

## STATEMENT OF EMERGENCY

### 202 KAR 7:401E.

This emergency amendment is necessary to address the imminent threat to public health, safety, and welfare posed by the shortage of paramedics throughout the Commonwealth. There are not enough EMS personnel in Kentucky working for EMS services. EMS agencies throughout the Commonwealth are having difficulty maintain adequate staffing levels. During the 2024 Regular Session, House Bill 57 became law. The Bill amended KRS 311A.142(2) to allow the Kentucky Board of Emergency Medical Services (the "Board") to grant reciprocal certifications and licenses to individuals certified or licensed and in good standing with another state. Prior to the House Bill 57 amendments, the Board was only authorized to grant reciprocal certifications and licenses to EMS personnel holding credentials in a state contiguous to Kentucky. Consistent with the former statute, the current version of this administrative regulation only permits reciprocity to paramedics licensed in a state contiguous to Kentucky. This emergency amendment brings the administrative regulation into conformity with House Bill 57's amendment to KRS 311A.142(2) by making paramedics licensed and in good standing in any other state eligible for a reciprocal Kentucky paramedic license. By promptly expanding reciprocity eligibility to paramedics licensed and in good standing with any other state, this emergency amendment will mitigate the risks posed by the shortage of paramedics in the Commonwealth. House Bill 57 also repealed KRS 311A.185, which permitted paramedics to pronounce death, required paramedic training in determination of death and preservation of evidence, and established resuscitation procedures. Those provisions were unnecessary, as coroners are better suited to determine and pronounce death and preservation of evidence and resuscitation procedures are more appropriately established by agency policies and medical protocols. Consistent with House Bill 57's repeal of KRS 311A.185, the requirements regarding resuscitation procedures and determination of death and preservation of evidence have been stricken in this emergency amendment and in the identical ordinary amendment. Finally, this emergency amendment and the identical ordinary amendment contain a sunset provision for paramedic critical care endorsements. Under these amendments, critical care endorsements will not be valid after December 31, 2025. Paramedics wishing to provide critical care on and after January 1, 2026, must obtain an advanced practice paramedic license and certification as a critical care paramedic in accordance with 202 KAR 7:410. An ordinary administrative regulation is not sufficient to address the imminent risk posed by the continued shortage of EMS personnel. This emergency administrative regulation will be replaced by an ordinary administrative regulation. The ordinary administrative regulation is identical to this emergency administrative regulation.

*ANDY BESHEAR, Governor*

*JOHN R. HOLDER, Chair*

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

**202 KAR 7:401E. Paramedics.**

RELATES TO: KRS 12.355, 72.020, 311A.025, 311A.030, 311A.050-311A.100, 311A.120, 311A.135, 311A.142, 311A.170, 311A.190, 446.400

STATUTORY AUTHORITY: KRS 311A.020, 311A.025, 311A.030, 311A.120, 311A.125, 311A.135, 311A.170

NECESSITY, FUNCTION, AND CONFORMITY: KRS 311A.025 requires the board to promulgate administrative regulations relating to requirements and procedures for licensure, relicensure, and reciprocity for paramedics. This administrative regulation establishes those requirements and procedures.

Section 1. Paramedic Student Eligibility. Individuals shall be eligible to enroll as a student in a paramedic education and training program if the applicant:

- (1) Holds current unrestricted certification as an Emergency Medical Technician or Advanced Emergency Medical Technician in Kentucky or holds current unrestricted certification with the National Registry of Emergency Medical Technicians (NREMT) as an Emergency Medical Technician or Advanced Emergency Medical Technician;
- (2) Is not currently subject to disciplinary action pursuant to KRS Chapter 311A that would prevent licensure; and
- (3) Meets all additional requirements established by the EMS Training and Educational Institution (EMS-TEI).

Section 2. Licensure Requirements. Individuals desiring initial licensure as a paramedic shall:

- (1) Successfully complete a board approved education and training program that conforms to the curriculum of the United States Department of Transportation, National Highway Traffic Safety Administration, National Emergency Medical Services Education Standards- Paramedic Instructional Guidelines;
- (2) Successfully complete all EMS-Training and Educational Institute (EMS-TEI) requirements for the education or training program which:
  - (a) Meet or exceed the National Emergency Medical Services Educational Standards- Paramedic Instructional Guidelines, which shall not be satisfied by the completion of refresher or transition courses alone; and
  - (b) Meet all educational standards established in 202 KAR 7:601;
- (3) Obtain certification as a paramedic by the National Registry of Emergency Medical Technicians;
- (4) Submit a completed Paramedic Initial Licensure Application in the Kentucky Emergency Medical Services Information System (KEMSIS);
- (5) Pay the fee pursuant to 202 KAR 7:030;
- (6) Undergo a background check pursuant to KRS 311A.050 and 311A.100:
  - (a) The background check shall be:
    1. National in scope for an applicant not currently certified at any level in Kentucky;
    2. Statewide in scope for an applicant with current certification in Kentucky;
    3. Less than six (6) months old when the applicant submits to the board all requirements for licensure; and
    4. Provided by a vendor that has been contracted through the board; and
  - (b) An applicant shall not directly submit a background check to meet the requirements of this section. The background check shall be submitted to the board by the company that conducts the background check; and

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

- (a) A social security card;
- (b) Birth certificate;
- (c) A United States Citizenship and Immigration Services (US.C.I.S.) Permanent Resident Card (form I-551/Green Card); or
- (d) Other legal authorization to live and work in the United States.

### Section 3. Renewal of Licensure and Continuing Education Requirements.

- (1) A paramedic shall be eligible for license renewal if:
  - (a) The applicant submits a completed Paramedic License Renewal Application in KEMSIS;
  - (b) The applicant maintains written evidence of:
    - 1. HIV/AIDS training required by KRS 311A.120;
    - 2. Pediatric Abusive Head Trauma as required by KRS 311A.120; and
    - 3. Awareness of Sexual Violence Training required by KRS 311A.120;
  - (c) The applicant pays the fee pursuant to 202 KAR 7:030; and
  - (d) The applicant maintains evidence of:
    - 1. Current certification by the NREMT as a paramedic, and if this option is used the board may request, through a continuing education audit, proof of continuing education to verify compliance with the continuing education requirements of this section; or
    - 2. NREMT Paramedic National Component of the Continued Competency Program Paramedic for Continuing Education.
- (2) All continuing education shall be validated by entities authorized to conduct continuing education pursuant to 202 KAR 7:601.
- (3) An application for renewal of licensure shall be denied if:
  - (a) Prior to the licensure expiration date, the paramedic applicant has not met the applicable requirements of this administrative regulation; or
  - (b) The applicant has been subjected to disciplinary action that prevents relicensure at the time of application.
- (4) A licensed paramedic, in good standing, who is a member of a National Guard or a military reserve unit called to active duty by presidential order pursuant to 10 U.S.C. 121 and 12304 shall be renewed in accordance with KRS 12.355 upon submission of the Military Extension Application.
- (5) The board office may audit a paramedic's continuing education and continuing education records. The paramedic shall submit the documentation requested within ten (10) business days of receipt of the board's request.
- (6) If documentation of continuing education hours consistent with this administrative regulation are not received using the board-approved submission process within ten (10) business days of receipt of the board's request, the paramedic license for the individual shall be summarily revoked and the individual shall reapply for licensure through reinstatement if eligible.
- (7) The ten (10) business days for submission shall not apply to investigations pursuant to KRS Chapter 311A.
- (8) The paramedic shall maintain documentation of all continuing education for three (3) years from the date of completion.

### Section 4. Reinstatement of License.

- (1) A paramedic whose Kentucky license has lapsed may reinstate their license if the applicant submits:
  - (a) A completed Paramedic Reinstatement License Application in KEMSIS;

- (b) Evidence of previous licensure as a paramedic in the Commonwealth of Kentucky;
  - (c) Evidence of current training in:
    - 1. Pediatric Abusive Head Trauma as required by KRS 311A.120;
    - 2. Awareness of Sexual Violence Training required by KRS 311A.120; and
    - 3. HIV/AIDs training required by KRS 311A.120; and
  - (d) Payment of the fee pursuant to 202 KAR 7:030.
- (2)
- (a) The applicant for reinstatement of license shall undergo a national background check provided by a vendor that has been contracted through the board.
  - (b) An applicant shall not directly submit a background check to meet the requirements of this section. The background check shall be submitted to the board by the company that conducts the background check.
  - (c) Background checks that are older than six (6) months shall not be considered current, and the applicant shall undergo another national background check prior to approval of reinstatement of license.
- (3) The applicant for reinstatement of licensure shall bear the burden of proof of previous licensure in Kentucky if the previous paramedic license is in issue or dispute.
- (4) An applicant shall provide evidence of successful completion of the NREMT-Paramedic national component of the continued competency program for continuing education within the twelve (12) months preceding application for reinstatement of the paramedic license.
- (5) An applicant ineligible for licensure pursuant to KRS 311A.050 through 311A.090 shall be ineligible for reinstatement.

#### Section 5. Paramedic Reciprocity.

- (1) An individual who is certified or licensed in another state or by the NREMT as a paramedic or any member of the United States Armed Forces, or veteran who has transitioned within the past six (6) years from the United States Armed Forces, and has been registered by the National Registry as a paramedic or has obtained National Registry as a paramedic by successfully completing a board-approved United States Armed Forces medical training course that meets the National Emergency Medical Services Education Standards for Paramedic, shall be eligible for reciprocity for Kentucky licensure as a paramedic if the applicant submits:
- (a) A completed Paramedic Reciprocity Licensure Application in KEMSIS;
  - (b) Proof of the applicant's current unrestricted certification as a NREMT-Paramedic, or current paramedic license in another state, or proof of completing a board-approved United States Armed Forces medical training course which included NREMT-Emergency Medical Technician certification and completion of a board-approved bridge course; and
  - (c) Completion of current training in:
    - 1. HIV/AIDS training required by KRS 311A.120;
    - 2. Pediatric Abusive Head Trauma training required by KRS 311A.120; and
    - 3. Awareness of Sexual Violence Training required by KRS 311A.120.
- (2) An applicant shall pay the fee required for licensure through reciprocity pursuant to 202 KAR 7:030.
- (3) An applicant for paramedic reciprocity shall undergo a national background check provided by a vendor that has been contracted through the board. An applicant shall not directly submit a background check. The background check shall be submitted to the board by the company that conducts the background check. Background checks that are older than six (6) months shall not be considered current, and the applicant shall undergo another national background check prior to approval of licensure through reciprocity.
- (4) An applicant shall not have been convicted of offenses described in KRS 311A.050.

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

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

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

Section 7. Expiration of Licensure.

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

(2) If a paramedic license lapses or expires, the paramedic shall cease provision of emergency medical services.

(3) A paramedic who has allowed his or her license to lapse or expire shall be required to reinstate his or her licensure pursuant to Section 4 of this administrative regulation.

Section 8. Downgrading Licensure.

(1) A paramedic currently licensed as a paramedic by the board shall be eligible for licensure downgrade if:

(a) The license is in good standing with no pending disciplinary action;

(b) The applicant submits a completed Paramedic License Downgrade Application in KEMSIS; and

(c) The applicant pays the fee pursuant to 202 KAR 7:030;

(2) A paramedic shall only be eligible to downgrade his or her license to an Advanced Emergency Medical Technician, Emergency Medical Technician, or Emergency Medical Responder certification.

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

(4) The applicant shall undergo a background check pursuant to KRS 311A.050 and 311A.100. The background check shall be:

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

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

(c) Provided by a vendor that has been contracted through the board.

(5) Downgrade shall be denied if the applicant has not met the requirements of this section or has been subject to disciplinary action that prevents certification at the time of application.

(6) The applicant shall be responsible for meeting the renewal requirements of the downgraded certification level issued prior to expiration of that certification.

(7) To reinstate the certification or license that was previously held, the applicant shall meet the regulatory requirements for that level of certification or licensure.

(8) The applicant shall notify the board's licensed service director with whom the applicant is affiliated immediately upon downgrading his or her license.

(9) Once the applicant has downgraded his or her certification or license, the applicant shall not provide emergency medical services at the previous certification or license level held.

(10) An applicant applying for downgrade that does not comply with this section shall be subject to disciplinary action pursuant to KRS Chapter 311A.

(11) All endorsements, certifications, or licenses held at the previous certification or license level shall be void at the completion of the downgrade.

Section 9. Surrender of License.

(1) A paramedic surrendering licensure shall:

- (a) Submit a completed Paramedic License Surrender Application in KEMSIS; and
- (b) Pay the fee pursuant to 202 KAR 7:030.
- (2) The applicant shall notify the board's licensed service director with whom the applicant is affiliated immediately upon surrendering his or her license.

Section 10. Reporting Requirements.

- (1) A paramedic shall maintain current demographic information in KEMSIS including:
  - (a) Legal name;
    - 1. Any changes to the paramedic's legal name shall be submitted using the Name Change application in KEMSIS; and
    - 2. One (1) of the following documents as verification of name change:
      - a. Social Security card;
      - b. Driver's license; or
      - c. Passport;
  - (b) Mailing address;
  - (c) Email address; and
  - (d) Phone number.
- (2) A paramedic that does not comply with this section shall be subject to disciplinary action pursuant to KRS Chapter 311A.

Section 11. Discontinuance of Resuscitative Efforts. A paramedic shall discontinue resuscitation efforts if presented with a properly executed Kentucky Emergency Medical Services Do Not Resuscitate (DNR) Order, or properly executed Kentucky Medical Orders for Scope of Treatment (MOST) form.

Section 12. Critical Care Endorsement.

- (1) A paramedic licensed by the board may be granted a critical care endorsement upon completion of the Application for Paramedic Critical Care Endorsement, payment of the fee pursuant to 202 KAR 7:030, and completion of a board-approved training program that minimally meets the objectives of the University of Maryland Baltimore Campus CCEMTP Program.
- (2) The critical care endorsement shall be valid if the paramedic maintains current licensure as a paramedic by the board.
- (3) A paramedic with a critical care endorsement may perform the skills and procedures included in the paramedic's education and training subject to authorization by the medical director through established protocols.
- (4) Notwithstanding subsections (1) through (3) of this section, on and after January 1, 2026, critical care endorsements shall not be valid. Paramedics wishing to provide critical care on and after January 1, 2026, shall obtain an advanced practice paramedic license and certification as a critical care paramedic in accordance with 202 KAR 7:410.

Section 13. Exemptions from Paramedic Administrative Regulations. The Kentucky licensure requirements for a paramedic shall not apply to:

- (1) United States military members, National Guard personnel, or employees of the United States government if the individual provides emergency medical services:
  - (a) On land owned by the United States government;
  - (b) In facilities owned by the United States government;
  - (c) In the performance of official duties under federal law; or
  - (d) As part of assistance for a mass casualty or disaster incident pursuant to federal law or official state assistance request; or
- (2) A paramedic licensed in another state or territory of the United States who:
  - (a) Enters Kentucky with a patient being transported to a medical facility or other final destination in Kentucky; or

(b) Travels through Kentucky during the course of a patient transport from an out-of-state location to a destination outside of Kentucky.

Section 14. Public Notice of Negative Action. The board office shall cause to be published on the board website the name of a paramedic that:

- (1) Is fined;
- (2) Is placed on probationary status;
- (3) Is placed on restricted status;
- (4) Is suspended; or
- (5) Has had his or her certification revoked.

Section 15. The paramedic shall document all items required by Sections 11 and 12 of this administrative regulation on the Patient Care Report required by KRS 311A.190.

Section 16. Incorporation by Reference.

- (1) The following material is incorporated by reference:
  - (a) "National Emergency Medical Services Education Standards-Paramedic Instructional Guidelines", The United States Department of Transportation, National Highway Traffic Safety Administration, DOT HS 811 077E, January 2009;
  - (b) "Paramedic Initial Licensure Application" in KEMSIS, April 2021;
  - (c) "Paramedic License Renewal Application" in KEMSIS, April 2021;
  - (d) "Paramedic Reciprocity Licensure Application" in KEMSIS, April 2021;
  - (e) "Paramedic Reinstatement License Application" in KEMSIS, April 2021;
  - (f) "Kentucky Emergency Medical Services Do Not Resuscitate (DNR) Order", April 2021;
  - (g) "National EMS Scope of Practice Model", National Highway Traffic Safety Administration, DOT HS 810 657, February 2007;
  - (h) "National EMS Scope of Practice Model", National Highway Traffic Safety Administration, DOT HS 812 666, February 2019;
  - (i) "Kentucky Medical Orders for Scope of Treatment (MOST) Form", April 2021;
  - (j) "Application for Paramedic Critical Care Endorsement" in KEMSIS, April 2021;
  - (k) "Paramedic License Downgrade Application" in KEMSIS, April 2021;
  - (l) "Paramedic License Surrender Application", in KEMSIS April 2021;
  - (m) "National Registry of Emergency Medical Technicians National Continued Competency Program Paramedic", October 2016;
  - (n) "National Registry of Emergency Medical Technicians Advanced Level Examination Coordinator Manual", November 1, 2016;
  - (o) "Name Change Application" in KEMSIS, April 2021;
  - (p) "Military Extension Application" in KEMSIS, April 2021; and
  - (q) "United States Citizenship and Immigration Services (U.S.C.IS) Permanent Resident Card (form I-551/Green Card)", April 2021.
- (2) This material may be inspected, obtained, or copied, subject to applicable copyright law, at the Office of the Kentucky Board of Emergency Medical Services, 500 Mero Street, 5th Floor 5SE32, Frankfort, Kentucky 40601, by appointment, Monday through Friday, 8 a.m. to 4:30 p.m.
- (3) This material is also available on the board's Web site at: [kyems.com](http://kyems.com).

*JOHN R. HOLDER, Chair*

APPROVED BY AGENCY: August 8, 2024

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

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on October 23, 2024, at 1:00 p.m. ET at the

Kentucky Board of Emergency Medical Services, 500 Mero Street, 5th Floor 5SE32, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five (5) workdays prior to the hearing of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through October 31, 2024. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: John K. Wood, counsel for the Kentucky Board of Emergency Medical Services, 163 East Main Street, Suite 200, Lexington, Kentucky 40507, phone (859) 225-4714, email [administrativeregulations@wgmfirm.com](mailto:administrativeregulations@wgmfirm.com).