

AMENDMENTS TO LB543

Introduced by Harr, 8.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Section 38-1201, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 38-1201 Sections 38-1201 to 38-1237 and section 3 of this act shall
6 be known and may be cited as the Emergency Medical Services Practice Act.

7 Sec. 2. Section 38-1217, Revised Statutes Cumulative Supplement,
8 2014, is amended to read:

9 38-1217 The board shall adopt rules and regulations necessary to:

10 (1)(a) For licenses issued prior to September 1, 2010, create the
11 following licensure classifications of out-of-hospital emergency care
12 providers: (i) First responder; (ii) emergency medical technician; (iii)
13 emergency medical technician-intermediate; and (iv) emergency medical
14 technician-paramedic; and (b) for licenses issued on or after September
15 1, 2010, create the following licensure classifications of out-of-
16 hospital emergency care providers: (i) Emergency medical responder; (ii)
17 emergency medical technician; (iii) advanced emergency medical
18 technician; and (iv) paramedic. The rules and regulations creating the
19 classifications shall include the practices and procedures authorized for
20 each classification, training and testing requirements, renewal and
21 reinstatement requirements, and other criteria and qualifications for
22 each classification determined to be necessary for protection of public
23 health and safety. A person holding a license issued prior to September
24 1, 2010, shall be authorized to practice in accordance with the laws,
25 rules, and regulations governing the license for the term of the license;

26 (2) Provide for temporary licensure of an out-of-hospital emergency
27 care provider who has completed the educational requirements for a

1 licensure classification enumerated in subdivision (1)(b) of this section
2 but has not completed the testing requirements for licensure under such
3 subdivision. Temporary licensure shall be valid for one year or until a
4 license is issued under such subdivision and shall not be subject to
5 renewal. The rules and regulations shall include qualifications and
6 training necessary for issuance of a temporary license, the practices and
7 procedures authorized for a temporary licensee, and supervision required
8 for a temporary licensee;

9 (3) Set standards for the licensure of basic life support services
10 and advanced life support services. The rules and regulations providing
11 for licensure shall include standards and requirements for: Vehicles,
12 equipment, maintenance, sanitation, inspections, personnel, training,
13 medical direction, records maintenance, practices and procedures to be
14 provided by employees or members of each classification of service, and
15 other criteria for licensure established by the board;

16 (4) Authorize emergency medical services to provide differing
17 practices and procedures depending upon the qualifications of out-of-
18 hospital emergency care providers available at the time of service
19 delivery. No emergency medical service shall be licensed to provide
20 practices or procedures without the use of personnel licensed to provide
21 the practices or procedures;

22 (5) Authorize out-of-hospital emergency care providers to perform
23 any practice or procedure which they are authorized to perform with an
24 emergency medical service other than the service with which they are
25 affiliated when requested by the other service and when the patient for
26 whom they are to render services is in danger of loss of life;

27 (6) Provide for the approval of training agencies and establish
28 minimum standards for services provided by training agencies;

29 (7) Provide for the minimum qualifications of a physician medical
30 director in addition to the licensure required by section 38-1212;

31 (8) Provide for the use of physician medical directors, qualified

1 physician surrogates, model protocols, standing orders, operating
2 procedures, and guidelines which may be necessary or appropriate to carry
3 out the purposes of the Emergency Medical Services Practice Act. The
4 model protocols, standing orders, operating procedures, and guidelines
5 may be modified by the physician medical director for use by any out-of-
6 hospital emergency care provider or emergency medical service before or
7 after adoption;

8 (9) Establish criteria for approval of organizations issuing
9 cardiopulmonary resuscitation certification which shall include criteria
10 for instructors, establishment of certification periods and minimum
11 curricula, and other aspects of training and certification;

12 (10) Establish renewal and reinstatement requirements for out-of-
13 hospital emergency care providers and emergency medical services and
14 establish continuing competency requirements. Continuing education is
15 sufficient to meet continuing competency requirements. The requirements
16 may also include, but not be limited to, one or more of the continuing
17 competency activities listed in section 38-145 which a licensed person
18 may select as an alternative to continuing education. The requirements
19 shall include twelve additional hours of continuing education in clinical
20 topics for community paramedics. A person who is licensed under a
21 licensure classification in subdivision (1)(b) of this section may
22 practice as a community paramedic as provided in section 3 of this act.
23 The reinstatement requirements for out-of-hospital emergency care
24 providers shall allow reinstatement at the same or any lower level of
25 licensure for which the out-of-hospital emergency care provider is
26 determined to be qualified;

27 (11) Establish criteria for deployment and use of automated external
28 defibrillators as necessary for the protection of the public health and
29 safety;

30 (12) Create licensure, renewal, and reinstatement requirements for
31 emergency medical service instructors. The rules and regulations shall

1 include the practices and procedures for licensure, renewal, and
2 reinstatement;

3 (13) Establish criteria for emergency medical technicians-
4 intermediate, advanced emergency medical technicians, emergency medical
5 technicians-paramedic, or paramedics performing activities within their
6 scope of practice at a hospital or health clinic under subsection (3) of
7 section 38-1224. Such criteria shall include, but not be limited to: (a)
8 Requirements for the orientation of registered nurses, physician
9 assistants, and physicians involved in the supervision of such personnel;
10 (b) supervisory and training requirements for the physician medical
11 director or other person in charge of the medical staff at such hospital
12 or health clinic; and (c) a requirement that such activities shall only
13 be performed at the discretion of, and with the approval of, the
14 governing authority of such hospital or health clinic. For purposes of
15 this subdivision, health clinic has the definition found in section
16 71-416 and hospital has the definition found in section 71-419; and

17 (14) Establish criteria and requirements for emergency medical
18 technicians-intermediate to renew licenses issued prior to September 1,
19 2010, and continue to practice after such classification has otherwise
20 terminated under subdivision (1) of this section. The rules and
21 regulations shall include the qualifications necessary to renew emergency
22 medical technicians-intermediate licenses after September 1, 2010, the
23 practices and procedures authorized for persons holding and renewing such
24 licenses, and the renewal and reinstatement requirements for holders of
25 such licenses.

26 Sec. 3. A community paramedic shall practice in accordance with
27 protocols and supervisory standards established by the physician medical
28 director in accordance with section 38-1217. A community paramedic may
29 provide services as directed by a patient care plan if the plan has been
30 developed by the patient's primary physician or by an advanced practice
31 registered nurse or a physician assistant, in conjunction with the

1 physician medical director and relevant local health care providers. The
2 care plan shall ensure that the services provided by the community
3 paramedic are consistent with the services offered by the patient's
4 health care home, if one exists, that the patient receives the necessary
5 services, and that there is no duplication of services to the patient.

6 Sec. 4. Section 68-901, Revised Statutes Cumulative Supplement,
7 2014, is amended to read:

8 68-901 Sections 68-901 to 68-974 and section 5 of this act shall be
9 known and may be cited as the Medical Assistance Act.

10 Sec. 5. (1) The department shall apply for a waiver to implement
11 this section.

12 (2) For purposes of this section:

13 (a) Community paramedic means a person licensed under a licensure
14 classification in subdivision (1)(b) of section 38-1217 and providing
15 community paramedic services in accordance with section 3 of this act;

16 (b) Community paramedic services includes health assessment, chronic
17 disease monitoring and education, medication compliance, immunizations
18 and vaccinations, laboratory specimen collection, hospital discharge
19 followup care, and minor medical procedures approved by the physician
20 medical director of the emergency medical service licensed under the
21 Emergency Medical Services Practice Act; and

22 (c) Eligible recipient means an individual who has received services
23 at a hospital emergency department three or more times in a period of
24 four consecutive months in the past twelve months or an individual who
25 has been identified by the individual's primary health care provider for
26 whom community paramedic services would likely prevent admission to or
27 would allow discharge from a nursing facility as defined in section
28 71-424 or would likely prevent readmission to a hospital as defined in
29 section 71-419 or a nursing facility.

30 (3) The medical assistance program shall cover community paramedic
31 services provided by community paramedics when the community paramedic

1 services are provided in accordance with this section and section 3 of
2 this act to an eligible recipient.

3 (4) Payment for community paramedic services provided by a community
4 paramedic under this section shall be a part of a care plan ordered by a
5 primary health care provider in consultation with the physician medical
6 director of an emergency medical service licensed under the Emergency
7 Medical Services Practice Act and shall be billed by an eligible provider
8 enrolled in the medical assistance program that employs or contracts with
9 the community paramedic. The care plan shall ensure that the community
10 paramedic services provided by a community paramedic are coordinated with
11 other community health providers and local public health agencies and
12 that community paramedic services do not duplicate services already
13 provided to the patient, including home health and waiver services.

14 (5) Community paramedic services provided by a community paramedic
15 to an eligible recipient who is also receiving care coordination services
16 shall be in consultation with the providers of the recipient's care
17 coordination services.

18 Sec. 6. Original section 38-1201, Reissue Revised Statutes of
19 Nebraska, and sections 38-1217 and 68-901, Revised Statutes Cumulative
20 Supplement, 2014, are repealed.