

SENATE BILL NO. 460

August 28, 2019, Introduced by Senator NESBITT and referred to the Committee on Health Policy and Human Services.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20904 and 20910 (MCL 333.20904 and 333.20910), section 20904 as amended by 2000 PA 375 and section 20910 as amended by 2006 PA 582.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1** Sec. 20904. (1) "Education program sponsor" means a person,
2 other than an individual, that meets the standards of the

1 department to conduct training at the following levels:

2 (a) Medical first responder.

3 (b) Emergency medical technician.

4 (c) Emergency medical technician specialist.

5 (d) Paramedic.

6 (e) Emergency medical services instructor-coordinator.

7 (2) "Emergency" means a condition or situation in which an
8 individual declares a need for immediate medical attention for any
9 individual, or where that need is declared by emergency medical
10 services personnel or a public safety official.

11 **(3) "Emergency medical services coordination committee" means**
12 **the state emergency medical services coordination committee created**
13 **in section 20915.**

14 (4) ~~(3)~~—"Emergency medical services instructor-coordinator"
15 means an individual licensed under this part to conduct and
16 instruct emergency medical services education programs.

17 (5) ~~(4)~~—"Emergency medical services" means the emergency
18 medical services personnel, ambulances, nontransport prehospital
19 life support vehicles, aircraft transport vehicles, medical first
20 response vehicles, and equipment required for transport or
21 treatment of an individual requiring medical first response life
22 support, basic life support, limited advanced life support, or
23 advanced life support.

24 (6) ~~(5)~~—"Emergency medical services personnel" means a medical
25 first responder, emergency medical technician, emergency medical
26 technician specialist, paramedic, or emergency medical services
27 instructor-coordinator.

28 (7) ~~(6)~~—"Emergency medical services system" means a
29 comprehensive and integrated arrangement of the personnel,

1 facilities, equipment, services, communications, medical control,
 2 and organizations necessary to provide emergency medical services
 3 and trauma care within a particular geographic region.

4 (8) ~~(7)~~—"Emergency medical technician" means an individual who
 5 is licensed by the department to provide basic life support.

6 (9) ~~(8)~~—"Emergency medical technician specialist" means an
 7 individual who is licensed by the department to provide limited
 8 advanced life support.

9 (10) ~~(9)~~—"Emergency patient" means an individual with a
 10 physical or mental condition that manifests itself by acute
 11 symptoms of sufficient severity, including, but not limited to,
 12 pain such that a prudent layperson, possessing average knowledge of
 13 health and medicine, could reasonably expect to result in 1 or all
 14 of the following:

15 (a) Placing the health of the individual or, in the case of a
 16 pregnant woman, the health of the patient or the unborn child, or
 17 both, in serious jeopardy.

18 (b) Serious impairment of bodily function.

19 (c) Serious dysfunction of a body organ or part.

20 (11) ~~(10)~~—"Examination" means a written and practical
 21 evaluation approved or developed by the ~~national registry of~~
 22 ~~emergency medical technicians~~ **National Registry of Emergency**
 23 **Medical Technicians** or other organization with equivalent national
 24 recognition and expertise in emergency medical services personnel
 25 testing and approved by the department.

26 Sec. 20910. (1) The department shall do all of the following:

27 (a) Be responsible for the development, coordination, and
 28 administration of a statewide emergency medical services system.

29 (b) Facilitate and promote programs of public information and

1 education concerning emergency medical services.

2 (c) In case of actual disasters and disaster training drills
3 and exercises, provide emergency medical services resources
4 ~~pursuant to~~**under** applicable provisions of the Michigan emergency
5 preparedness plan, or as prescribed by the director of emergency
6 services ~~pursuant to~~**under** the emergency management act, 1976 PA
7 390, MCL 30.401 to 30.421.

8 (d) Consistent with the rules of the ~~federal communications~~
9 ~~commission,~~**Federal Communications Commission**, plan, develop,
10 coordinate, and administer a statewide emergency medical services
11 communications system.

12 (e) Develop and maintain standards of emergency medical
13 services and **emergency medical services** personnel as follows:

14 (i) License emergency medical services personnel in accordance
15 with this part.

16 (ii) License ambulance operations, nontransport prehospital
17 life support operations, and medical first response services in
18 accordance with this part.

19 (iii) At least annually, inspect or provide for the inspection
20 of each life support agency, except medical first response
21 services. As part of that inspection, the department shall conduct
22 random inspections of life support vehicles. If a life support
23 vehicle is determined by the department to be out of compliance,
24 the department shall give the life support agency 24 hours to bring
25 the life support vehicle into compliance. If the life support
26 vehicle is not brought into compliance in that time period, the
27 department shall order the life support vehicle taken out of
28 service until the life support agency demonstrates to the
29 department, in writing, that the life support vehicle has been

1 brought into compliance.

2 (iv) Promulgate rules to establish the requirements for
3 licensure of life support agencies, vehicles, and individuals
4 licensed under this part to provide emergency medical services and
5 other rules necessary to implement this part. The department shall
6 submit all proposed rules and changes to the ~~state~~ emergency
7 medical services coordination committee and provide a reasonable
8 time for the committee's review and recommendations before
9 submitting the rules for public hearing under the administrative
10 procedures act of 1969.

11 (f) Promulgate rules to establish and maintain standards for
12 and regulate the use of descriptive words, phrases, symbols, or
13 emblems that represent or denote that an ambulance operation,
14 nontransport prehospital life support operation, or medical first
15 response service is or may be provided. The department's authority
16 to regulate use of the descriptive devices includes use for the
17 purposes of advertising, promoting, or selling the services
18 rendered by an ambulance operation, nontransport prehospital life
19 support operation, or medical first response service, or by
20 emergency medical services personnel.

21 (g) Designate a medical control authority as the medical
22 control for emergency medical services for a particular geographic
23 region as provided for under this part.

24 (h) Develop and implement field studies involving the use of
25 skills, techniques, procedures, or equipment that are not included
26 as part of the standard education for medical first responders,
27 emergency medical technicians, emergency medical technician
28 specialists, or paramedics, if all of the following conditions are
29 met:

1 (i) The ~~state~~ emergency medical services coordination committee
2 reviews the field study prior to implementation.

3 (ii) The field study is conducted in an area for which a
4 medical control authority has been approved ~~pursuant to~~ **under**
5 subdivision (g).

6 (iii) The medical first responders, emergency medical
7 technicians, emergency medical technician specialists, and
8 paramedics participating in the field study receive training for
9 the new skill, technique, procedure, or equipment.

10 (i) Collect data as necessary to assess the need for and
11 quality of emergency medical services throughout ~~the~~ **this** state
12 ~~pursuant to~~ **under** 1967 PA 270, MCL 331.531 to ~~331.533~~ **331.534**.
13 **However, the department shall not require a life support agency**
14 **that does not charge for its services to submit data for purposes**
15 **of the Michigan emergency medical services information system or**
16 **another quality improvement program.**

17 (j) Develop, with the advice of the emergency medical services
18 coordination committee, an emergency medical services plan that
19 includes rural issues.

20 (k) Develop recommendations for territorial boundaries of
21 medical control authorities that are designed to ~~assure~~ **ensure** that
22 there exists reasonable emergency medical services capacity within
23 the boundaries for the estimated demand for emergency medical
24 services.

25 (l) Within 1 year after the statewide trauma care advisory
26 subcommittee is established under section 20917a and in
27 consultation with the statewide trauma care advisory subcommittee,
28 develop, implement, and promulgate rules for the implementation and
29 operation of a statewide trauma care system within the emergency

1 medical services system consistent with the document entitled
2 "Michigan Trauma Systems Plan" prepared by the Michigan ~~trauma~~
3 ~~coalition~~, **Trauma Coalition**, dated November 2003. The
4 implementation and operation of the statewide trauma care system,
5 including the rules promulgated in accordance with this
6 subdivision, are subject to review by the emergency medical
7 services coordination committee and the statewide trauma care
8 advisory subcommittee. The rules promulgated under this subdivision
9 ~~shall~~ **must** not require a hospital to be designated as providing a
10 certain level of trauma care. Upon implementation of a statewide
11 trauma care system, the department shall review and identify
12 potential funding mechanisms and sources for the statewide trauma
13 care system.

14 (m) Promulgate other rules to implement this part.

15 (n) Perform other duties as set forth in this part.

16 (2) The department may do all of the following:

17 (a) In consultation with the emergency medical services
18 coordination committee, promulgate rules to require an ambulance
19 operation, nontransport prehospital life support operation, or
20 medical first response service to periodically submit designated
21 records and data for evaluation by the department.

22 (b) Establish a grant program or contract with a public or
23 private agency, emergency medical services professional
24 association, or emergency medical services coalition to provide
25 training, public information, and assistance to medical control
26 authorities and emergency medical services systems or to conduct
27 other activities as specified in this part.