FIRST ENGROSSMENT

Sixty-seventh Legislative Assembly of North Dakota

ENGROSSED SENATE BILL NO. 2133

Introduced by

Senators Lee, K. Roers

Representatives Keiser, Porter, Westlind

1 A BILL for an Act to amend and reenact subsection 2 of section 23-27-02, subsection 2 of

2 section 23-27-04, and sections 23-27-04.3, 23-27-04.9, and 50-24.1-38 of the North Dakota

3 Century Code, relating to services provided by emergency medical services operations and

4 emergency medical services personnel; and to provide a penalty.

5 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

6 SECTION 1. AMENDMENT. Subsection 2 of section 23-27-02 of the North Dakota Century
7 Code is amended and reenacted as follows:

8 2. "Emergency medical services" means the prehospital medical stabilization or

9 transportation, including interfacility transportation, of an individual who is sick, injured,

10 wounded, or otherwise incapacitated or helpless, or in a real or perceived acute

medical condition, by a person that holds oneself out to the public as being in that
 service or that regularly provides that service. The term includes:

- 13a.Assessing, stabilizing, and treating life-threatening and non-life-threatening
- 14 medical conditions; or
- b. Transporting a patient who is in a real or perceived acute medical condition to a
 hospital emergency room <u>or other appropriate medical destination</u>.

SECTION 2. AMENDMENT. Subsection 2 of section 23-27-04 of the North Dakota Century
Code is amended and reenacted as follows:

19 2. An officer, employee, or agent of any prehospital emergency medical services

20 operation may refuse to transport an individual for which transport is not medically

- 21 necessary and may recommend an alternative course of action to that individual if the
- 22 prehospital emergency medical service has developed protocols that include direct
- 23 medical control to refuse transport of an individual.

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SECTION 3. AMENDMENT. Section 23-27-04.3 of the North Dakota Century Code is
 amended and reenacted as follows:

3 23-27-04.3. Emergency medical services personnel training, testing, certification, 4 licensure, and quality review - Penalty.

5 The state health council shall adopt rules prescribing minimum training, testing, certification, 6 licensure, and quality review standards for emergency medical services personnel, including 7 community emergency medical services personnel, instructors, and training institutions. Rules 8 adopted must include a definition of minimum applicable standards, a definition of emergency 9 medical services personnel, provide for a mechanism for certifying or licensing persons who 10 have met the required standards, provide a mechanism to review and improve the quality of 11 care rendered by emergency medical services personnel, and define minimum standards for 12 emergency medical services training institutions. Licensing as an emergency medical services 13 training institution is optional. It is a class B misdemeanor for an individual to willfully 14 misrepresent that individual's certification or licensing status as emergency medical services 15 personnel. Quality review and improvement information, data, records, and proceedings are not 16 subject to subpoena or discovery or introduction into evidence in any civil action. 17 SECTION 4. AMENDMENT. Section 23-27-04.9 of the North Dakota Century Code is 18 amended and reenacted as follows: 19 23-27-04.9. Administration of influenza vaccinationvaccinations - Laboratory testing. 20 1. A licensed or certified emergency medical technician-paramedicservices personnel 21 working for a hospital or an emergency medical services operation may administer the-22 influenzaa vaccine to an individual who is at least eighteen years of age if: 23 The physician providing oversight for the emergency medical services operation a. 24 or the hospital medical director has established protocols that meet department 25 standards that may be based on the advisory committee on immunization 26 practices of the federal centers for disease control and prevention; and 27 b. The emergency medical technician-paramedicservices personnel has 28 satisfactorily completed a department-approved course on administering 29 vaccines. 30 2. If a hospital or emergency medical services operation allows the administration of 31 vaccines under this section, the hospital or emergency medical services operation

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1		shall maintain records documenting the emergency medical
2		technician-paramedic'sservices personnel's completion of the training required under
3		subsection 1. These records are subject to review by the department.
4	<u>3.</u>	Licensed or certified emergency medical services personnel may perform laboratory
5		testing authorized by rule adopted by the health council.
6	SEC	TION 5. AMENDMENT. Section 50-24.1-38 of the North Dakota Century Code is
7	amendeo	d and reenacted as follows:
8	50-2	4.1-38. Health-related services - Licensed community paramedics<u>emergency</u>
9	9 <u>medical services personnel</u> .	
10	<u>1.</u>	Medical assistance must cover services provided by community emergency medical
11		services personnel, and other similarly licensed personnel who are licensed or
12		certified under section 23-27-04.3, if the services are provided to an eligible recipient
13		as defined by rule. Community emergency medical services personnel services may
14		include health assessment, chronic disease monitoring and education, immunizations
15		and vaccinations, laboratory specimen collection, followup care, comprehensive health
16		and safety assessment, wound management, assess and report compliance with
17		established care plan, medication management, and other interventions within the
18		scope of practice for each licensure level as approved by a supervising physician,
19		physician assistant, or advanced practice registered nurse.
20	<u>2.</u>	The department of human services shall adopt rules governing payments to licensed
21		community paramedicsemergency medical services personnel, advanced emergency
22		medical technicians, and emergency medical technicians for health-related services
23		provided to recipients of medical assistance, subject to necessary limitations and
24		exclusions. A physician, a physician assistant, or an advanced practice registered
25		nurse must supervise any care provided by a licensed community
26		paramedicemergency medical services personnel, an advanced emergency medical
27		technician, or <u>an</u> emergency medical technician.