



The Proposed EMS Rules for 2011

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This Presentation:

- ▶ Is intended to provide this group with background information about how Act 142 leads to changes in the existing EMS rules
- ▶ Is not an official public comment opportunity. Please send written comments and/or attend the public hearing

This Presentation:

- ▶ Begins from the perspective of what is proposed. The final version may be different based on further input received about the proposal.

Act 142 includes-

Sec. 19. UPDATED RULES FOR ADVANCED
EMERGENCY MEDICAL CARE

No later than March 1, 2011, the commissioner of health shall adopt, repeal, or amend any existing departmental rules on emergency medical care to ensure they are in compliance with the provisions of 18 V.S.A. § 906(8).

Key Dates to keep in mind-

- ▶ A public hearing is scheduled for December 17, 2010 at 1:00 p.m. in Room 3B or by teleconference at 866-628-8620 with PIN 490523#
- ▶ The deadline for public comment is December 24, 2010
- ▶ Final proposed rule filing with the Secretary of State's Office and the Legislative Committee on Administrative Rules by December 30, 2010
- ▶ The Legislative Committee on Administrative Rules has up to 45 days for their review (around mid-Feb)
- ▶ Effective date of the new rule is 14 days after the Legislative Committee review (March 1st goal)

How was the Draft EMS Rule
revision developed?-

A series of five public meetings were held around the State

- ▶ Different locations
- ▶ Different days of the week
- ▶ Different times of day
- ▶ All telephone accessible
- ▶ Each component of the Act was reviewed
- ▶ Other opportunities for updates to the existing rules were identified
- ▶ Good discussions and input at every hearing!

Let's look at the changes
related to Act 142 section by
section-

Section 1- Definitions

- ▶ Some new definitions relate to the statutory language
 - Credentialing
 - National certification
 - US Armed Forces EMS personnel
 - Etc.
- ▶ Others relate to clarifications of existing language

Act 142 Calls for-

- ▶ (8) Establishing, by rule, levels of individual certification and application forms for advanced emergency medical care. The commissioner shall use the guidelines established by the national Highway Traffic Safety Administration (NHTSA) in the U.S. Department of Transportation as a standard or other comparable standards, except that a felony conviction shall not necessarily disqualify an applicant. The rules shall also provide that:

Act 142 Calls for-

- ▶ (C) Unless otherwise provided under this section, an individual seeking any level of certification ***shall be required to pass an examination approved by the commissioner*** for that level of certification. ***Written and practical examinations shall not be required for recertification***; however, to maintain certification, all individuals ***shall complete a specified number of hours of continuing education*** as established by rule by the commissioner.

Act 142 Calls for-

- ▶ (E) An applicant who has served as an advanced emergency medical technician, such as a ***hospital corpsman or a medic in the United States Armed Forces, or who is licensed as a registered nurse or a physician's assistant*** shall be granted a permanent waiver of the training requirements to become a certified emergency medical technician, an advanced emergency medical technician, or a paramedic, ***provided the applicant passes the applicable examination*** approved by the commissioner for that level of certification and further provided that the applicant is ***affiliated with a rescue service, fire department, or licensed ambulance service.***

Act 142 Calls for-

- ▶ (F) An applicant who is ***certified on the National Registry of Emergency Medical Technicians*** as an EMT-basic, EMT-intermediate or a paramedic shall be granted certification as a Vermont EMT-basic, EMT-intermediate, or paramedic without the need for further testing, ***provided he or she is affiliated with an ambulance service, fire department, or rescue service, or is serving as a medic with the Vermont National Guard.***

Section 6- Personnel requirements and certification

- ▶ The most significant re-write of the entire rule update
- ▶ All old language and formatting was eliminated in favor of a new layout.
- ▶ Describes the educational requirements for initial certification
 - Based on National Standard curricula today
 - Based on the National EMS Education Standards and National EMS Scope of Practice Model in the future

Section 6- Continued

- ▶ Describes the initial testing of EMS personnel
 - Use of a combination of national certification testing by the NREMT and State testing by VDH today
 - Movement to all NREMT testing as our EMT-Intermediate program transitions to the Advanced EMT program in the future
- ▶ Describes a process for Registered Nurses, Physician Assistants and Military personnel to gain VT EMS certification
 - The law requires VDH to provide these certifications without additional EMS education requirements
 - NREMT testing where necessary will be based on the NREMT's assessment exam rather than leading to national certification.
 - The sponsoring EMS agency and EMS District medical advisor will become responsible for verifying knowledge, skill and affective competencies prior to VT EMS certification

Section 6- Continued

- ▶ Describes the EMS recertification requirements
 - The rules reflect elimination of periodic State recertification testing. Credentialing is now required
 - For all new personnel, maintaining national certification into the future is proposed
 - For existing personnel, if national certification can be reinstated without testing that will be required for VT EMS recertification
 - For existing personnel, if national certification requires testing, the applicant will submit their continuing education to VDH. Over the next few years, the continuing education requirements transition to those of the NREMT

Section 6- Continued

- ▶ Transition to the new national EMS certification levels as required in the law
 - The transition process is described
 - This will be done over a few years
 - The process will be similar to how we have done past changes to the National Standard Curricula
 - The scope of practice will transition in accordance with the conversion to the new national levels
- ▶ Reciprocity
 - Will require NREMT certification for reciprocity into VT

Section 7- Conducting EMS Training Courses for Certification

- ▶ Establishes the use of the national EMS education standards and scope of practice model as foundations for the new level courses as required by the law
- ▶ Establishes national accreditation requirements for Paramedic level course offerings in VT
- ▶ Creates the option for courses intended to bridge registered nurses or physician assistants into EMS certification levels (cannot be required under Act 142).

Act 142 Calls for-

- ▶ (B) An individual certified by the commissioner as an emergency medical technician, advanced emergency medical technician, or a paramedic, who is affiliated with a licensed ambulance service, fire department or rescue service, shall be able to ***practice fully within the scope of practice for such level*** of certification as defined by NHTSA's National EMS Scope of Practice Model notwithstanding any law or rule to the contrary, and ***subject to the medical direction*** of the commissioner or designee.

Section 8- Emergency Medical Treatment Procedures

- ▶ Removes the requirement for on-line orders for med administration by EMT-Intermediates
- ▶ Includes credentialing by the affiliating EMS agency with medical advisor approval as a mandatory condition for the performance of emergency medical treatment
- ▶ Requires a quality improvement process at the EMS agency level
- Clarifies the role of the EMS District medical advisor in restricting the practice of EMS personnel for cause

Section 9- Conducting State EMS Certification Examinations

- Specifies the use of the NREMT examinations for National and VT EMS certification (except EMT-Intermediates)

Act 142 Calls for-

- ▶ (D) If there is a hardship imposed on an applicant for a certification under this section because of unusual circumstances, the applicant ***may apply to the commissioner for a temporary or permanent waiver*** of one or more of the certification requirements, which the commissioner may grant for good cause.

Section 12- Standards for Variance or Waiver of the EMS Rules

- ▶ Complies with Act 142 requirements for waivers of certification requirements in circumstances of hardship
- ▶ Adds language for a “variance” in addition to a “waiver” of the rules

This Presentation:

- ▶ Did not reflect many of the changes made in response to input from the public meetings or other updates and edits to the existing EMS rules

The propose rules include changes to several sections do not relate directly to Act 142

- ▶ Section 2- Ambulance Service Licenses
- ▶ **Section 3- First Responder Service Licenses**
- ▶ Section 4- Air Ambulance Service Licenses
- ▶ **Section 5- Ground Ambulance Vehicles**
- ▶ Section 10- Recognition of Licenses and Certification from Other States
- ▶ **Section 11- Standards and Procedures for Refusing, Revoking or Suspending Licenses and Certifications**
- ▶ Section 13- EMS Incident Reporting System

Questions?