

1 A BILL

2 TO BE ENTITLED

3 AN ACT

4 To

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8 **BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

9 Section 1. Code of Alabama 1975, Section 22-18-1, is hereby amended to read as follows:

10 **§ 22-18-1. Definitions.**

11 “For the purposes of this article, the following terms shall have the meanings respectively
12 ascribed to them by this section:

13 “(1) BOARD OR BOARD OF HEALTH . The State Board of Health.

14 (2) DEPARTMENT. The Alabama Department of Public Health

15 “(3) EMERGENCY MEDICAL SERVICES PERSONNEL (EMSP). The collective term used
16 to refer to licensed Emergency Medical Technicians, Emergency Medical Technicians
17 Intermediate, Advanced Emergency Medical Technicians, and/or Paramedics.

18 “(4) PROVIDER SERVICE. Any person, firm or corporation engaged in the business of the
19 provision of transport or non-transport emergency medical services.

1 ~~“(1)~~ (5) GROUND AMBULANCE. A motor vehicle ~~including a convalescent ambulance~~ that is
2 intended to be used for and is maintained or operated for transportation to a medical care facility
3 of persons who are sick or injured.

4 ~~“(2) AMBULANCE SERVICE OPERATOR~~. Any person, firm or corporation engaged in the
5 ~~business of operating a ground ambulance or convalescent ambulance.~~

6 ~~“(3) LICENSED AMBULANCE DRIVER~~. Any individual who successfully completes the
7 ~~course of instruction for emergency vehicle operation prescribed by the State Board of Health,~~
8 ~~and who has been granted a current, valid license by the Board of Health.~~

9 “(6) AIR AMBULANCE. An aircraft that is intended to be used for and is maintained or
10 operated for transportation to a medical care facility of persons who are sick or injured. For the
11 purposes of this chapter, fixed-wing aircraft that do not conduct scene flights shall not be
12 considered air ambulances.”

13 ~~“(7)~~ (4) LICENSED EMERGENCY MEDICAL TECHNICIAN (EMT)-BASIC. Any person 18
14 years of age or older who has successfully completed the basic emergency medical technician
15 course of instruction, or its equivalent, as approved by the Board of Health, and passed the state
16 EMT ~~basic~~ examination, and who has been granted a current, valid license by the Board of
17 Health.

18 “(8) ADVANCED EMERGENCY MEDICAL TECHNICIAN. Any person 18 years of age or
19 older who has successfully completed the advanced emergency medical technician course of
20 instruction, or its equivalent, as approved by the State Board of Health, and passed the state
21 Advanced EMT examination, as well as having met the requirements for becoming a licensed
22 emergency medical technician, and who has been granted a current, valid license by the State
23 Board of Health.

1 ~~(5)~~(9) LICENSED EMERGENCY MEDICAL TECHNICIAN-INTERMEDIATE. Any person
2 18 years of age or older who prior to December 31, 2002, successfully completed the
3 intermediate emergency medical technician course of instruction, or its equivalent, as approved
4 by the Board of Health, and passed the state EMT-intermediate examination, as well as having
5 met the requirements for becoming a licensed emergency medical technician-basic, and who has
6 been granted a current, valid license by the Board of Health.

7 ~~(10)~~ ~~(6)~~ LICENSED EMERGENCY MEDICAL TECHNICIAN-PARAMEDIC. Any person 18
8 years of age or older who has successfully completed the ~~EMT~~-paramedic course of instruction,
9 or its equivalent, as approved by the Board of Health, and passed the state ~~EMT~~-paramedic
10 examination, ~~as well as having met the requirements for becoming a licensed emergency medical~~
11 ~~technician intermediate~~, and who has been granted a current, valid license by the Board of
12 Health.

13 ~~(11)~~ ~~(7)~~ ADVANCED LIFE SUPPORT (ALS). The treatment of potentially life-threatening
14 medical emergencies through the use of invasive medical techniques specified as advanced life
15 support techniques by the Board of Health, which ordinarily would be performed or provided by
16 licensed physicians, but which may be performed by EMSP ~~emergency medical technicians~~
17 during emergencies under constraints specified by rule of the Board.

18 ~~(12)~~ ~~(8)~~ ~~Board or Board of Health. The State Board of Health.~~ BASIC LIFE SUPPORT (BLS).
19 Pre-hospital care involving non-invasive life support measures as specified by the Board.

20 ~~(13)~~ ~~(9)~~ PATIENT. An individual who receives or requests medical care, or for whom medical
21 care is requested, because the individual is sick or injured.

22 ~~(14)~~ ~~(10)~~ PHYSICIAN. An individual licensed to practice medicine by the Medical Licensure
23 Commission of Alabama.

1 ~~“(14) CONVALESCENT AMBULANCE. A vehicle that is intended to be used for and is~~
2 ~~maintained or operated for making non-emergency calls for patients in a recumbent position who~~
3 ~~require transportation to or from a physician's office, hospital, other health care facility, or~~
4 ~~residence, provided a convalescent ambulance shall not include a hospital operated vehicle used-~~
5 ~~exclusively for intra-hospital facility transfers.~~

6 “(15) NON-TRANSPORT VEHICLE. A vehicle operated with the intent to provide BLS or
7 ALS stabilization on scene, but not intended to be or used as a vehicle to transport a patient to a
8 hospital.

9 Section 2. Code of Alabama 1975, Section 22-18-2, is hereby amended to read as follows:

10 **§ 22-18-2. Exceptions to applicability of chapter.**

11 “The provisions of this article shall not apply to volunteer rescue squads that are members of the
12 Alabama Association of Rescue Squads, Inc. and which furnish BLS ambulance service to the
13 public; nor shall the provisions of this chapter apply to businesses or companies which solely
14 provide free ambulance service to their employees who require medical attention on business or
15 company grounds; nor shall the provisions of this chapter apply to or govern ambulances non-
16 transport vehicles that provide BLS services that are owned by the county, a municipality or any
17 other political subdivision of the state, ~~nor to the drivers of or attendants on such ambulances in~~
18 ~~Marengo County. The governing body of such county is hereby authorized to prescribe rules and~~
19 ~~regulations governing ambulance drivers and ambulance attendants, including rules and~~
20 ~~regulations for their training and qualifications.”~~

21 Section 3. Code of Alabama 1975, Section 22-18-3, is hereby amended to read as follows:

1 **§ 22-18-3. Rules and regulations as to training, licensing of etc., ~~of ambulance drivers and~~
2 ~~emergency medical technicians~~ service personnel (EMSP) and operation, licensing, etc., of
3 ~~vehicles.~~**

4 (a) In the manner provided in this section, the ~~State~~ Board of Health, with advice and
5 recommendation of the advisory committee ~~board~~, shall establish and publish reasonable rules
6 and regulations for the training, qualification, scope of privilege, and licensing of ~~ambulance-~~
7 ~~drivers, emergency medical technicians~~ EMSP, and provider services ~~service operators~~, and for
8 the operation, design, equipment and licensing of ambulances and non-transport vehicles ~~and~~
9 ~~convalescent ambulances~~. In adopting rules and regulations, the Board of Health shall follow the
10 provisions of the Alabama Administrative Procedure Act, provided, that the board shall, in all
11 cases, hold one or more public hearings prior to adoption, amendment, or rescission of any rule
12 or regulation. ~~All hearings shall be joint hearings set by the Board of Health and the advisory~~
13 ~~board established in Section 22-18-5.~~ At such hearing, any interested person, firm or corporation
14 or any member of the public may be heard. Any person, firm or corporation affected by any
15 regulation, amendment or rescission hereof may appeal consideration thereof to the circuit court
16 of Montgomery County pursuant to the provisions of the Administrative Procedure Act.

17 “(b) Regulations adopted under this section shall become effective as provided in the
18 Administrative Procedure Act. From any judgment of the circuit court in any case appealed to it,
19 an appeal shall be made pursuant to the Administrative Procedure Act.”

20 Section 4. Code of Alabama 1975, Section 22-18-4, is hereby amended to read as follows:

1 **§ 22-18-4. Fees of licenses; licensure of emergency medical technicians service personnel**
2 **(EMSP), ambulances and non-transport vehicles. and persons directing and driving**
3 **ambulances to be licensed.**

4 “(a) In addition to all other licenses or fees now payable, the Board of Health shall, as
5 prerequisite for issuing a license under the provisions of this article and rules and regulations
6 promulgated pursuant thereto, charge a fee of \$10.00 for each license valid for a period of 24
7 months issued to ~~an ambulance driver, each level of EMSP emergency medical technician~~
8 ~~(EMT) basic, ; advance emergency medical technician EMT intermediate and paramedic., a fee~~
9 ~~of \$25.00 for each licensed-issued to any provider service operating a transport vehicle. to a~~
10 ~~ground service operator, and a fee of \$25.00 for each license issued to a convalescent service~~
11 ~~ambulance operator..~~

12 ~~(b) Licenses in effect on June 29, 1995 shall remain in effect until the expiration date set forth~~
13 ~~thereon. Each license issued to an ambulance service operator a provider service operator shall~~
14 ~~be valid for a period not to exceed 12 calendar months. The same fee shall be charged for~~
15 ~~renewal of a license as is fixed in this subsection for the original license. No additional fee shall~~
16 ~~be collected when an EMT EMSP becomes eligible for reclassification of his or her license to a~~
17 ~~higher level.~~

18 “(c) All fees collected under this chapter shall be retained in a separate fund by the Board of
19 Health for the purpose of enforcing this chapter and shall be disbursed as other funds of the state
20 are disbursed; provided, that no fee or permit charge authorized under this chapter shall be
21 charged or collected for the issuing of a permit to a volunteer rescue squad, as defined in Section
22 32-11-1, for providing ambulance service on a gratuitous basis, or any member who volunteers

1 his service, unless licensure is requested by the squad, company or individual, whereupon, ~~with~~
2 ~~the exception of the issuance of a license for the EMT reclassifications,~~ a fee will be charged. An
3 ~~EMT may hold a dual license as an driver and an EMT at any level for which he or she is~~
4 ~~eligible for licensure, and there shall be no license fee imposed other than that imposed for an~~
5 ~~EMT license.”~~

6 ~~“(b) (d) Any person desiring EMSP licensure as an ~~EMT~~ shall complete an state approved ~~EMT~~~~
7 ~~EMSP course, successfully pass the appropriate level licensure examination as determined by the~~
8 ~~Board of Health, and submit an application to the Board. An approved ~~EMT-EMSP~~ course for~~
9 ~~any level shall be a course conforming to the curriculum for that level approved by the United~~
10 ~~States Department of Transportation, or approved by any other federal agency as may, in the~~
11 ~~future, take jurisdiction over ~~EMT-EMSP~~ training curriculum development. A curriculum may~~
12 ~~be required to be supplemented with additional modules if:~~

13 ~~“(1) ~~The~~ the modules are optional modules approved by the United States Department of~~
14 ~~Transportation, or its successor as specified above, and the optional modules are prescribed by~~
15 ~~rule by the Board pursuant to the Alabama Administrative Procedure Act.~~

16 ~~“(2) ~~The~~ modules, though not included in the federally approved curriculum for a particular level~~
17 ~~of training, have been required in Alabama for emergency medical technician EMSP training at~~
18 ~~that level on or before January 1, 1995.~~

19 ~~“(3) ~~The~~ modules are necessary to train ~~EMTs~~ EMSP in the use of new procedures, devices,~~
20 ~~techniques, or drugs which may be approved by the Board for use by ~~EMTs~~ EMSP.~~

21 ~~“(e) (e) No air or ground ambulance and no convalescent ambulance shall be operated for~~
22 ~~ambulance purposes and no individual shall fly, drive, operate, attend or permit same to be~~
23 ~~operated for the purpose of transporting a patient from any point within the State of Alabama to~~
24 ~~any other point within the State of Alabama unless such ambulance or convalescent ambulance is~~
25 ~~duly licensed by the ~~State~~ Board of Health and unless it shall be under the immediate supervision~~

1 and direction of a person who is holding a current valid EMSP license ~~as an emergency medical~~
2 ~~technician~~ or as is a licensed physician. The State Board of Health may prescribe exceptions to
3 this requirement consistent with the interests of public health. Any ground ambulance or non-
4 transport vehicle ~~or convalescent ambulance~~ shall at all times be driven by a person holding a
5 current, valid drivers license and who has completed and passed the Emergency Vehicle
6 Operation Course approved by the Board of Health. ~~an ambulance driver.~~

7 Section 5. Code of Alabama 1975, Section 22-18-5, is hereby amended to read as follows:

8 **§ 22-18-5. State Emergency Medical Services Advisory Committee.** ~~board.~~ (SEMSAC)

9 (a) There shall be an advisory committee ~~board~~ of 25 ~~23~~ members to assist in the establishment
10 of rules, regulations and standards necessary to carry out the provisions of this chapter. The
11 ~~board~~ advisory committee shall meet at least once each year and at the call of the State Health
12 Officer, Chair, Vice Chair, or majority of members by means of written petition. The members
13 of the advisory committee may vote and participate in meetings by electronic means.

14 The State Health Officer shall be an ex officio member of the advisory ~~board~~ committee. The
15 advisory ~~board~~ committee shall elect one from its membership to serve as chair for a two-year
16 term. ~~The chair shall not serve consecutive terms.~~

17 (b) Composition of the advisory ~~board~~ committee shall be:

18 (1) One member designated by the Alabama Ambulance Association.

19 (2) One member designated by the Alabama Association of Rescue Squads.

20 (3) One member designated by the Alabama Hospital Association.

- 1 (4) One member designated by the ~~State Committee on Trauma~~, Alabama Chapter of the
2 American College of Surgeons.
- 3 (5) One member designated by the Medical Association of the State of Alabama.
- 4 (6) One member designated by the Director of Public Safety.
- 5 ~~(7) One member designated by the Director of the State Department of Transportation.~~
- 6 ~~(8) One member designated by the Department of Economic and Community Affairs, Highway~~
7 ~~Traffic and Safety Program.~~
- 8 (9) State Health Officer or his/her designee, as ex officio member with voting privileges.
- 9 (10) One member who shall be a paramedic firefighter designated by the Professional
10 Firefighters Association of Alabama.
- 11 (11) One member who shall be an EMT EMSP firefighter designated by the Alabama
12 Association of Volunteer Fire Departments.
- 13 (12) One member designated by the Alabama Association of Fire Chiefs.
- 14 (13) Two members designated by the Alabama Council on EMS to represent the designated
15 regional EMS agencies.
- 16 (14) One member designated by the State Committee of Public Health.
- 17 (15) One member designated by the Alabama Chapter of the American College of Emergency
18 Physicians.
- 19 (16) One member designated by the Alabama Chapter of the American Academy of Pediatrics.
- 20 ~~(17) One member from a state approved paramedic training school designated by the Alabama~~
21 ~~Emergency Medical Services Education Committee.~~
- 22 (17) (18) One member who shall be an EMT designated by the professional EMT association if a
23 professional EMT association is designated by the Board of Health or pursuant to other
24 procedure established by law.
- 25 (18) (19) One member designated by the Alabama Chapter of the Emergency Nurses
26 Association.
- 27 ~~(20) One member designated by the Alabama League of Municipalities.~~

1 ~~(19)~~ ~~(21)~~ One member designated by the Association of County Commissions of Alabama.

2 ~~(20)~~ ~~(22)~~ One member designated by the Alabama Emergency Management Council.

3 ~~(21)~~ ~~(23)~~ One member designated by the Alabama State Nurses' Association.

4 ~~(22)~~ ~~(24)~~ One member designated by the Alabama Firefighters Association.

5 ~~(25)~~ ~~One member designated by the Alabama Society of Hospital Pharmacists.~~

6 (23) One member designated by the Alabama Chapter of the Association of Air Medical
7 Services.

8 (c) Each representative shall serve for a period of ~~four~~ two years or until his successor is
9 appointed, whichever is sooner.

10 (d) Each ex officio member's term will be indefinite. In the case of vacancy, the new appointee
11 shall serve for the remainder of the unexpired term. Any vacancy shall be filled by the original
12 organization selecting said member. Members of the advisory committee board shall serve
13 without compensation but shall be entitled to reimbursement for expenses incurred in the
14 performance of the duties of their office ~~as provided in Article 2 of Chapter 7 of Title 36 of this~~
15 ~~Code.~~ at the same rate paid to state employees.

16 (e) With the consent of the majority of the members of the advisory committee board, the chair
17 shall set requirements for proxy representation, voting, and the establishment of a quorum.

18 (g) Qualifications of Members. All members of the SEMSAC shall remain as members in good
19 standing of the organization they represent for the entirety of their term.

20 Section 6. Code of Alabama 1975, Section 22-18-6, is hereby amended to read as follows:

21 **§ 22-18-6. Class A misdemeanor for certain acts; persons providing emergency medical**
22 **care must be licensed or exempted from licensure; scope of privilege for levels of licensure;**

1 **control of emergency scene; denial, suspension, revocation of license or certificate for**
2 **certain acts.**

3 “(a) It shall be a Class A misdemeanor for any person, firm, company, corporation, organization,
4 facility, or agency to do any of the following:

5 “(1) Deliberately hinder, obstruct, or interfere with an officer, inspector, or duly authorized agent
6 of the Board while in the performance of official duties.

7 “(2) Deliberately hinder, obstruct, or interfere with any physician, licensed nurse, licensed EMSP
8 ~~emergency personnel~~, or emergency medical personnel exempt from licensure under the
9 provisions of this article while that person is providing emergency care to a third person or while
10 that person is assisting at the scene of an emergency, directing traffic at the scene of an
11 emergency, or managing or helping to manage the scene of an emergency.

12 “(3) Violate subsections (c) or (d) of this section.

13 “(4) Offer, provide, or perform, without a valid, current license or certificate to do so, an
14 emergency medical service or other function which, under the provisions of this article or the
15 rules adopted pursuant thereto, may not be performed without a license or certificate issued by
16 the Board of Health. No person shall be subject to criminal liability pursuant to this section in the
17 event he or she renders first aid or emergency care at the scene of an injury caused by a motor
18 vehicle crash or by some other incident, or at the scene of a mass casualty or disaster if:

19 “a. The first aid or emergency care is rendered gratuitously and in good faith; and

20 “b. The first aid or emergency care is not rendered in the course of a business, program, or
21 system which regularly engages in the provision of emergency medical care.

1 “(b) Nothing in this subsection shall be construed to repeal, abridge, or modify Section 6-5-332
2 or any other Good Samaritan statute.

3 “(c) No person shall regularly engage in providing emergency medical care at the scene of
4 emergencies unless he or she is a licensed as EMSP ~~emergency medical technician~~ as defined in
5 this article, or unless he or she is exempted from licensure pursuant to the provisions of this
6 article. Notwithstanding the foregoing, nothing in this article shall be construed to prohibit any
7 physician or nurse licensed in Alabama from performing any act within his or her scope of
8 practice. No person shall hold himself or herself out to be an EMSP ~~emergency medical services~~
9 ~~technician~~, unless he or she is a licensed ~~emergency medical technician~~ as such as defined in this
10 chapter. Provided, that ~~emergency medical technicians~~ EMSP licensed in other jurisdictions may
11 identify themselves as holding such licensure.

12 “(d) The Board shall by rule establish the scope of privilege for each level of ~~emergency medical~~
13 ~~technician~~ EMSP licensure. No person shall exceed the scope of privilege granted to his or her
14 level of licensure.

15 “(e) Control of an emergency scene may be taken by EMSP ~~emergency medical technician or~~
16 ~~other emergency personnel~~ if the personnel arrive at the scene of an emergency prior to the
17 arrival of law enforcement personnel, and if managing the emergency scene will not interfere
18 with other emergency medical care duties. Emergency scene control shall include the authority to
19 direct traffic. A driver of a motor vehicle entering an emergency scene or entering a roadway
20 adjacent to an emergency scene shall use caution, shall maintain proper control of the motor
21 vehicle, and shall obey the directions of law enforcement personnel and emergency personnel at
22 the scene. Any person violating this subsection shall be guilty of a violation.

1 “(f) The Board may, following the contested case provisions of the Administrative Procedure
2 Act, suspend or revoke the license or certificate of ~~an ambulance driver, an emergency medical~~
3 ~~technician~~ EMSP at any level, or ~~an ambulance service operator~~ a provider service, or it may
4 refuse to grant a license or certificate to any person or entity at any time that any of the following
5 is determined with respect to the holder or applicant:

6 “(1) Does not meet or no longer meets the prescribed qualifications.

7 “(2) Is guilty of misconduct as defined by the Board’s rules or otherwise commits a violation of
8 this act or any rules promulgated thereunder.

9 “(3) Has failed to maintain the required level of continuing education units or any equivalent
10 therefore defined in the Board’s rules.

11 “(4) Has provided care to a patient or patients under his or her care which falls short of the
12 standard of care which ordinarily would be expected to be provided by similarly situated EMSP
13 ~~personnel~~ in Alabama, and has thereby jeopardized the life, health, or safety of a patient or
14 patients.

15 “(5) Has sexually or physically abused a patient under his or her care.

16 “(6) Has submitted a license or test application, a report of continuing education requirements, a
17 run report, a patient care record, ~~EMT~~ EMSP student record, clinical rotation record, intent to
18 train form, self-study document, fluid and drug application, physician medication order form, or
19 any other document which is material to the duties and qualifications of EMSP ~~personnel~~ or
20 those of a student in an ~~EMT~~ EMSP training program and which is fraudulent or knowingly false
21 in any respect.

1 “(7) Has committed fraud in the performance of his or her duties or in connection with any
2 matter related to emergency medical services.

3 “(8) Has been convicted of a crime involving moral turpitude, or a crime in which the victim is
4 an EMS provider service organization or an EMS patient, unless the Board determines that the
5 fact of the conviction would not be likely to interfere with the performance of EMS duties.

6 “(9) Has performed any act requiring licensure or certification under state EMS statutes, without
7 possession of the requisite licensure or certification.

8 “(10) Has performed any act which exceeds the scope of license or privilege granted to the
9 holder.”

10 **§ 22-18-7. Article cumulative; powers of municipalities.**

11 This article is cumulative and shall not be construed as limiting any power or authority of any
12 municipality to set standards equal to, or above, state standards as provided in this chapter. (Acts
13 1971, No. 1590, p. 2717, § 8.)

14 ~~“§ 22-18-8. Reimbursement by new employer for training expenses.~~

15 ~~“In those instances in which an ambulance service operator, ambulance driver, ambulance
16 attendant, ambulance driver attendant, or emergency medical technician of any municipality,
17 county, fire district, or the state is employed by the State of Alabama, any county, fire district, or
18 another municipality, within 24 months after completing the training requirements mandated by
19 this chapter, or by rules adopted by the Alabama Committee on Public Health State Board of
20 Health, the total expense of the training, including, but not limited to, salary paid during training,
21 transportation costs paid to the trainee for travel to and from the training facility, room, board,
22 tuition, overtime paid to other employees who fill in for the trainee during his or her absence,
23 and any other related training expenses, shall be reimbursed to the municipality, county, fire~~

1 ~~district, or the state which paid for the training. The municipality, county, fire district, or the state~~
2 ~~which paid for the training shall submit an itemized sworn statement to the new employer of the~~
3 ~~ambulance service operator, ambulance driver, ambulance attendant, ambulance driver attendant,~~
4 ~~or emergency medical technician, as the case may be, shall demand payment thereof, and may~~
5 ~~enforce collection of the obligation through civil remedies and procedures. The terms~~
6 ~~"ambulance service operator," "ambulance driver," "ambulance attendant," "ambulance driver~~
7 ~~attendant," and "emergency medical technician," shall have the same meanings as in Section 22-~~
8 ~~18-1."~~

9 Section 8. Code of Alabama 1975, Sections 22-18-20 through 22-18-23, comprising Article 2
10 are hereby repealed.

11 Section 9. Code of Alabama 1975, Section 22-18-40 is hereby amended to read as follows:

12 **§ 22-18-40. State Emergency Medical Control Committee.**

13 “(a) The Board shall be assisted in formulating rules and policy pertaining to emergency medical
14 services by the State Emergency Medical Control Committee (SEMCC). Members of the
15 SEMCC shall serve without compensation but shall be entitled to reimbursement for expenses
16 incurred in the performance of the duties of their office at the same rate paid state employees.
17 The chair of SEMCC may establish subcommittees of SEMCC comprised of representatives
18 from ambulance, fire, rescue, and other EMS groups, as needed.

19 “(b) The SEMCC shall be composed as follows:

20 “(1) The medical directors of each regional EMS agency region designated by the Board as ex
21 officio members with voting privileges.

1 “(2) One member who shall be appointed by the Alabama Chapter of the American College of
2 Emergency Physicians.

3 “(3) One member who shall be appointed by the State Committee on Trauma of the American
4 College of Surgeons.

5 “(4) One member who shall be appointed by the Alabama Chapter of the American Academy of
6 Pediatrics.

7 “(5) The State EMS Medical Director, as ex officio member with voting privileges, who shall
8 serve as its chair.

9 “(6) The State Trauma Consultant if a physician is designated as such by the Board of Health or
10 pursuant to other procedure established by law as ex officio member with voting privileges.

11 (7) One member who shall be an Alabama physician appointed by the Alabama Chapter of the
12 Association of Air Medical Services.

13 (8) The Chair of the State EMS Advisory Committee, as ex officio member with no voting
14 privileges.

15 “(c) Each representative shall serve for a period of four years or until his successor is appointed
16 whichever is sooner.

17 “(d) Any vacancy shall be filled by the original organization selecting said member. In case of a
18 vacancy, the new appointee shall serve the remainder of the unexpired term.

19 “(e) Each ex officio member’s term will be indefinite.”

20 “(f) The advisory committee may meet and vote by electronic means and votes may be taken by
21 proxy.

1 Section 10. Code of Alabama 1975, Section 22-18-41 is hereby amended to read as follows:

2 **§ 22-18-41. Advanced life support techniques; procurement, carriage, and use of medical**
3 **materiel; performance of services.**

4 “(a)The Board may by rule designate certain procedures as "advanced life support techniques,"
5 which may be performed by ~~EMTs~~ EMSP during emergencies, such as situations where the life,
6 health, or safety of a pre-hospital patient is in immediate jeopardy. The Board may prescribe by
7 rule the qualifications and certification necessary for personnel performing advanced life support
8 techniques, and the specific conditions under which the techniques may be performed by
9 ~~emergency medical technicians~~ EMSP. Notwithstanding any statutory provision to the contrary,
10 EMSP ~~emergency medical services personnel~~ who possess the necessary qualifications and
11 certification prescribed by the Board shall not be deemed to have engaged in the unlawful
12 practice of medicine when performing advanced life support techniques in accordance with the
13 constraints established by the Board.

14 “(b) ~~Emergency vehicles manned by licensed emergency medical technicians who are trained to~~
15 ~~provide advanced life support and who possess current board licensure, may carry a drug kit~~
16 ~~containing limited quantities of drugs, including controlled substances, which have been~~
17 ~~approved by the board for administration to patients during the regular course of duties of~~
18 ~~prehospital personnel, provided, that these drugs may be administered only pursuant to the order~~
19 ~~of a physician who possesses a valid license to practice medicine within this state, and who is, at~~
20 ~~the time the order is given, functioning in accordance with the applicable regional medical~~
21 ~~control plan approved by the board .~~ Fluids and drugs may ~~not~~ be carried only by ~~any~~ a properly
22 authorized ambulance ~~provider~~ service. operator, emergency medical services provider. without
23 ~~a certificate of fluid and drug authorization from the board. The Board may offer a certificate of~~

1 ~~fluid and drug authorization to a non-transport service which is not licensed if the unlicensed-~~
2 ~~non-transport service meets all requirements in the board's rules for issuance of a certificate to a-~~
3 ~~licensed ambulance operator.~~ A licensed properly authorized provider service ~~emergency-~~
4 ~~medical services provider~~ may purchase necessary drugs and fluids ~~pursuant to proper-~~
5 ~~authorization~~ from any reliable source, including wholesalers, distributors, and hospitals.
6 ~~Emergency medical services providers~~ Provider services shall purchase, maintain, and administer
7 fluids and drugs in accordance with regulations promulgated by the Board.
8 “(c) ~~Emergency medical technicians~~ EMSP may ~~not~~ perform services only pursuant to ~~standing-~~
9 ~~orders from physicians without prior approval of the board.~~ the Alabama statewide treatment
10 protocols as approved by the Board. ~~Emergency medical technicians~~ EMSP may accept orders
11 to perform advanced life support techniques only from medical ~~control~~ direction physicians who
12 have completed medical ~~control~~ direction training prescribed by the Board on the
13 recommendation of the SEMCC and the State Health Officer.”

14 Section 11. Code of Alabama 1975, Section 22-18-42 is hereby amended to read as follows:

15 **§ 22-18-42. Regulation of certain kinds of care and personnel; purchase of drugs and fluids.**

16 “This chapter shall govern and it shall authorize the Board of Health to regulate only emergency
17 medical care provided outside of hospitals, ~~emergency medical technicians~~ EMSP who provide
18 care outside of hospitals, ~~ambulance drivers, ambulance service operators~~ provider services,
19 ground ambulances, air ambulances, convalescent ambulances, ALS non-transport services, the
20 training of ~~ambulance drivers and emergency medical technicians~~ EMSP who provide care
21 outside of hospitals, and orders given for emergency medical care to be provided outside of
22 hospitals. Notwithstanding any provision of law to the contrary, authorized drugs and fluids for
23 emergency medical care and services may be purchased from any reliable source, including

1 wholesalers, distributors, and hospitals. To the extent medical care and nursing care provided
2 within hospitals is governed by other provisions of law, these provisions of law shall not be
3 construed to have been repealed, amended, abridged, or otherwise altered by this chapter.”

4 Section 12. Code of Alabama 1975, Section 22-18-43 is hereby amended to read as follows:

5

6 **“§ 22-18-43. Board of Health shall follow Administrative Procedure Act.**

7 “In carrying out its duties and responsibilities under this chapter, the Board shall follow the
8 Administrative Procedure Act.”

9 Section 13. Code of Alabama 1975, Section 22-18-44 is hereby amended to read as follows:

10 **§ 22-18-44. Applicability of chapter and rules of Board to volunteer fire departments.**

11 “Neither the provisions of this chapter nor rules of the Board adopted thereunder shall apply to
12 volunteer fire departments which are not regularly engaged in the provision of emergency
13 medical care and which offer only Basic Life Support response and do not transport. Volunteer
14 fire departments which regularly provide emergency medical care shall be subject to this chapter,
15 except when entitled to an exemption pursuant to Section 22-18-2. Provided, however, that this
16 chapter and regulations adopted thereunder shall govern only the EMS functions of volunteer fire
17 departments and shall not apply to their firefighting functions or other functions. A volunteer fire
18 department shall have in place a system for the emergency treatment or transport of motor
19 vehicle crash victims, or other trauma victims or emergency patients to be deemed to be
20 regularly engaged in the provision of emergency medical care. A volunteer fire department
21 which merely offers cardiopulmonary resuscitation and other first aid and rescue in the course of
22 firefighting and related operations shall not be deemed for that reason alone to be regularly
23 engaged in the provision of emergency medical care.”

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