *designated site;*
- 17      (e) *Class V mobile integrated healthcare programs, which do not transport*  
 18      *patients as a function of the program and which must be operated by or in*  
 19      *affiliation with a Class I ambulance provider that provides emergency*  
 20      *medical response in the geographic area*~~[Medical first response providers,~~  
 21      ~~which provide prehospital or advanced life support services, but do not~~  
 22      ~~transport patients];~~
- 23      ~~(f)~~ *Class VI medical first response providers, which provide basic or advanced*  
 24      *life support services, but do not transport patients;*
- 25      ~~(g)~~ *Class VII air ambulance providers, which provide basic or advanced life*  
 26      *support services; and*
- 27      ~~(h)~~ *Class VIII event medicine providers, which provide basic or advanced life*

1                   support services, but do not transport patients; and

2       (2) Licensing, inspecting, and regulating of emergency medical services training  
3       institutions.

4       Nothing in this section shall be construed to change or alter the issuance of certificates of  
5       need for emergency medical services providers.

6           ➔Section 6. KRS 311A.040 is amended to read as follows:

7       (1) The board may, on petition by an interested party, issue an advisory opinion relating  
8       to the applicability to any person, property, or state of facts of a statute in this  
9       chapter, administrative regulation promulgated by the board, decision, order, or  
10      other written statement of law or policy within the jurisdiction of the board.

11      (2) An advisory opinion shall be binding on the board and all parties to the proceeding  
12      on the statement of facts alleged.

13      (3) The board may not retroactively change an advisory opinion, but nothing in this  
14      section shall prevent the board from prospectively changing an advisory opinion.

15      (4) The board shall promulgate an administrative regulation in accordance with KRS  
16      Chapter 13A on procedures for submission, consideration, reconsideration, and  
17      disposition of a petition for an advisory opinion.

18      (5) An advisory opinion of the board may be appealed to the Franklin Circuit Court ~~of~~  
19      ~~the county in which the board's offices are located~~ within thirty (30) days of the  
20      date of the advisory opinion by the board.

21      (6) Each advisory opinion shall be a public record and shall be published in the manner  
22      specified by the board.

23      (7) When the board supersedes, vacates, modifies, or repeals a previous advisory  
24      opinion the new opinion shall specify each previous opinion affected.

25           ➔Section 7. KRS 311A.050 is amended to read as follows:

26      (1) No person shall:

27           (a) Call or hold himself or herself out as or use the title of emergency medical



- 1 technician, advanced emergency medical technician, emergency  
 2 medical~~[first]~~ responder, paramedic, advanced practice paramedic,  
 3 emergency medical services educator,~~[first responder instructor or instructor~~  
 4 ~~trainer, emergency medical technician instructor or instructor trainer, or~~  
 5 ~~paramedic instructor, paramedic instructor trainer, or]~~ paramedic course  
 6 coordinator, emergency medical services medical director, mobile integrated  
 7 healthcare program medical director, or any other member of emergency  
 8 medical services personnel unless licensed or certified under the provisions of  
 9 this chapter. The provisions of this paragraph~~[subsection]~~ shall not apply if  
 10 the board does not license or certify a person as an instructor~~[, instructor~~  
 11 ~~trainer, or course coordinator]~~ in a particular discipline regulated by the board;
- 12 (b) Operate or offer to operate or represent or advertise the operation of a school  
 13 or other educational program for emergency medical services personnel~~[first~~  
 14 ~~responders, emergency medical technicians, paramedics, or instructors or~~  
 15 ~~instructor trainers for first responders, emergency medical technicians, or~~  
 16 ~~paramedics]~~ unless the school or educational program has been approved and  
 17 licensed under the provisions of this chapter. The provisions of this paragraph  
 18 shall not apply to continuing education provided by a licensed ambulance  
 19 service for anyone certified or licensed by the board given by an ambulance  
 20 service for its employees or volunteers; or
- 21 (c) Knowingly employ emergency medical services personnel~~[a first responder,~~  
 22 ~~emergency medical technician, paramedic, or an instructor or instructor trainer~~  
 23 ~~for first responders, emergency medical technicians, or paramedics, or~~  
 24 ~~paramedic course coordinator]~~ unless that person is licensed or certified under  
 25 the provisions of this chapter.
- 26 (2) No person licensed or certified by the board or who is an applicant for licensure or  
 27 certification by the board shall:

- 1 (a) If licensed or certified, violate any provision of this chapter or any  
2 administrative regulation promulgated by the board;
- 3 (b) Use fraud or deceit in obtaining or attempting to obtain a license or  
4 certification from the board, or be granted a license upon mistake of a material  
5 fact;
- 6 (c) If licensed or certified by the board, grossly negligently or willfully act in a  
7 manner inconsistent with the practice of the discipline for which the person is  
8 certified or licensed;
- 9 (d) Be unfit or incompetent to practice a discipline regulated by the board by  
10 reason of negligence or other causes;
- 11 (e) Abuse, misuse, or misappropriate any drugs placed in the custody of the  
12 licensee or certified person for administration, or for use of others;
- 13 (f) Falsify or fail to make essential entries on essential records;
- 14 (g) Be convicted of a misdemeanor which involved acts that bear directly on the  
15 qualifications or ability of the applicant, licensee, or certified person to  
16 practice the discipline for which the person is an applicant, licensee, or  
17 certified person, if in accordance with KRS Chapter 335B;
- 18 (h) Be convicted of a misdemeanor which involved fraud, deceit, breach of trust,  
19 or physical harm or endangerment to self or others, acts that bear directly on  
20 the qualifications or ability of the applicant, licensee, or certificate holder to  
21 practice acts in the license or certification held or sought, if in accordance  
22 with KRS Chapter 335B;
- 23 (i) Be convicted of a misdemeanor offense under KRS Chapter 510 involving a  
24 patient or be found by the board to have had sexual contact as defined in KRS  
25 510.010(7) with a patient while the patient was under the care of the licensee  
26 or certificate holder;
- 27 (j) Have had his or her license or credential to practice as a nurse or physician

- 1 denied, limited, suspended, probated, revoked, or otherwise disciplined in  
2 Kentucky or in another jurisdiction on grounds sufficient to cause a license to  
3 be denied, limited, suspended, probated, revoked, or otherwise disciplined in  
4 this Commonwealth;
- 5 (k) Have a license or certification to practice in any activity regulated by the  
6 board denied, limited, suspended, probated, revoked, or otherwise disciplined  
7 in another jurisdiction on grounds sufficient to cause a license or certification  
8 to be denied, limited, suspended, probated, revoked, or otherwise disciplined  
9 in this Commonwealth;
- 10 (l) Violate any lawful order or directive previously entered by the board;
- 11 (m) Have been listed on the nurse aide abuse registry with a substantiated finding  
12 of abuse, neglect, or misappropriation of property; or
- 13 (n) Be convicted of, have entered a guilty plea to, ***or*** have entered an Alford plea  
14 to a felony offense, ~~or completed a diversion program for a felony offense,~~ if  
15 in accordance with KRS Chapter 335B.
- 16 (3) It shall be unlawful for an employer of a person licensed or certified by the board  
17 having knowledge of the facts to refrain from reporting to the board ***on an official***  
18 ***complaint form approved by the board through administrative regulation*** any  
19 person licensed or certified by the board who:
- 20 (a) Has been convicted of, has entered a guilty plea to, ***or*** has entered an Alford  
21 plea to a felony offense, ~~or has completed a diversion program for a felony~~  
22 ~~offense~~;
- 23 (b) Has been convicted of a misdemeanor or felony which involved acts that bear  
24 directly on the qualifications or ability of the applicant, licensee, or certified  
25 person to practice the discipline for which they are an applicant, licensee, or  
26 certified person;
- 27 (c) Is reasonably suspected of fraud or deceit in procuring or attempting to

- 1 procure a license or certification from the board;
- 2 (d) Is reasonably suspected of grossly negligently or willfully acting in a manner  
3 inconsistent with the practice of the discipline for which they are certified or  
4 licensed;
- 5 (e) Is reasonably suspected of being unfit or incompetent to practice a discipline  
6 regulated by the board by reason of negligence or other causes, including but  
7 not limited to being unable to practice the discipline for which they are  
8 licensed or certified with reasonable skill or safety;
- 9 (f) Is reasonably suspected of violating any provisions of this chapter or the  
10 administrative regulations promulgated under this chapter;
- 11 (g) Has a license or certification to practice an activity regulated by the board  
12 denied, limited, suspended, probated, revoked, or otherwise disciplined in  
13 another jurisdiction on grounds sufficient to cause a license or certification to  
14 be denied, limited, suspended, probated, revoked, or otherwise disciplined in  
15 this Commonwealth;
- 16 (h) Is practicing an activity regulated by the board without a current active license  
17 or certification issued by the board;
- 18 (i) Is reasonably suspected of abusing, misusing, or misappropriating any drugs  
19 placed in the custody of the licensee or certified person for administration or  
20 for use of others; or
- 21 (j) Is suspected of falsifying or in a grossly negligent manner making incorrect  
22 entries or failing to make essential entries on essential records.
- 23 (4) A person who violates subsection (1)(a), (b), or (c) of this section shall be guilty of  
24 a Class A misdemeanor for a first offense and a Class D felony for each subsequent  
25 offense.
- 26 (5) The provisions of this section shall not preclude prosecution for the unlawful  
27 practice of medicine, nursing, or other practice certified or licensed by an agency of

1 the Commonwealth.

2 (6) The filing of criminal charges or a criminal conviction for violation of the  
3 provisions of this chapter or the administrative regulations promulgated thereunder  
4 shall not preclude the office of the board from instituting or imposing board  
5 disciplinary action authorized by this chapter against any person or organization  
6 violating this chapter or the administrative regulations promulgated thereunder.

7 (7) The institution or imposition of disciplinary action by the office of the board against  
8 any person or organization violating the provisions of this chapter or the  
9 administrative regulations promulgated thereunder shall not preclude the filing of  
10 criminal charges against or a criminal conviction of any person or organization for  
11 violation of the provisions of this chapter or the administrative regulations  
12 promulgated thereunder.

13 ➔Section 8. KRS 311A.055 is amended to read as follows:

14 (1) In accordance with the provisions of KRS Chapter 13B, all discipline for which the  
15 board is authorized to conduct investigations, hold hearings, and impose  
16 punishments is delegated to the executive director, state medical advisor, board  
17 attorney, and hearing panels as provided herein.

18 (2) Any person may make a complaint to the executive director that an entity licensed  
19 or certified by the board, ***emergency medical services personnel***,~~[first responder,~~  
20 ~~emergency medical technician, paramedic, emergency medical services medical~~  
21 ~~advisor]~~ or ***any*** other person licensed or certified by the board has violated a  
22 provision of this chapter, an administrative regulation promulgated pursuant to this  
23 chapter, protocol, practice standard, or order of the board.

24 (3) Each complaint shall:

25 (a) Be in writing;

26 (b) Identify specifically the person or organization against whom the complaint is  
27 made;

- 1 (c) Set forth the facts relating to the violation alleged and any other supporting  
2 information which may have a bearing on the matter;
- 3 (d) Contain the name, address, telephone number, facsimile number, and e-mail  
4 address, if available, of the complainant;
- 5 (e) Be subscribed and sworn to as to the truth of the statements contained in the  
6 complaint by the complainant; and
- 7 (f) Be notarized.
- 8 (4) A complaint which is unsigned shall not be acted upon by the executive director. A  
9 complaint which is not subscribed and sworn in the manner specified in subsection  
10 (3) of this section shall be returned to the complainant for completion.
- 11 (5) The executive director of the board may, on behalf of the board, based on  
12 knowledge available to the office of the board, make a complaint against any person  
13 or organization regulated by the board in the same manner as provided in subsection  
14 (3) of this section.
- 15 (6) Upon receipt of a properly completed complaint, the executive director shall assign  
16 the complaint to a staff investigator who shall investigate the complaint and shall  
17 make findings of fact and recommendations to the executive director who shall then  
18 convene a preliminary inquiry board.
- 19 (7) When the executive director assigns a complaint to a staff investigator, he or she  
20 shall notify the person or organization against whom the complaint has been filed,  
21 *the employer of the emergency services personnel against whom the complaint*  
22 *has been filed,* ~~and shall notify the employer of a first responder, emergency~~  
23 ~~medical technician, or paramedic and~~ the emergency medical services medical  
24 director *or mobile integrated healthcare program medical director* for the  
25 organization ~~and for any paramedic~~ against whom the complaint *has been* ~~is~~ filed  
26 *or that employs the emergency medical services personnel against whom the*  
27 *complaint has been filed,* and any other person or organization specified in this

1 chapter.

2 (8) The notification shall name the person or organization complained against, the  
3 complainant, the violations alleged, and the facts presented in the complaint and  
4 shall notify the person or organization complained against, the employer, and the  
5 emergency medical services medical director of:

6 (a) The fact that the complaint shall be answered, the steps for answering the  
7 complaint, and the action to be taken if the complaint is not answered;

8 (b) The time frame and steps in the proceedings of a complaint;

9 (c) The rights of the parties, including the right to counsel; and

10 (d) The right to testify at any hearing.

11 (9) Upon the failure of a license or certificate holder to respond to a written accusation  
12 or to request a hearing within twenty (20) days after the sending of the accusation,  
13 the accused shall be considered to have admitted the truth of the facts and the  
14 circumstances in the allegation and appropriate discipline may be imposed.

15 (10) The preliminary inquiry board shall consist of one (1) member of the board selected  
16 by the chair, and two (2) persons representing the same category of certification or  
17 licensure as the defendant who are not members of the board appointed by the  
18 chairman of the board.

19 (11) After reviewing the complaint and results of any investigation conducted on behalf  
20 of the board, the preliminary inquiry board shall consider whether the accusation is  
21 sufficient to remand the matter for a hearing as provided in this section and KRS  
22 Chapter 13B. A majority vote of the members of the preliminary inquiry board shall  
23 be necessary for action to either remand the matter for hearing or dismiss the  
24 complaint without hearing.

25 (12) If the preliminary inquiry board dismisses the complaint, all parties notified  
26 previously shall be notified of the action. If the preliminary inquiry board remands  
27 the matter for a hearing, all parties notified previously shall be notified of the

1 action.

2 (13) Each proceeding to consider the imposition of a penalty which the board is  
3 authorized to impose pursuant to this chapter shall be conducted in accordance with  
4 KRS Chapter 13B.

5 (14) A hearing panel for purposes of making a decision in any disciplinary matter shall  
6 consist of one (1) physician who may be a member of the board or who meets the  
7 qualifications of an emergency medical services medical director; one (1) person  
8 from the category of persons or organizations of the same class as the defendant;  
9 and the hearing officer, who shall not be involved in emergency medical services.

10 (15) The hearing officer may issue subpoenas to compel the attendance of witnesses and  
11 the production of documents in the conduct of an investigation. The subpoenas may  
12 be enforced by any Circuit Court for contempt. Any order or subpoena of the court  
13 requiring the attendance and testimony of witnesses and the production of  
14 documentary evidence may be enforced and shall be valid anywhere in this state.

15 (16) At all hearings the board attorney or, on request of the board, the Attorney General  
16 of this state or one (1) of the assistant attorneys general designated shall appear and  
17 represent the board.

18 (17) The emergency medical services provider or related employer of a person licensed  
19 or certified by the board and the emergency medical services medical director of  
20 such a person who is the defendant in a hearing shall be parties to the action and  
21 may appear and testify in the matter at any deposition or hearing on the matter and  
22 may propose conclusions of law, findings of fact, and penalties to the hearing panel.

23 (18) To make a finding or recommend discipline, the two (2) members of the hearing  
24 panel who are not the hearing officer shall agree on the finding or discipline. In the  
25 event of a tie vote, the hearing officer shall cast the deciding vote.

26 (19) The final order in any disciplinary proceeding shall be prepared by the executive  
27 director and sent to all parties in the manner prescribed by law.



- 1 (20) Any person or entity aggrieved by a final order of the board may appeal to the  
 2 Franklin Circuit Court in accordance with the provisions of KRS Chapter 13B.
- 3 (21) The only discipline that the board may impose against an emergency medical  
 4 services medical director is denial, suspension or withdrawal of the board's approval  
 5 for that person to serve as an emergency medical services medical director.
- 6 (22) If the executive director substantiates that sexual contact occurred between a  
 7 licensee or certificate holder and a patient while the patient was under the care of or  
 8 in a professional relationship with the licensee or certificate holder, the license or  
 9 certification may be revoked or suspended with mandatory treatment of the person  
 10 as prescribed by the executive director. The executive director may require the  
 11 licensee or certificate holder to pay a specified amount for mental health services  
 12 for the patient which are needed as a result of the sexual contact.
- 13 ➔Section 9. KRS 311A.060 is amended to read as follows:
- 14 (1) If it is determined that an entity or a member of emergency medical services  
 15 personnel regulated, licensed, or certified by the board,~~[a paramedic, first~~  
 16 ~~responder, or emergency medical technician]~~ has violated a statute, administrative  
 17 regulation, protocol, or practice standard relating to serving as an entity or a  
 18 member of emergency medical services personnel regulated by the board,~~[a~~  
 19 ~~paramedic, first responder, or emergency medical technician,]~~ the office of the  
 20 board may impose any of the sanctions provided in subsection (2) of this section.  
 21 Any party to the complaint shall have the right to propose findings of fact and  
 22 conclusions of law, and to recommend sanctions.
- 23 (2) The office of the board shall require an acceptable plan of correction and may use  
 24 any one (1) or more of the following sanctions when disciplining emergency  
 25 medical services personnel~~[a paramedic, emergency medical technician first~~  
 26 ~~responder, emergency medical technician,]~~ or any entity regulated by the board:
- 27 (a) Private reprimand that shall be shared with each of the paramedic's,

- 1           emergency medical~~[first]~~ responder's, advanced emergency medical  
 2           technician's, or emergency medical technician's emergency medical services  
 3           or related employer and medical director;
- 4           (b) Public reprimand;
- 5           (c) Fines of fifty dollars (\$50) to five hundred dollars (\$500) for a natural person  
 6           or fifty dollars (\$50) to five thousand dollars (\$5,000) for a public agency or  
 7           business entity;
- 8           (d) Revocation of certification or licensure;
- 9           (e) Suspension of certification or licensure until a time certain;
- 10          (f) Suspension until a certain act or acts are performed;
- 11          (g) Limitation of practice permanently;
- 12          (h) Limitation of practice until a time certain;
- 13          (i) Limitation of practice until a certain act or acts are performed;
- 14          (j) Repassing a portion of the paramedic, emergency medical~~[first]~~ responder,  
 15          advanced emergency medical technician, or emergency medical technician  
 16          examination;
- 17          (k) Probation for a specified time; or
- 18          (l) If it is found that the person who is licensed or certified by the board has been  
 19          convicted of, pled guilty to, or entered an Alford plea to a felony offense,~~[or~~  
 20          ~~has completed a diversion program for a felony offense]~~ the license or  
 21          certification shall be revoked.
- 22          (3) The filing of criminal charges or a criminal conviction for violation of the  
 23          provisions of this chapter or the administrative regulations promulgated thereunder  
 24          shall not preclude the office of the board from instituting or imposing board  
 25          disciplinary action authorized by this chapter against any person or organization  
 26          violating this chapter or the administrative regulations promulgated thereunder.
- 27          (4) The institution or imposition of disciplinary action by the office of the board against

1 any person or organization violating the provisions of this chapter or the  
 2 administrative regulations promulgated thereunder shall not preclude the filing of  
 3 criminal charges against or a criminal conviction of any person or organization for  
 4 violation of the provisions of this chapter or the administrative regulations  
 5 promulgated thereunder.

6 ➔Section 10. KRS 311A.065 is amended to read as follows:

- 7 (1) If the office of the board has reasonable cause to believe that any licensee or  
 8 certificate holder or any applicant for licensure or certification by examination,  
 9 reinstatement, or change of status is unable to practice with reasonable skill or  
 10 safety or has abused alcohol or drugs, it may require *the person to submit to a*  
 11 *mental health, neuropsychological, psychosocial, psychosexual, substance use*  
 12 *disorder, or physical evaluation by a licensed or certified practitioner designated*  
 13 *by the board*~~that person to submit to a mental or physical examination by a~~  
 14 ~~physician or psychologist it designates~~. Upon the failure of the person to submit to  
 15 a *mental health, neuropsychological, psychosocial, psychosexual, substance use*  
 16 *disorder, or physical evaluation*~~[mental or physical examination]~~, unless due to  
 17 circumstances beyond the person's control, the office of the board may initiate an  
 18 action for immediate temporary suspension pursuant to this chapter or deny the  
 19 application until the person submits to the required *evaluation*~~[examination]~~. The  
 20 office of the board may issue an immediate and temporary suspension from the time  
 21 of the *evaluation*~~[examination]~~ until the hearing.
- 22 (2) Every licensee or certificate holder or applicant for licensure or certification by  
 23 examination, reinstatement, or change of status shall be deemed to have given  
 24 consent to submit to *a mental health, neuropsychological, psychosocial,*  
 25 *psychosexual, substance use disorder, or physical evaluation*~~[an examination]~~  
 26 when so directed in writing by the board. The direction to submit to an  
 27 *evaluation*~~[examination]~~ shall contain the basis of the office of the board's

1 reasonable cause to believe that the person is unable to practice with reasonable  
 2 skill or safety, or has abused alcohol or drugs. The person shall be deemed to have  
 3 waived all objections to the admissibility of the examining physician's or  
 4 psychologist's testimony or evaluation~~[examination]~~ reports on the ground of  
 5 privileged communication.

- 6 (3) The licensee or certificate holder or applicant for licensure or certification by  
 7 examination, reinstatement, or change of status shall bear the cost of any mental  
 8 health, neuropsychological, psychosocial, psychosexual, substance use disorder,  
 9 or physical evaluation ordered by the board~~[or physical examination ordered by~~  
 10 ~~the office of the board]~~.

11 ➔Section 11. KRS 311A.075 is amended to read as follows:

- 12 (1) The ~~[state medical advisor, one (1) physician board member selected by the chair of~~  
 13 ~~the board, and one (1) member of the board of the same category of licensure or~~  
 14 ~~certification as the defendant selected by the ]~~chair of the board, or his or her  
 15 designee, in writing, may determine that immediate temporary suspension of a  
 16 license or certification of a natural person against whom~~[which]~~ disciplinary action  
 17 or an investigation is pending is necessary in order to protect the public. If the  
 18 defendant is employed by an emergency medical services provider, the input of the  
 19 employer's emergency medical services medical director or mobile integrated  
 20 healthcare program medical director may ~~[shall ]~~be sought with regard to the  
 21 matter. In the event of an action against an organization, the determination that an  
 22 immediate temporary suspension is necessary in order to protect the public shall be  
 23 made by the ~~[state medical advisor, and two (2) other members of the board who are~~  
 24 ~~appointed by the ]~~chair of the board, or his or her designee, in writing. When this  
 25 action may be necessary, the executive director, in writing, shall issue an emergency  
 26 order suspending the licensee or certificate holder. Upon appeal of an emergency  
 27 order, an emergency hearing shall be conducted in accordance with KRS 13B.125.

1 (2) No board member shall be disqualified from serving on a disciplinary action  
 2 hearing panel for the reason that he or she has previously sat on a **preliminary**  
 3 **inquiry panel hearing of the same licensee or certification holder**~~[hearing panel~~  
 4 ~~considering temporary suspension of the same license].~~

5 (3) Disciplinary actions in which a license or certification has been temporarily  
 6 suspended and a hearing shall be held in accordance with KRS 13B.125 within  
 7 ninety (90) days unless the defendant requests an extension of time.

8 (4) The order of immediate temporary suspension shall remain in effect until either  
 9 retracted or superseded by final disciplinary action by the office of the board. In  
 10 cases where disciplinary action is imposed, the office of the board may additionally  
 11 order that the temporary suspension continue in effect until the later expiration of  
 12 time permitted for appeal or termination of the appellate process.

13 ➔Section 12. KRS 311A.095 is amended to read as follows:

14 (1) A paramedic license, **emergency medical**~~[first]~~ responder certification, **advanced**  
 15 **emergency medical technician certification**, or emergency medical technician  
 16 certification shall:

17 (a) Be valid for a period of two (2) years **upon renewal; and**~~[.]~~

18 (b) ~~[(2) Each paramedic license, first responder certification, or emergency~~  
 19 ~~medical technician certification shall.]~~ Expire on December 31 of the second  
 20 year from its **initial** issuance.

21 ~~(2)~~~~[(3)]~~ The license or certification of every person issued under the provisions of this  
 22 chapter shall be renewed at least biennially except as provided in this section. At  
 23 least six (6) weeks before the renewal date the office of the board shall **send**  
 24 **notification correspondence**~~[mail an application]~~ for renewal to every person for  
 25 whom a license or certification was issued during the current licensure or  
 26 certification period. The applicant shall **complete and submit the application for**  
 27 **renewal**~~[fill in the application form and return it to the office of the board]~~ with the

1 renewal fee prescribed by the board in an administrative regulation before the  
2 expiration date of his or her current license or certification. Upon receipt of the  
3 application and fee, the board shall verify the accuracy of the application to  
4 determine whether the licensee or person seeking certification has met all the  
5 requirements as set forth in this chapter and in the administrative regulations  
6 promulgated by the board, and, if so, shall issue to the applicant a license or  
7 certification to practice or engage in the activity for the ensuing licensure or  
8 certification period. Such license or certification shall render the holder a legal  
9 practitioner of the practice or activity specified in the license or certification for the  
10 period stated on it. The board shall prescribe by administrative regulation the  
11 beginning and ending of the licensure or certification period.

12 ~~(3)~~~~(4)~~ Any person who is licensed or certified by the board who allows his or her  
13 license or certification to lapse by failing to renew the license or certification as  
14 provided in this section may be reinstated by the board ~~on payment of the current~~  
15 ~~fee for original licensure or certification and~~ by meeting the requirements of  
16 administrative regulations promulgated by the board.

17 ~~(4)~~~~(5)~~ **Correspondence regarding renewal of a license or certification shall be sent**  
18 **to the electronic mail address provided by the individual certified or licensed by**  
19 **the board**~~[An application for renewal of a license or certification shall be sent to the~~  
20 ~~last known address of each licensee or certified person].~~

21 ~~(5)~~~~(6)~~ Any person **engaging in**~~[practicing]~~ any practice or activity regulated by the  
22 board during the time his or her license or certification has lapsed shall be  
23 considered an illegal practitioner and shall be subject to the penalties provided for  
24 violations of this chapter.

25 ~~(6)~~~~(7)~~ Failure to receive **correspondence**~~[the application]~~ for renewal of a license or  
26 certification shall not relieve a paramedic, **emergency medical**~~[first]~~ responder,  
27 **advanced emergency medical technician,** or emergency medical technician from

1 the duty to renew his or her license or certification prior to December 31 of the year  
2 in which the license or certification expires.

3 ~~(7)~~~~(8)~~ The duration of any license or certification issued by the board may be limited  
4 by disciplinary action of the board.

5 ~~(8)~~~~(9)~~ Every license or certification issued by the board shall have the seal of the  
6 board affixed. A holder of a license or certification shall retain it in his or her  
7 possession and be prepared to exhibit it upon demand by an employer or anyone to  
8 whom the holder of the license or certification offers emergency medical services or  
9 any board or staff member of the Kentucky Board of Emergency Medical Services.

10 ~~(9)~~~~(10)~~ Failure or refusal to produce a license or certification upon demand shall be  
11 prima facie evidence that no such license or certification exists.

12 ~~[(11) In order to assure a proper transition during the implementation of the provisions of~~  
13 ~~this section, the board may, for a period of three (3) years, extend a license or~~  
14 ~~certification of any person in order to utilize the expiration date provided for in this~~  
15 ~~section. The board shall, in writing, notify each person whose license or~~  
16 ~~certification is extended of the extension and the new date of expiration. The~~  
17 ~~extension shall be without charge.]~~

18 ➔Section 13. KRS 311A.105 is amended to read as follows:

19 Any person as defined in KRS 446.010 licensed or certified by the board shall maintain a  
20 current mailing **and electronic mailing** address with the office of the board and  
21 immediately notify the board in writing of a change of mailing **or electronic mailing**  
22 address. As a condition of holding a license or certification from the board, a licensee or  
23 certificate holder is deemed to have consented to service of notice or orders of the board  
24 at the mailing address on file with the office of the board, and any notice or order of the  
25 board mailed or delivered to the mailing address on file with the board constitutes valid  
26 service of the notice or order.

27 ➔Section 14. KRS 311A.120 is amended to read as follows:

1 (1) As a condition of being issued a certificate or license as an emergency medical  
 2 technician, advanced emergency medical technician, emergency medical  
 3 responder, or paramedic~~[or first responder]~~, the applicant shall have completed a  
 4 Kentucky Board of Emergency Medical Services approved educational course on  
 5 the transmission, control, treatment, and prevention of the human  
 6 immunodeficiency virus and acquired immunodeficiency syndrome with an  
 7 emphasis on appropriate behavior and attitude change.

8 (2) The board shall require continuing education for emergency medical technicians,  
 9 advanced emergency medical technicians, emergency medical responders, or  
 10 paramedics~~[or first responders]~~ that includes the completion of one and one-half  
 11 (1.5) hours of board approved continuing education covering the recognition and  
 12 prevention of pediatric abusive head trauma, as defined in KRS 620.020, at least  
 13 one (1) time every five (5) years. The one and one-half (1.5) hours required under  
 14 this section shall be included in the current number of required continuing education  
 15 hours.

16 ➔Section 15. KRS 311A.125 is amended to read as follows:

17 (1) For each licensure renewal of a paramedic following the issuance of an initial  
 18 license or certification by the board, as a prerequisite for license or certification  
 19 renewal, all individuals licensed under the provisions of this chapter shall be  
 20 required to document continuing competence during the immediate past licensure or  
 21 certification period as prescribed in administrative regulations promulgated by the  
 22 board.

23 (2) ~~{The compliance with continuing competency requirement shall be documented by~~  
 24 ~~the emergency medical services medical director and reported as set forth by the~~  
 25 ~~board in administrative regulations promulgated in accordance with KRS Chapter~~  
 26 ~~13A.~~

27 (3) ~~]~~The board shall approve providers of emergency medical services education and



1 continuing education. The approval may include recognition of providers approved  
 2 by national organizations and state boards of emergency medical services with  
 3 comparable standards. Standards for these approvals shall be set forth by the board  
 4 in administrative regulations promulgated in accordance with KRS Chapter 13A.  
 5 The board need not approve continuing education training provided by a licensed  
 6 ambulance service for anyone certified or licensed by the board.

7 ~~(3)~~~~(4)~~ The board shall work cooperatively with professional emergency medical  
 8 services organizations, approved schools, and other potential sources of continuing  
 9 education programs to ensure that adequate continuing education offerings are  
 10 available statewide. The board may enter into contractual agreements to implement  
 11 the provisions of this section.

12 ➔Section 16. KRS 311A.130 is amended to read as follows:

- 13 (1) The conduct of proper in-service training, including but not limited to in-house in-  
 14 service training, in accordance with the standards specified by this chapter,  
 15 administrative regulations, and the standards of relevant United States Department  
 16 of Transportation curricula shall be that of the provider of the in-service training.
- 17 (2) If in-service training is conducted by an ambulance service, emergency medical  
 18 services provider, or educational institution, the organization, the instructor, and its  
 19 medical director share responsibility for the provision of training which meets or  
 20 exceeds the requirements of subsection (1) of this section.
- 21 (3) Persons and organizations providing in-service training for **any emergency medical**  
 22 **services personnel**~~[first responders, emergency medical technicians, or paramedics]~~  
 23 shall keep the records required by the board by administrative regulation and shall  
 24 make them available to a representative of the board upon request.
- 25 (4) Failure to keep a record required by the board by administrative regulation or  
 26 required to be kept by statute, falsifying a record, or grossly negligently maintaining  
 27 a record required to be kept by administrative regulation or statute shall be subject

1 to action by the office of the board.

2 (5) Providing in-service training not meeting or exceeding the requirements specified in  
3 subsections (1) and (2) of this section shall be subject to action of the office of the  
4 board.

5 (6) Penalties specified in this section shall be in addition to any action which the board  
6 may be permitted to take against the license or certification of any person or  
7 organization.

8 (7) The board may refuse to recognize any in-service training not conducted in  
9 accordance with the provisions of this chapter, United States Department of  
10 Transportation curricula, or administrative regulations promulgated pursuant to this  
11 chapter. If the board determines that in-service training will not be accepted, the  
12 denial of credit shall be extended to all persons who completed that specific in-  
13 service training.

14 ➔Section 17. KRS 311A.140 is amended to read as follows:

15 (1) The board shall promulgate administrative regulations relating to emergency  
16 medical technicians. The administrative regulations may include the classification  
17 and certification of emergency medical technicians, instructors, instructor-trainers,  
18 and students and trainees; examinations; standards of training and experience;  
19 curricula standards; issuance or renewal of certificates; hearing of appeals; and  
20 other administrative regulations as may be necessary for the protection of public  
21 health and safety in the delivery of emergency medical services. No additional  
22 testing or examinations shall be required for recertification, except for proficiency  
23 testing of new skills or knowledge, or areas in which there is documented evidence  
24 of deterioration of skills.

25 (2) Recertification programs shall be organized to include continuing education and in-  
26 service training approved by the board.

27 (3) *An applicant for initial certification as an emergency medical responder,*

1        *emergency medical technician, or advanced emergency medical technician, or*  
 2        *licensure as a paramedic shall* ~~Beginning July 14, 2000, a new emergency medical~~  
 3        ~~technician shall, for initial certification,~~ be certified using the requirements and  
 4        testing established by the National Registry of Emergency Medical Technicians or  
 5        other agent chosen by the board.

6        (4) *An applicant for certification renewal as an emergency medical responder,*  
 7        *emergency medical technician, or advanced emergency medical technician, or*  
 8        *renewal of licensure as a paramedic, shall meet the educational requirements for*  
 9        *renewal of the appropriate certification or licensure credential as required by*  
 10       *administrative regulations promulgated by the board or* ~~Beginning July 14, 2000,~~  
 11       ~~a certified emergency medical technician who seeks recertification shall obtain~~  
 12       ~~recertification under the requirements established and maintained by the board.~~  
 13       ~~These requirements shall contain a minimum of sixteen (16) hours of required~~  
 14       ~~topics and eight (8) hours of elective topics over a two (2) year recertification~~  
 15       ~~period. The board shall also recertify any emergency medical technician who~~  
 16       ~~chooses to obtain recertification under~~ the requirements established by the National  
 17       Registry of Emergency Medical Technicians or other agent chosen by the board in  
 18       lieu of the standards established by the board.

19       (5) Except as provided in KRS 311A.060, the board shall not require any additional  
 20       course work, in-service training, testing, or examinations of a person who chooses  
 21       the National Registry of Emergency Medical Technicians or other agent chosen by  
 22       the board for certification or recertification as an emergency medical technician.

23       (6) Any person licensed by the board as a paramedic shall be certified as an emergency  
 24       medical technician by the board. The certification shall be issued without fee,  
 25       without additional training, in-service training, testing, or examination. The  
 26       emergency medical technician certification shall be issued and expire at the same  
 27       time that the paramedic license is issued or expires, and if a paramedic voluntarily

1 gives up his or her license prior to the expiration of his or her paramedic license, his  
2 or her emergency medical technician certification shall be unaffected thereby. If a  
3 paramedic chooses not to be relicensed as a paramedic but chooses to retain his  
4 emergency medical technician certification, the paramedic shall, prior to the  
5 expiration of his paramedic license, complete the requirements for recertification as  
6 an emergency medical technician utilizing one (1) of the methods provided for in  
7 this section.

8 (7) A paramedic whose license as a paramedic or certification as an emergency medical  
9 technician is suspended, revoked, or denied by the board shall have the same action  
10 taken automatically with regard to his emergency medical technician certification or  
11 paramedic license.

12 ➔Section 18. KRS 311A.170 is amended to read as follows:

13 (1) Subject to the provisions of this section, a paramedic may perform any procedure:

14 (a) Specified in the most recent curriculum of the United States Department of  
15 Transportation training course for paramedics; and

16 (b) Any additional procedure specified by the board by administrative regulation.

17 (2) When there is a change in the United States Department of Transportation  
18 curriculum for paramedics, or the board approves an additional skill or procedure by  
19 administrative regulation, or approves a protocol differing from the curriculum or  
20 administrative regulations, no person who was not trained under that curriculum or  
21 administrative regulation shall perform any activity or procedure in the new  
22 curriculum, administrative regulation, or protocol unless the person has been trained  
23 according to the new curriculum, administrative regulation, or protocol and  
24 demonstrates competency in the new knowledge or skill. Competency in a new skill  
25 shall be demonstrated through a return demonstration to a competent evaluator. If  
26 the board adopts the new procedure or skill, the board shall promulgate an  
27 administrative regulation specifying the new procedure, training requirements,

1 examination requirements, and a time period during which the paramedic shall  
2 successfully complete the material or lose his or her license as a paramedic.

3 (3) *The board shall promulgate administrative regulations in accordance with KRS*  
4 *Chapter 13A establishing the educational requirements, testing requirements,*  
5 *credentialing, and licensure requirements of advanced practice paramedics.*  
6 *Advanced practice paramedics shall validate competency as prescribed in*  
7 *administrative regulations and be identified as one (1) or more of the following*  
8 *certification levels of advanced practice paramedic:*

9 *(a) Certified community paramedic;*

10 *(b) Certified critical care paramedic;*

11 *(c) Certified flight paramedic;*

12 *(d) Certified tactical paramedic; or*

13 *(e) Certified wilderness paramedic.*

14 (4) A paramedic may draw blood samples from a criminal defendant upon the request  
15 of a peace officer and the consent of the defendant, or without the consent of the  
16 defendant upon receipt of a court order requiring the procedure, if the paramedic is  
17 authorized to do so by his or her employer. The authorization shall be in writing and  
18 may be by general written policy of the employer and the service's medical director.  
19 The paramedic who drew the blood sample shall deliver the sample to the peace  
20 officer or other person specified by the court in a court order and shall testify in  
21 court with regard thereto upon service of a proper subpoena.

22 (5)~~(4)~~ A paramedic shall be permitted to render services only under the supervision  
23 of *a certified*~~an~~ emergency medical services medical director, *certified mobile*  
24 *integrated healthcare program medical director, or under the direct supervision*  
25 *of an emergency department medical director.*

26 (6) *A paramedic holding board certification as a community paramedic may provide*  
27 *mobile integrated healthcare services only as an employee of a mobile integrated*

1        *healthcare program holding a Class V Mobile Integrated Healthcare license in*  
2        *affiliation with a Class I ground ambulance provider.*

3        ~~(7)~~~~(5)~~ Any provision of this chapter other than this section relating to the  
4        requirement for additional training, requirement for skill examination, or approval  
5        of standing orders, protocols, or medical procedures to the contrary  
6        notwithstanding, a paramedic may be employed by a hospital to work as a licensed  
7        paramedic in the emergency department of the hospital subject to the following  
8        conditions:

- 9        (a) The hospital in collaboration with the medical staff shall provide operating  
10        procedures and policies under which the paramedic shall operate consistent  
11        with the paramedic's scope of practice;
- 12        (b) A paramedic shall provide patient care services under the orders of a  
13        physician, physician assistant, advanced practice registered nurse, or as  
14        delegated by a registered nurse;
- 15        (c) Subject to the provisions relating to the scope of practice of a paramedic, a  
16        hospital may require a paramedic to take additional training on any subject or  
17        skill which the paramedic may be required to perform in a hospital and  
18        demonstrate competency in the skill or subject to a competent evaluator; and
- 19        (d) The paramedic does not violate the provisions of KRS 311A.175 or any other  
20        statute or administrative regulation relating to a paramedic.

21        No provision of this section shall prevent a paramedic from being employed in any  
22        other section of the hospital where the paramedic's job duties do not require  
23        certification or licensure by the board and do not otherwise constitute the unlawful  
24        practice of medicine.

25        ~~(8)~~~~(6)~~ Except as provided in subsection (2) of this section, nothing in this section  
26        shall prevent an employer from exercising reasonable fiscal control over the costs of  
27        providing medical services to its citizens nor prevent the employer from exercising

1 any reasonable control over paramedics providing care on behalf of the licensed  
2 entity.

3 ➔Section 19. KRS 311A.175 is amended to read as follows:

4 (1) No **certified emergency medical**~~[first]~~ responder shall perform any act or procedure  
5 which exceeds the scope of practice of **an emergency medical**~~[a first]~~ responder as  
6 specified in this chapter and in administrative regulations promulgated by the board.

7 (2) No emergency medical technician shall perform any act or procedure which exceeds  
8 the scope of practice of an emergency medical technician as specified in this chapter  
9 and in administrative regulations promulgated by the board.

10 (3) **No advanced emergency medical technician shall perform any act or procedure**  
11 **which exceeds the scope of practice of an advanced emergency medical**  
12 **technician as specified in this chapter and in administrative regulations**  
13 **promulgated by the board.**

14 **(4)** No paramedic shall perform any act or procedure which exceeds the scope of  
15 practice of a paramedic as specified in this chapter, administrative regulations  
16 promulgated by the board, protocol, standing order, or other document approved by  
17 the board.

18 **(5)**~~[(4)]~~ A **certified emergency**~~[first]~~ responder, emergency medical technician,  
19 **advanced emergency medical technician,** or **licensed** paramedic is presumed to  
20 know the standards of practice for his or her level of certification or licensure.

21 **(6)**~~[(5)]~~ It is the legal duty of **an emergency medical**~~[a first]~~ responder, emergency  
22 medical technician, **advanced emergency medical technician,** or paramedic to  
23 refuse to perform any act or procedure which is beyond **the**~~[his or her]~~ scope of  
24 practice **for his or her level of certification or licensure** regardless of whether that  
25 act or procedure is ordered by a physician, physician assistant, medical director,  
26 advanced practice registered nurse, registered nurse, or supervisor.

27 **(7)**~~[(6)]~~ No employer or organization for which **an emergency medical**~~[a first]~~

1 responder, emergency medical technician, **advanced emergency medical**  
 2 **technician**, or paramedic has volunteered shall reprimand, discipline, or dismiss **an**  
 3 **emergency medical**~~[a first]~~ responder, emergency medical technician, **advanced**  
 4 **emergency medical technician**, or paramedic who has refused to perform an act or  
 5 procedure which the **emergency medical**~~[first]~~ responder, emergency medical  
 6 technician, **advanced emergency medical technician**, or paramedic knows is in  
 7 violation of the provisions of this section. Violation of this section by an employer  
 8 or by an organization for which **an emergency medical responder, emergency**  
 9 **medical technician, advanced emergency medical technician, or paramedic**~~[a first~~  
 10 ~~responder]~~ has volunteered shall be grounds for a legal action for wrongful  
 11 discipline or wrongful discharge, as appropriate.

12 ~~(8)~~~~(7)~~ The provisions of this section shall not apply to an order to perform an act or  
 13 procedure:

- 14 (a) For which a license or certification by the board is not required and which  
 15 otherwise do not constitute the unlawful practice of medicine; or  
 16 (b) For which no license or certification is required and does not involve medical  
 17 care or treatment; or  
 18 (c) For which a license or certification issued by an agency other than the board is  
 19 required and the **emergency medical**~~[first]~~ responder, emergency medical  
 20 technician, **advanced emergency medical technician**, or paramedic holds  
 21 such a license or certification.

22 ➔Section 20. KRS 311A.190 is amended to read as follows:

- 23 (1) Each licensed ambulance provider, **mobile integrated healthcare program**, and  
 24 medical first response provider as defined in this chapter shall collect and provide to  
 25 the board **patient care record**~~[run]~~ data and information required by the board by  
 26 this chapter and administrative regulation.  
 27 (2) The board shall develop a **patient care record**~~[run-report]~~ form for the use of each



1 class of ambulance provider, mobile integrated healthcare program, and medical  
2 first response provider containing the data required in subsection (1) of this section.  
3 An ambulance provider, mobile integrated healthcare program, or medical first  
4 response provider may utilize any patient care record~~[form]~~ form it chooses in lieu  
5 of or in addition to the board developed patient care record~~[form-report]~~ form.  
6 However, the data captured on the patient care record~~[form-report]~~ form utilized by  
7 the ambulance service provider, mobile integrated healthcare program, or  
8 medical first response provider shall include at least that data which is required by  
9 the administrative regulations promulgated pursuant to subsection (1) of this  
10 section.

11 (3) An ambulance provider, mobile integrated healthcare program, or medical first  
12 response provider shall report the required patient care record~~[form-report]~~ data as  
13 prescribed through administrative regulations promulgated by the board~~[and~~  
14 ~~information by completing an annual report as established by the board or]~~ by  
15 transmitting the required data and information to the board in an electronic format.  
16 If the board requires the use of a specific electronic format, it shall provide a copy  
17 of the file layout requirements, in either written or electronic format, to the licensed  
18 ambulance provider or medical first response provider at no charge.

19 (4) The board may publish a comprehensive annual report reflecting the data collected,  
20 injury and illness data, treatment utilized, and other information deemed important  
21 by the board. The annual report shall not include patient identifying information or  
22 any other information identifying a natural person. A copy of the comprehensive  
23 annual report, if issued, shall be forwarded to the Governor and the General  
24 Assembly.

25 (5) Ambulance provider, mobile integrated healthcare program and medical first  
26 response provider patient care records~~[form-report-forms]~~ and the information  
27 transmitted electronically to the board shall be confidential. No person shall make

1 an unauthorized release of information on an ambulance provider, mobile  
2 integrated healthcare program, or medical first response provider patient care  
3 record~~[run report form or medical first response run report form]~~. Only the patient  
4 or the patient's parent or legal guardian if the patient is a minor, or the patient's legal  
5 guardian or person with proper power of attorney if the patient is under legal  
6 disability as being incompetent or mentally ill, or a court of competent jurisdiction  
7 may authorize the release of information on a patient's care record~~[run report form]~~  
8 or the inspection or copying of the patient care record~~[run report form]~~. Any  
9 authorization for the release of information or for inspection or copying of a patient  
10 care record~~[run report form]~~ shall be in writing.

11 (6) An ambulance provider or medical first response provider that collects patient  
12 data through electronic means shall have the means of providing a patient care  
13 record or summary report~~[If a medical first response provider or ambulance~~  
14 ~~provider does not use a paper form but collects patient data through electronic~~  
15 ~~means, it shall have the means of providing a written run report]~~ that includes all  
16 required data elements to the medical care facility. A copy of the medical first  
17 response patient care record or summary report of the patient care record~~[form or~~  
18 ~~a summary of the run data]~~ and patient information shall be made available to the  
19 ambulance service that transports the patient. A copy of the ambulance run report  
20 form shall be made available to any medical care facility to which a patient is  
21 transported and shall be included in the patient's medical record by that facility. If a  
22 patient is not transported to a medical facility, the copy of the patient care  
23 record~~[run report form]~~ that is to be given to the transporting ambulance provider or  
24 medical care facility shall be given to the patient or to the patient's parent or legal  
25 guardian upon request. If the ambulance provider, medical facility, patient, or  
26 patient's legal guardian refuses delivery of their patient care record~~[run report~~  
27 ~~form]~~ or is unavailable to receive the form, that copy of the patient care

1 record~~[form]~~ shall be returned to the medical first response provider or ambulance  
2 provider and destroyed.

3 (7) All ambulance services and mobile integrated healthcare programs shall be  
4 required to keep adequate reports and records to be maintained at the ambulance  
5 base headquarters and to be available for periodic review as deemed necessary by  
6 the board. Required records and reports are as follows:

7 (a) Employee records, including a resume of each employee's training and  
8 experience and evidence of current certification or licensure; and

9 (b) Health records of all personnel~~[drivers and attendants]~~ including records of  
10 all illnesses or accidents occurring while on duty.

11 (8) Data and records generated and kept by the board or its contractors regarding the  
12 evaluation of emergency medical care, mobile integrated healthcare programs, and  
13 trauma care in the Commonwealth, including the identities of patients, emergency  
14 medical services personnel, ambulance providers, medical first-response providers,  
15 and emergency medical facilities, shall be confidential, shall not be subject to  
16 disclosure under KRS 61.805 to 61.850 or KRS 61.870 to 61.884, shall not be  
17 admissible in court for any purpose, and shall not be subject to discovery. However,  
18 nothing in this section shall limit the discoverability or admissibility of patient  
19 medical records regularly and ordinarily kept in the course of a patient's treatment  
20 that otherwise would be admissible or discoverable.

21 ➔SECTION 21. A NEW SECTION OF KRS CHAPTER 311A IS CREATED  
22 TO READ AS FOLLOWS:

23 (1) An advanced emergency medical technician may, subject to the provisions of this  
24 section, perform:

25 (a) Any procedure specified in the most recent curriculum of the United States  
26 Department of Transportation training course for advanced emergency  
27 medical technicians; and

1       **(b) Any additional procedure authorized by the board by administrative**  
2               **regulation.**

3       **(2) When there is a change in the United States Department of Transportation**  
4               **curriculum for advanced emergency medical technicians or the board approves**  
5               **an additional skill or procedure by administrative regulation, no person who was**  
6               **not trained under that curriculum or administrative regulation shall perform any**  
7               **activity or procedure in the new curriculum or administrative regulation unless**  
8               **the person has been trained according to the new curriculum or administrative**  
9               **regulation and demonstrates competency in the new knowledge or skill. If the**  
10              **board adopts the new procedure or skill, the board shall promulgate an**  
11              **administrative regulation specifying the new procedure, training requirements,**  
12              **examination requirements, and a time period during which the advanced**  
13              **emergency medical technician shall successfully complete the new material or**  
14              **lose his or her certification as an advanced emergency medical technician.**

15       **(3) Except as provided in subsection (2) of this section, nothing in this section shall**  
16              **prevent an employer from exercising reasonable fiscal control over the costs of**  
17              **providing emergency medical services to its citizens nor prevent the employer**  
18              **from exercising any reasonable control over advanced emergency medical**  
19              **technicians providing emergency medical care upon behalf of the licensed entity**  
20              **or other provider.**

21       **(4) Nothing in this section shall be construed to permit utilization of a certified**  
22              **advanced emergency medical technician for the purpose of the individual**  
23              **working with primary responsibility and duties limited to hospitals, physician's**  
24              **offices, clinics, or other definitive care facilities, except as an advanced**  
25              **emergency medical technician student.**

26       ➔Section 22. KRS 95A.262 is amended to read as follows:

27       (1) The Commission on Fire Protection Personnel Standards and Education shall, in

1 cooperation with the Cabinet for Health and Family Services, develop and  
2 implement a continuing program to inoculate every paid and volunteer firefighter in  
3 Kentucky against hepatitis B. The program shall be funded from revenues allocated  
4 to the Firefighters Foundation Program fund pursuant to KRS 136.392 and 42.190.  
5 Any fire department which has inoculated its personnel during the period of July 1,  
6 1991 to July 14, 1992, shall be reimbursed from these revenues for its costs incurred  
7 up to the amount allowed by the Cabinet for Health and Family Services for  
8 hepatitis B inoculations.

9 (2) (a) Except as provided in subsection (3) of this section, the Commission on Fire  
10 Protection Personnel Standards and Education shall allot on an annual basis a  
11 share of the funds accruing to and appropriated for volunteer fire department  
12 aid to volunteer fire departments in cities of all classes, fire protection districts  
13 organized pursuant to KRS Chapter 75, county districts established under  
14 authority of KRS 67.083, and volunteer fire departments created as nonprofit  
15 corporations pursuant to KRS Chapter 273.

16 (b) The commission shall allot eight thousand two hundred fifty dollars (\$8,250),  
17 and beginning on July 1, 2018, the commission shall allot eleven thousand  
18 dollars (\$11,000) annually to each qualifying department.

19 (c) Any qualifying department which fails to participate satisfactorily in the  
20 Kentucky fire incident reporting system as described in KRS 304.13-380 shall  
21 forfeit annually five hundred dollars (\$500) of its allotment.

22 (d) If two (2) or more qualified volunteer fire departments, as defined in KRS  
23 95A.500 to 95A.560, merge after January 1, 2000, then the allotment shall be  
24 in accordance with the provisions of KRS 95A.500 to 95A.560.

25 (e) Administrative regulations for determining qualifications shall be based on the  
26 number of both paid firefighters and volunteer firemen within a volunteer fire  
27 department, the amount of equipment, housing facilities available, and any

1 other matters or standards that will best effect the purposes of the volunteer  
2 fire department aid law. A qualifying department shall:

- 3 1. Include at least twelve (12) firefighters;
- 4 2. Have a chief;
- 5 3. Have at least one (1) operational fire apparatus or one (1) on order; and
- 6 4. Have at least fifty percent (50%) of its firefighters who have completed  
7 at least one-half (1/2) of one hundred fifty (150) training hours, or as  
8 otherwise established by the commission under KRS 95A.240(6),  
9 toward certification within the first six (6) months of the first year of the  
10 department's application for certification, and there shall be a plan to  
11 complete the one hundred fifty (150) training hours, or as otherwise  
12 established by the commission by KRS 95A.240(6), within the second  
13 year.

14 These personnel, equipment, and training requirements shall not be made  
15 more stringent by the promulgation of administrative regulations.

16 (f) No allotment shall exceed the total value of the funds, equipment, lands, and  
17 buildings made available to the local fire units from any source whatever for  
18 the year in which the allotment is made.

19 (g) A portion of the funds provided for above may be used to purchase group or  
20 blanket health insurance and shall be used to purchase workers' compensation  
21 insurance, and the remaining funds shall be distributed as provided in this  
22 section.

23 (3) There shall be allotted two hundred thousand dollars (\$200,000) of the insurance  
24 premium surcharge proceeds accruing to the Firefighters Foundation Program fund  
25 that shall be allocated each fiscal year of the biennium to the firefighters training  
26 center fund, which is hereby created and established, for the purposes of  
27 constructing new or upgrading existing training centers for firefighters. If any

1 moneys in the training center fund remain uncommitted, unobligated, or  
2 unexpended at the close of the first fiscal year of the biennium, then such moneys  
3 shall be carried forward to the second fiscal year of the biennium, and shall be  
4 reallocated to and for the use of the training center fund, in addition to the second  
5 fiscal year's allocation of two hundred thousand dollars (\$200,000). Prior to funding  
6 any project pursuant to this subsection, a proposed project shall be approved by the  
7 Commission on Fire Protection Personnel Standards and Education as provided in  
8 subsection (4) of this section and shall comply with state laws applicable to capital  
9 construction projects.

10 (4) Applications for funding low-interest loans and firefighters' training centers shall be  
11 submitted to the Commission on Fire Protection Personnel Standards and Education  
12 for their recommendation, approval, disapproval, or modification. The commission  
13 shall review applications periodically, and shall, subject to funds available,  
14 recommend which applications shall be funded and at what levels, together with any  
15 terms and conditions the commission deems necessary.

16 (5) Any department or entity eligible for and receiving funding pursuant to this section  
17 shall have a minimum of fifty percent (50%) of its personnel certified as recognized  
18 by the Commission on Fire Protection Personnel Standards and Education.

19 (6) Upon the written request of any department, the Commission on Fire Protection  
20 Personnel Standards and Education shall make available a certified training  
21 program in a county of which such department is located.

22 (7) The amount of reimbursement for any given year for costs incurred by the Kentucky  
23 Community and Technical College System for administering these funds, including  
24 but not limited to the expenses and costs of commission operations, shall be  
25 determined by the commission and shall not exceed five percent (5%) of the total  
26 amount of moneys accruing to the Firefighters Foundation Program fund which are  
27 allotted for the purposes specified in this section during any fiscal year.

- 1 (8) The commission shall withhold from the general distribution of funds under  
2 subsection (2) of this section an amount which it deems sufficient to reimburse  
3 volunteer fire departments for equipment lost or damaged beyond repair due to  
4 hazardous material incidents.
- 5 (9) Moneys withheld pursuant to subsection (8) of this section shall be distributed only  
6 under the following terms and conditions:
- 7 (a) A volunteer fire department has lost or damaged beyond repair items of  
8 personal protective clothing or equipment due to that equipment having been  
9 lost or damaged as a result of an incident in which a hazardous material (as  
10 defined in any state or federal statute or regulation) was the causative agent of  
11 the loss;
- 12 (b) The volunteer fire department has made application in writing to the  
13 commission for reimbursement in a manner approved by the commission and  
14 the loss and the circumstances thereof have been verified by the commission;
- 15 (c) The loss of or damage to the equipment has not been reimbursed by the person  
16 responsible for the hazardous materials incident or by any other person;
- 17 (d) The commission has determined that the volunteer fire department does not  
18 have the fiscal resources to replace the equipment;
- 19 (e) The commission has determined that the equipment sought to be replaced is  
20 immediately necessary to protect the lives of the volunteer firefighters of the  
21 fire department;
- 22 (f) The fire department has agreed in writing to subrogate all claims for and rights  
23 to reimbursement for the lost or damaged equipment to the Commonwealth to  
24 the extent that the Commonwealth provides reimbursement to the department;  
25 and
- 26 (g) The department has shown to the satisfaction of the commission that it has  
27 made reasonable attempts to secure reimbursement for its losses from the



1 person responsible for the hazardous materials incident and has been  
2 unsuccessful in the effort.

3 (10) If a volunteer fire department has met all of the requirements of subsection (9) of  
4 this section, the commission may authorize a reimbursement of equipment losses  
5 not exceeding ten thousand dollars (\$10,000) or the actual amount of the loss,  
6 whichever is less.

7 (11) Moneys which have been withheld during any fiscal year which remain unexpended  
8 at the end of the fiscal year shall be distributed in the normal manner required by  
9 subsection (2) of this section during the following fiscal year.

10 (12) No volunteer fire department may receive funding for equipment losses more than  
11 once during any fiscal year.

12 (13) The commission shall make reasonable efforts to secure reimbursement from the  
13 responsible party for any moneys awarded to a fire department pursuant to this  
14 section.

15 (14) There shall be allotted each year of the 1992-93 biennium one million dollars  
16 (\$1,000,000), and each year of the 1994-95, 1996-97, 1998-99, and 2000-01  
17 bienniums one million dollars (\$1,000,000) of the insurance premium surcharge  
18 proceeds accruing to the Firefighters Foundation Program fund for the purpose of  
19 creating a revolving low-interest loan fund, which shall thereafter be self-sufficient  
20 and derive its operating revenues from principal and interest payments. The  
21 commission, in accordance with the procedures in subsection (4) of this section,  
22 may make low-interest loans, and the interest thereon shall not exceed three percent  
23 (3%) annually or the amount needed to sustain operating expenses of the loan fund,  
24 whichever is less, to volunteer fire departments for the purposes of major equipment  
25 purchases and facility construction. Loans shall be made to departments which  
26 achieve the training standards necessary to qualify for volunteer fire department aid  
27 allotted pursuant to subsection (2) of this section, and which do not have other

1 sources of funds at rates which are favorable given their financial resources. The  
2 proceeds of loan payments shall be returned to the loan fund for the purpose of  
3 providing future loans. If a department does not make scheduled loan payments, the  
4 commission may withhold any grants payable to the department pursuant to  
5 subsection (2) of this section until the department is current on its payments. Money  
6 in the low-interest loan fund shall be used only for the purposes specified in this  
7 subsection. Any funds remaining in the fund at the end of a fiscal year shall be  
8 carried forward to the next fiscal year for the purposes of the fund.

9 (15) For fiscal year 2004-2005 and each fiscal year thereafter, there is allotted one  
10 million dollars (\$1,000,000) from the fund established in KRS 95A.220 to be used  
11 by the commission to conduct training-related activities.

12 (16) If funding is available from the fund established in KRS 95A.220, the Commission  
13 on Fire Protection Personnel Standards and Education may implement the  
14 following:

15 (a) A program to prepare emergency service personnel for handling potential  
16 man-made and non-man-made threats. The commission shall work in  
17 conjunction with the state fire marshal and other appropriate agencies and  
18 associations to identify and make maps of gas transmission and hazardous  
19 liquids pipelines in the state;

20 (b) A program to provide and maintain a mobile test facility in each training  
21 region established by the Commission on Fire Protection Personnel Standards  
22 and Education with equipment to administer Comprehensive Physical  
23 Aptitude Tests (CPAT) to ascertain a firefighter's ability to perform the  
24 physical requirements necessary to be an effective and safe firefighter;

25 (c) A program to provide defensive driving training tactics to firefighters. The  
26 commission shall purchase, instruct in the use of, and maintain mobile  
27 equipment in each of the training regions, and fund expenses related to

1 equipment replacement;

2 (d) A program to annually evaluate equipment adequacy and to provide for annual  
3 physical examinations for instructors, adequate protective clothing and  
4 personal equipment to meet NFPA guidelines, and to establish procedures for  
5 replacing this equipment as needed;

6 (e) A program to establish a rotational expansion and replacement program for  
7 mobile fleet equipment currently used for training and recertification of fire  
8 departments;

9 (f) A program to expand and update current emergency medical services~~[EMS]~~,  
10 emergency medical~~[first]~~ responder, emergency medical technician~~[EMT]~~,  
11 advanced emergency medical technician, and paramedic training and  
12 certification instruction; and

13 (g) A program to purchase thermal vision devices to comply with the provisions  
14 of KRS 95A.400 to 95A.440.

15 ➔Section 23. KRS 189.910 is amended to read as follows:

16 (1) As used in KRS 189.920 to 189.950, "emergency vehicle" means any vehicle used  
17 for emergency purposes by:

18 (a) The Department of Kentucky State Police;

19 (b) A public police department;

20 (c) The Department of Corrections;

21 (d) A sheriff's office;

22 (e) A rescue squad;

23 (f) An emergency management agency if it is a publicly owned vehicle;

24 (g) An ambulance service, mobile integrated healthcare program, or medical  
25 first ~~[~~response provider licensed by the Kentucky Board of Emergency  
26 Medical Services, for any vehicle used to respond to emergencies or to  
27 transport a patient with a critical medical condition;

- 1 (h) Any vehicle commandeered by a police officer;
- 2 (i) Any vehicle with the emergency lights required under KRS 189.920 used by a  
3 paid or volunteer fireman or paid or volunteer ambulance personnel, or a paid  
4 or local emergency management director while responding to an emergency or  
5 to a location where an emergency vehicle is on emergency call;
- 6 (j) An elected coroner granted permission to equip a publicly or privately owned  
7 motor vehicle with lights and siren pursuant to KRS 189.920; or
- 8 (k) A deputy coroner granted permission to equip a publicly or privately owned  
9 motor vehicle with lights and siren pursuant to KRS 189.920.
- 10 (2) As used in KRS 189.920 to 189.950, "public safety vehicle" means public utility  
11 repair vehicle; wreckers; state, county, or municipal service vehicles and  
12 equipment; highway equipment which performs work that requires stopping and  
13 standing or moving at slow speeds within the traveled portions of highways; and  
14 vehicles which are escorting wide-load or slow-moving trailers or trucks.

15 ➔Section 24. KRS 311.550 is amended to read as follows:

16 As used in KRS 311.530 to 311.620 and 311.990(4) to (6):

- 17 (1) "Board" means the State Board of Medical Licensure;
- 18 (2) "President" means the president of the State Board of Medical Licensure;
- 19 (3) "Secretary" means the secretary of the State Board of Medical Licensure;
- 20 (4) "Executive director" means the executive director of the State Board of Medical  
21 Licensure or any assistant executive directors appointed by the board;
- 22 (5) "General counsel" means the general counsel of the State Board of Medical  
23 Licensure or any assistant general counsel appointed by the board;
- 24 (6) "Regular license" means a license to practice medicine or osteopathy at any place in  
25 this state;
- 26 (7) "Limited license" means a license to practice medicine or osteopathy in a specific  
27 institution or locale to the extent indicated in the license;

- 1 (8) "Temporary permit" means a permit issued to a person who has applied for a regular  
2 license, and who appears from verifiable information in the application to the  
3 executive director to be qualified and eligible therefor;
- 4 (9) "Emergency permit" means a permit issued to a physician currently licensed in  
5 another state, authorizing the physician to practice in this state for the duration of a  
6 specific medical emergency, not to exceed thirty (30) days;
- 7 (10) Except as provided in subsection (11) of this section, the "practice of medicine or  
8 osteopathy" means the diagnosis, treatment, or correction of any and all human  
9 conditions, ailments, diseases, injuries, or infirmities by any and all means,  
10 methods, devices, or instrumentalities;
- 11 (11) The "practice of medicine or osteopathy" does not include the practice of Christian  
12 Science, the domestic administration of family remedies, the rendering of first aid  
13 or medical assistance in an emergency in the absence of a person licensed to  
14 practice medicine or osteopathy under the provisions of this chapter, the use of  
15 automatic external defibrillators in accordance with the provisions of KRS 311.665  
16 to 311.669, the practice of podiatry as defined in KRS 311.380, the practice of  
17 dentistry as defined in KRS 313.010, the practice of optometry as defined in KRS  
18 320.210, the practice of chiropractic as defined in subsection (2) of KRS 312.015,  
19 the practice as a nurse as defined in KRS 314.011, the practice of physical therapy  
20 as defined in KRS 327.010, the practice of genetic counseling as defined in KRS  
21 311.690, the performance of duties for which they have been trained by paramedics  
22 licensed under KRS Chapter 311A, emergency medical~~first~~ responders, advanced  
23 emergency medical technicians, or emergency medical technicians certified under  
24 Chapter 311A, the practice of pharmacy by persons licensed and registered under  
25 KRS 315.050, the sale of drugs, nostrums, patented or proprietary medicines,  
26 trusses, supports, spectacles, eyeglasses, lenses, instruments, apparatus, or  
27 mechanisms that are intended, advertised, or represented as being for the treatment,

1 correction, cure, or relief of any human ailment, disease, injury, infirmity, or  
2 condition, in regular mercantile establishments, or the practice of midwifery by  
3 women. KRS 311.530 to 311.620 shall not be construed as repealing the authority  
4 conferred on the Cabinet for Health and Family Services by KRS Chapter 211 to  
5 provide for the instruction, examination, licensing, and registration of all midwives  
6 through county health officers;

7 (12) "Physician" means a doctor of medicine or a doctor of osteopathy;

8 (13) "Grievance" means any allegation in whatever form alleging misconduct by a  
9 physician;

10 (14) "Charge" means a specific allegation alleging a violation of a specified provision of  
11 this chapter;

12 (15) "Complaint" means a formal administrative pleading that sets forth charges against  
13 a physician and commences a formal disciplinary proceeding;

14 (16) As used in KRS 311.595(4), "crimes involving moral turpitude" shall mean those  
15 crimes which have dishonesty as a fundamental and necessary element, including  
16 but not limited to crimes involving theft, embezzlement, false swearing, perjury,  
17 fraud, or misrepresentation;

18 (17) "Telehealth" means the use of interactive audio, video, or other electronic media to  
19 deliver health care. It includes the use of electronic media for diagnosis,  
20 consultation, treatment, transfer of medical data, and medical education;

21 (18) "Order" means a direction of the board or its panels made or entered in writing that  
22 determines some point or directs some step in the proceeding and is not included in  
23 the final order;

24 (19) "Agreed order" means a written document that includes but is not limited to  
25 stipulations of fact or stipulated conclusions of law that finally resolves a grievance,  
26 a complaint, or a show cause order issued informally without expectation of further  
27 formal proceedings in accordance with KRS 311.591(6);

- 1 (20) "Final order" means an order issued by the hearing panel that imposes one (1) or  
2 more disciplinary sanctions authorized by this chapter;
- 3 (21) "Letter of agreement" means a written document that informally resolves a  
4 grievance, a complaint, or a show cause order and is confidential in accordance with  
5 KRS 311.619;
- 6 (22) "Letter of concern" means an advisory letter to notify a physician that, although  
7 there is insufficient evidence to support disciplinary action, the board believes the  
8 physician should modify or eliminate certain practices and that the continuation of  
9 those practices may result in action against the physician's license;
- 10 (23) "Motion to revoke probation" means a pleading filed by the board alleging that the  
11 licensee has violated a term or condition of probation and that fixes a date and time  
12 for a revocation hearing;
- 13 (24) "Revocation hearing" means a hearing conducted in accordance with KRS Chapter  
14 13B to determine whether the licensee has violated a term or condition of probation;
- 15 (25) "Chronic or persistent alcoholic" means an individual who is suffering from a  
16 medically diagnosable disease characterized by chronic, habitual, or periodic  
17 consumption of alcoholic beverages resulting in the interference with the  
18 individual's social or economic functions in the community or the loss of powers of  
19 self-control regarding the use of alcoholic beverages;
- 20 (26) "Addicted to a controlled substance" means an individual who is suffering from a  
21 medically diagnosable disease characterized by chronic, habitual, or periodic use of  
22 any narcotic drug or controlled substance resulting in the interference with the  
23 individual's social or economic functions in the community or the loss of powers of  
24 self-control regarding the use of any narcotic drug or controlled substance;
- 25 (27) "Provisional permit" means a temporary permit issued to a licensee engaged in the  
26 active practice of medicine within this Commonwealth who has admitted to  
27 violating any provision of KRS 311.595 that permits the licensee to continue the

1 practice of medicine until the board issues a final order on the registration or  
2 reregistration of the licensee;

3 (28) "Fellowship training license" means a license to practice medicine or osteopathy in  
4 a fellowship training program as specified by the license; and

5 (29) "Special faculty license" means a license to practice medicine that is limited to the  
6 extent that this practice is incidental to a necessary part of the practitioner's  
7 academic appointment at an accredited medical school program or osteopathic  
8 school program and any affiliated institution for which the medical school or  
9 osteopathic school has assumed direct responsibility.

10 ➔Section 25. The following KRS sections are repealed:

11 311A.110 Educational course on AIDS for paramedics, first responders, and emergency  
12 medical technicians.

13 311A.115 Educational course on AIDS for paramedics.

14 311A.127 Course for paramedics on recognition and prevention of pediatric abusive  
15 head trauma.