



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB0365

by Rep. Thaddeus Jones

#### SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.891 new  
210 ILCS 50/3.50  
210 ILCS 50/3.89 new  
210 ILCS 50/3.220  
305 ILCS 5/5-4.2

from Ch. 23, par. 5-4.2

Amends the Emergency Medical Services (EMS) Systems Act. Provides that the Department of Public Health shall perform annual background checks of all licensees and notify licensees and related EMS System administrators of any convictions by a court of competent jurisdiction of (or entry of a plea of guilty or nolo contendere to) a Class X, Class 1, or Class 2 felony, or an out-of-State equivalent offense. Provides that the Department shall require all medical assisted transport providers to be licensed by the Department and establish staffing, licensing, safety, and training standards. Amends the Illinois Public Aid Code. Includes medical assisted transportation in the definition of "ambulance service". Provides rates of reimbursement and assistance for medical transport services. Amends the State Finance Act. Adds the Medical Assisted Transport Licensure Fund as a special fund. Makes other changes.

LRB101 04556 CPF 49564 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The State Finance Act is amended by adding  
5 Section 5.891 as follows:

6 (30 ILCS 105/5.891 new)

7 Sec. 5.891. The Medical Assisted Transport Licensure Fund.

8 Section 10. The Emergency Medical Services (EMS) Systems  
9 Act is amended by changing Sections 3.50 and 3.220 and by  
10 adding Section 3.89 as follows:

11 (210 ILCS 50/3.50)

12 (Text of Section before amendment by P.A. 100-1082)

13 Sec. 3.50. Emergency Medical Services personnel licensure  
14 levels.

15 (a) "Emergency Medical Technician" or "EMT" means a person  
16 who has successfully completed a course in basic life support  
17 as approved by the Department, is currently licensed by the  
18 Department in accordance with standards prescribed by this Act  
19 and rules adopted by the Department pursuant to this Act, and  
20 practices within an EMS System. A valid Emergency Medical  
21 Technician-Basic (EMT-B) license issued under this Act shall

1 continue to be valid and shall be recognized as an Emergency  
2 Medical Technician (EMT) license until the Emergency Medical  
3 Technician-Basic (EMT-B) license expires.

4 (b) "Emergency Medical Technician-Intermediate" or "EMT-I"  
5 means a person who has successfully completed a course in  
6 intermediate life support as approved by the Department, is  
7 currently licensed by the Department in accordance with  
8 standards prescribed by this Act and rules adopted by the  
9 Department pursuant to this Act, and practices within an  
10 Intermediate or Advanced Life Support EMS System.

11 (b-5) "Advanced Emergency Medical Technician" or "A-EMT"  
12 means a person who has successfully completed a course in basic  
13 and limited advanced emergency medical care as approved by the  
14 Department, is currently licensed by the Department in  
15 accordance with standards prescribed by this Act and rules  
16 adopted by the Department pursuant to this Act, and practices  
17 within an Intermediate or Advanced Life Support EMS System.

18 (c) "Paramedic (EMT-P)" means a person who has successfully  
19 completed a course in advanced life support care as approved by  
20 the Department, is licensed by the Department in accordance  
21 with standards prescribed by this Act and rules adopted by the  
22 Department pursuant to this Act, and practices within an  
23 Advanced Life Support EMS System. A valid Emergency Medical  
24 Technician-Paramedic (EMT-P) license issued under this Act  
25 shall continue to be valid and shall be recognized as a  
26 Paramedic license until the Emergency Medical

1 Technician-Paramedic (EMT-P) license expires.

2 (c-5) "Emergency Medical Responder" or "EMR (First  
3 Responder)" means a person who has successfully completed a  
4 course in emergency medical response as approved by the  
5 Department and provides emergency medical response services  
6 prior to the arrival of an ambulance or specialized emergency  
7 medical services vehicle, in accordance with the level of care  
8 established by the National EMS Educational Standards  
9 Emergency Medical Responder course as modified by the  
10 Department. An Emergency Medical Responder who provides  
11 services as part of an EMS System response plan shall comply  
12 with the applicable sections of the Program Plan, as approved  
13 by the Department, of that EMS System. The Department shall  
14 have the authority to adopt rules governing the curriculum,  
15 practice, and necessary equipment applicable to Emergency  
16 Medical Responders.

17 On August 15, 2014 (the effective date of Public Act  
18 98-973) ~~this amendatory Act of the 98th General Assembly~~, a  
19 person who is licensed by the Department as a First Responder  
20 and has completed a Department-approved course in first  
21 responder defibrillator training based on, or equivalent to,  
22 the National EMS Educational Standards or other standards  
23 previously recognized by the Department shall be eligible for  
24 licensure as an Emergency Medical Responder upon meeting the  
25 licensure requirements and submitting an application to the  
26 Department. A valid First Responder license issued under this

1 Act shall continue to be valid and shall be recognized as an  
2 Emergency Medical Responder license until the First Responder  
3 license expires.

4 (c-10) All EMS Systems and licensees shall be fully  
5 compliant with the National EMS Education Standards, as  
6 modified by the Department in administrative rules, within 24  
7 months after the adoption of the administrative rules.

8 (d) The Department shall have the authority and  
9 responsibility to:

10 (1) Prescribe education and training requirements,  
11 which includes training in the use of epinephrine, for all  
12 levels of EMS personnel except for EMRs, based on the  
13 National EMS Educational Standards and any modifications  
14 to those curricula specified by the Department through  
15 rules adopted pursuant to this Act.

16 (2) Prescribe licensure testing requirements for all  
17 levels of EMS personnel, which shall include a requirement  
18 that all phases of instruction, training, and field  
19 experience be completed before taking the appropriate  
20 licensure examination. Candidates may elect to take the  
21 appropriate National Registry examination in lieu of the  
22 Department's examination, but are responsible for making  
23 their own arrangements for taking the National Registry  
24 examination. In prescribing licensure testing requirements  
25 for honorably discharged members of the armed forces of the  
26 United States under this paragraph (2), the Department

1 shall ensure that a candidate's military emergency medical  
2 training, emergency medical curriculum completed, and  
3 clinical experience, as described in paragraph (2.5), are  
4 recognized.

5 (2.5) Review applications for EMS personnel licensure  
6 from honorably discharged members of the armed forces of  
7 the United States with military emergency medical  
8 training. Applications shall be filed with the Department  
9 within one year after military discharge and shall contain:  
10 (i) proof of successful completion of military emergency  
11 medical training; (ii) a detailed description of the  
12 emergency medical curriculum completed; and (iii) a  
13 detailed description of the applicant's clinical  
14 experience. The Department may request additional and  
15 clarifying information. The Department shall evaluate the  
16 application, including the applicant's training and  
17 experience, consistent with the standards set forth under  
18 subsections (a), (b), (c), and (d) of Section 3.10. If the  
19 application clearly demonstrates that the training and  
20 experience meets such standards, the Department shall  
21 offer the applicant the opportunity to successfully  
22 complete a Department-approved EMS personnel examination  
23 for the level of license for which the applicant is  
24 qualified. Upon passage of an examination, the Department  
25 shall issue a license, which shall be subject to all  
26 provisions of this Act that are otherwise applicable to the

1 level of EMS personnel license issued.

2 (3) License individuals as an EMR, EMT, EMT-I, A-EMT,  
3 or Paramedic who have met the Department's education,  
4 training and examination requirements.

5 (4) Prescribe annual continuing education and  
6 relicensure requirements for all EMS personnel licensure  
7 levels.

8 (5) Relicense individuals as an EMD, EMR, EMT, EMT-I,  
9 A-EMT, or Paramedic every 4 years, based on their  
10 compliance with continuing education and relicensure  
11 requirements as required by the Department pursuant to this  
12 Act. Every 4 years, a Paramedic shall have 100 hours of  
13 approved continuing education, an EMT-I and an advanced EMT  
14 shall have 80 hours of approved continuing education, and  
15 an EMT shall have 60 hours of approved continuing  
16 education. An Illinois licensed EMR, EMD, EMT, EMT-I,  
17 A-EMT, Paramedic, ECRN, or PHRN whose license has been  
18 expired for less than 36 months may apply for reinstatement  
19 by the Department. Reinstatement shall require that the  
20 applicant (i) submit satisfactory proof of completion of  
21 continuing medical education and clinical requirements to  
22 be prescribed by the Department in an administrative rule;  
23 (ii) submit a positive recommendation from an Illinois EMS  
24 Medical Director attesting to the applicant's  
25 qualifications for retesting; and (iii) pass a Department  
26 approved test for the level of EMS personnel license sought

1 to be reinstated.

2 (6) Grant inactive status to any EMR, EMD, EMT, EMT-I,  
3 A-EMT, Paramedic, ECRN, or PHRN who qualifies, based on  
4 standards and procedures established by the Department in  
5 rules adopted pursuant to this Act.

6 (7) Charge a fee for EMS personnel examination,  
7 licensure, and license renewal.

8 (7.5) Perform annual background checks of all  
9 licensees and notify licensees and related EMS System  
10 administrators of a conviction by a court of competent  
11 jurisdiction of (or entry of a plea of guilty or nolo  
12 contendere to) a Class X, Class 1, or Class 2 felony in  
13 this State or an out-of-state equivalent offense.

14 (8) Suspend, revoke, or refuse to issue or renew the  
15 license of any licensee, after an opportunity for an  
16 impartial hearing before a neutral administrative law  
17 judge appointed by the Director, where the preponderance of  
18 the evidence shows one or more of the following:

19 (A) The licensee has not met continuing education  
20 or relicensure requirements as prescribed by the  
21 Department;

22 (B) The licensee has failed to maintain  
23 proficiency in the level of skills for which he or she  
24 is licensed;

25 (C) The licensee, during the provision of medical  
26 services, engaged in dishonorable, unethical, or



1 unprofessional conduct of a character likely to  
2 deceive, defraud, or harm the public;

3 (D) The licensee has failed to maintain or has  
4 violated standards of performance and conduct as  
5 prescribed by the Department in rules adopted pursuant  
6 to this Act or his or her EMS System's Program Plan;

7 (E) The licensee is physically impaired to the  
8 extent that he or she cannot physically perform the  
9 skills and functions for which he or she is licensed,  
10 as verified by a physician, unless the person is on  
11 inactive status pursuant to Department regulations;

12 (F) The licensee is mentally impaired to the extent  
13 that he or she cannot exercise the appropriate  
14 judgment, skill and safety for performing the  
15 functions for which he or she is licensed, as verified  
16 by a physician, unless the person is on inactive status  
17 pursuant to Department regulations;

18 (G) The licensee has violated this Act or any rule  
19 adopted by the Department pursuant to this Act; or

20 (H) The licensee has been convicted (or entered a  
21 plea of guilty or nolo contendere ~~nolo contendere~~) by a  
22 court of competent jurisdiction of a Class X, Class 1,  
23 or Class 2 felony in this State or an out-of-state  
24 equivalent offense.

25 (9) Prescribe education and training requirements in  
26 the administration and use of opioid antagonists for all

1 levels of EMS personnel based on the National EMS  
2 Educational Standards and any modifications to those  
3 curricula specified by the Department through rules  
4 adopted pursuant to this Act.

5 (d-5) An EMR, EMD, EMT, EMT-I, A-EMT, Paramedic, ECRN, or  
6 PHRN who is a member of the Illinois National Guard or an  
7 Illinois State Trooper or who exclusively serves as a volunteer  
8 for units of local government with a population base of less  
9 than 5,000 or as a volunteer for a not-for-profit organization  
10 that serves a service area with a population base of less than  
11 5,000 may submit an application to the Department for a waiver  
12 of the fees described under paragraph (7) of subsection (d) of  
13 this Section on a form prescribed by the Department.

14 The education requirements prescribed by the Department  
15 under this Section must allow for the suspension of those  
16 requirements in the case of a member of the armed services or  
17 reserve forces of the United States or a member of the Illinois  
18 National Guard who is on active duty pursuant to an executive  
19 order of the President of the United States, an act of the  
20 Congress of the United States, or an order of the Governor at  
21 the time that the member would otherwise be required to fulfill  
22 a particular education requirement. Such a person must fulfill  
23 the education requirement within 6 months after his or her  
24 release from active duty.

25 (e) In the event that any rule of the Department or an EMS  
26 Medical Director that requires testing for drug use as a

1 condition of the applicable EMS personnel license conflicts  
2 with or duplicates a provision of a collective bargaining  
3 agreement that requires testing for drug use, that rule shall  
4 not apply to any person covered by the collective bargaining  
5 agreement.

6 (Source: P.A. 98-53, eff. 1-1-14; 98-463, eff. 8-16-13; 98-973,  
7 eff. 8-15-14; 99-480, eff. 9-9-15; revised 10-4-18.)

8 (Text of Section after amendment by P.A. 100-1082)

9 Sec. 3.50. Emergency Medical Services personnel licensure  
10 levels.

11 (a) "Emergency Medical Technician" or "EMT" means a person  
12 who has successfully completed a course in basic life support  
13 as approved by the Department, is currently licensed by the  
14 Department in accordance with standards prescribed by this Act  
15 and rules adopted by the Department pursuant to this Act, and  
16 practices within an EMS System. A valid Emergency Medical  
17 Technician-Basic (EMT-B) license issued under this Act shall  
18 continue to be valid and shall be recognized as an Emergency  
19 Medical Technician (EMT) license until the Emergency Medical  
20 Technician-Basic (EMT-B) license expires.

21 (b) "Emergency Medical Technician-Intermediate" or "EMT-I"  
22 means a person who has successfully completed a course in  
23 intermediate life support as approved by the Department, is  
24 currently licensed by the Department in accordance with  
25 standards prescribed by this Act and rules adopted by the

1 Department pursuant to this Act, and practices within an  
2 Intermediate or Advanced Life Support EMS System.

3 (b-5) "Advanced Emergency Medical Technician" or "A-EMT"  
4 means a person who has successfully completed a course in basic  
5 and limited advanced emergency medical care as approved by the  
6 Department, is currently licensed by the Department in  
7 accordance with standards prescribed by this Act and rules  
8 adopted by the Department pursuant to this Act, and practices  
9 within an Intermediate or Advanced Life Support EMS System.

10 (c) "Paramedic (EMT-P)" means a person who has successfully  
11 completed a course in advanced life support care as approved by  
12 the Department, is licensed by the Department in accordance  
13 with standards prescribed by this Act and rules adopted by the  
14 Department pursuant to this Act, and practices within an  
15 Advanced Life Support EMS System. A valid Emergency Medical  
16 Technician-Paramedic (EMT-P) license issued under this Act  
17 shall continue to be valid and shall be recognized as a  
18 Paramedic license until the Emergency Medical  
19 Technician-Paramedic (EMT-P) license expires.

20 (c-5) "Emergency Medical Responder" or "EMR (First  
21 Responder)" means a person who has successfully completed a  
22 course in emergency medical response as approved by the  
23 Department and provides emergency medical response services  
24 prior to the arrival of an ambulance or specialized emergency  
25 medical services vehicle, in accordance with the level of care  
26 established by the National EMS Educational Standards

1 Emergency Medical Responder course as modified by the  
2 Department. An Emergency Medical Responder who provides  
3 services as part of an EMS System response plan shall comply  
4 with the applicable sections of the Program Plan, as approved  
5 by the Department, of that EMS System. The Department shall  
6 have the authority to adopt rules governing the curriculum,  
7 practice, and necessary equipment applicable to Emergency  
8 Medical Responders.

9 On August 15, 2014 (the effective date of Public Act  
10 98-973) ~~this amendatory Act of the 98th General Assembly~~, a  
11 person who is licensed by the Department as a First Responder  
12 and has completed a Department-approved course in first  
13 responder defibrillator training based on, or equivalent to,  
14 the National EMS Educational Standards or other standards  
15 previously recognized by the Department shall be eligible for  
16 licensure as an Emergency Medical Responder upon meeting the  
17 licensure requirements and submitting an application to the  
18 Department. A valid First Responder license issued under this  
19 Act shall continue to be valid and shall be recognized as an  
20 Emergency Medical Responder license until the First Responder  
21 license expires.

22 (c-10) All EMS Systems and licensees shall be fully  
23 compliant with the National EMS Education Standards, as  
24 modified by the Department in administrative rules, within 24  
25 months after the adoption of the administrative rules.

26 (d) The Department shall have the authority and

1 responsibility to:

2 (1) Prescribe education and training requirements,  
3 which includes training in the use of epinephrine, for all  
4 levels of EMS personnel except for EMRs, based on the  
5 National EMS Educational Standards and any modifications  
6 to those curricula specified by the Department through  
7 rules adopted pursuant to this Act.

8 (2) Prescribe licensure testing requirements for all  
9 levels of EMS personnel, which shall include a requirement  
10 that all phases of instruction, training, and field  
11 experience be completed before taking the appropriate  
12 licensure examination. Candidates may elect to take the  
13 appropriate National Registry examination in lieu of the  
14 Department's examination, but are responsible for making  
15 their own arrangements for taking the National Registry  
16 examination. In prescribing licensure testing requirements  
17 for honorably discharged members of the armed forces of the  
18 United States under this paragraph (2), the Department  
19 shall ensure that a candidate's military emergency medical  
20 training, emergency medical curriculum completed, and  
21 clinical experience, as described in paragraph (2.5), are  
22 recognized.

23 (2.5) Review applications for EMS personnel licensure  
24 from honorably discharged members of the armed forces of  
25 the United States with military emergency medical  
26 training. Applications shall be filed with the Department

1 within one year after military discharge and shall contain:  
2 (i) proof of successful completion of military emergency  
3 medical training; (ii) a detailed description of the  
4 emergency medical curriculum completed; and (iii) a  
5 detailed description of the applicant's clinical  
6 experience. The Department may request additional and  
7 clarifying information. The Department shall evaluate the  
8 application, including the applicant's training and  
9 experience, consistent with the standards set forth under  
10 subsections (a), (b), (c), and (d) of Section 3.10. If the  
11 application clearly demonstrates that the training and  
12 experience meet ~~meets~~ such standards, the Department shall  
13 offer the applicant the opportunity to successfully  
14 complete a Department-approved EMS personnel examination  
15 for the level of license for which the applicant is  
16 qualified. Upon passage of an examination, the Department  
17 shall issue a license, which shall be subject to all  
18 provisions of this Act that are otherwise applicable to the  
19 level of EMS personnel license issued.

20 (3) License individuals as an EMR, EMT, EMT-I, A-EMT,  
21 or Paramedic who have met the Department's education,  
22 training and examination requirements.

23 (4) Prescribe annual continuing education and  
24 relicensure requirements for all EMS personnel licensure  
25 levels.

26 (5) Relicense individuals as an EMD, EMR, EMT, EMT-I,

1 A-EMT, PHRN, PHAPRN, PHPA, or Paramedic every 4 years,  
2 based on their compliance with continuing education and  
3 relicensure requirements as required by the Department  
4 pursuant to this Act. Every 4 years, a Paramedic shall have  
5 100 hours of approved continuing education, an EMT-I and an  
6 advanced EMT shall have 80 hours of approved continuing  
7 education, and an EMT shall have 60 hours of approved  
8 continuing education. An Illinois licensed EMR, EMD, EMT,  
9 EMT-I, A-EMT, Paramedic, ECRN, PHPA, PHAPRN, or PHRN whose  
10 license has been expired for less than 36 months may apply  
11 for reinstatement by the Department. Reinstatement shall  
12 require that the applicant (i) submit satisfactory proof of  
13 completion of continuing medical education and clinical  
14 requirements to be prescribed by the Department in an  
15 administrative rule; (ii) submit a positive recommendation  
16 from an Illinois EMS Medical Director attesting to the  
17 applicant's qualifications for retesting; and (iii) pass a  
18 Department approved test for the level of EMS personnel  
19 license sought to be reinstated.

20 (6) Grant inactive status to any EMR, EMD, EMT, EMT-I,  
21 A-EMT, Paramedic, ECRN, PHAPRN, PHPA, or PHRN who  
22 qualifies, based on standards and procedures established  
23 by the Department in rules adopted pursuant to this Act.

24 (7) Charge a fee for EMS personnel examination,  
25 licensure, and license renewal.

26 (7.5) Perform annual background checks of all



1 licensees and notify licensees and related EMS System  
2 administrators of a conviction by a court of competent  
3 jurisdiction of (or entry of a plea of guilty or nolo  
4 contendere to) a Class X, Class 1, or Class 2 felony in  
5 this State or an out-of-state equivalent offense.

6 (8) Suspend, revoke, or refuse to issue or renew the  
7 license of any licensee, after an opportunity for an  
8 impartial hearing before a neutral administrative law  
9 judge appointed by the Director, where the preponderance of  
10 the evidence shows one or more of the following:

11 (A) The licensee has not met continuing education  
12 or relicensure requirements as prescribed by the  
13 Department;

14 (B) The licensee has failed to maintain  
15 proficiency in the level of skills for which he or she  
16 is licensed;

17 (C) The licensee, during the provision of medical  
18 services, engaged in dishonorable, unethical, or  
19 unprofessional conduct of a character likely to  
20 deceive, defraud, or harm the public;

21 (D) The licensee has failed to maintain or has  
22 violated standards of performance and conduct as  
23 prescribed by the Department in rules adopted pursuant  
24 to this Act or his or her EMS System's Program Plan;

25 (E) The licensee is physically impaired to the  
26 extent that he or she cannot physically perform the

1 skills and functions for which he or she is licensed,  
2 as verified by a physician, unless the person is on  
3 inactive status pursuant to Department regulations;

4 (F) The licensee is mentally impaired to the extent  
5 that he or she cannot exercise the appropriate  
6 judgment, skill and safety for performing the  
7 functions for which he or she is licensed, as verified  
8 by a physician, unless the person is on inactive status  
9 pursuant to Department regulations;

10 (G) The licensee has violated this Act or any rule  
11 adopted by the Department pursuant to this Act; or

12 (H) The licensee has been convicted (or entered a  
13 plea of guilty or nolo contendere ~~nolo contendere~~) by a  
14 court of competent jurisdiction of a Class X, Class 1,  
15 or Class 2 felony in this State or an out-of-state  
16 equivalent offense.

17 (9) Prescribe education and training requirements in  
18 the administration and use of opioid antagonists for all  
19 levels of EMS personnel based on the National EMS  
20 Educational Standards and any modifications to those  
21 curricula specified by the Department through rules  
22 adopted pursuant to this Act.

23 (d-5) An EMR, EMD, EMT, EMT-I, A-EMT, Paramedic, ECRN,  
24 PHAPRN, PHPA, or PHRN who is a member of the Illinois National  
25 Guard or an Illinois State Trooper or who exclusively serves as  
26 a volunteer for units of local government with a population

1 base of less than 5,000 or as a volunteer for a not-for-profit  
2 organization that serves a service area with a population base  
3 of less than 5,000 may submit an application to the Department  
4 for a waiver of the fees described under paragraph (7) of  
5 subsection (d) of this Section on a form prescribed by the  
6 Department.

7 The education requirements prescribed by the Department  
8 under this Section must allow for the suspension of those  
9 requirements in the case of a member of the armed services or  
10 reserve forces of the United States or a member of the Illinois  
11 National Guard who is on active duty pursuant to an executive  
12 order of the President of the United States, an act of the  
13 Congress of the United States, or an order of the Governor at  
14 the time that the member would otherwise be required to fulfill  
15 a particular education requirement. Such a person must fulfill  
16 the education requirement within 6 months after his or her  
17 release from active duty.

18 (e) In the event that any rule of the Department or an EMS  
19 Medical Director that requires testing for drug use as a  
20 condition of the applicable EMS personnel license conflicts  
21 with or duplicates a provision of a collective bargaining  
22 agreement that requires testing for drug use, that rule shall  
23 not apply to any person covered by the collective bargaining  
24 agreement.

25 (Source: P.A. 99-480, eff. 9-9-15; 100-1082, eff. 8-24-19;  
26 revised 10-4-18.)

1 (210 ILCS 50/3.89 new)

2 Sec. 3.89. Medical assisted transport providers.

3 (a) In this Section:

4 "Medical assisted transport provider" means an entity  
5 licensed by the Department to provide non-emergency  
6 bedside-to-bedside transportation of patients in compliance  
7 with this Act or the rules adopted by the Department pursuant  
8 to this Act, using a medical assisted transport vehicle.

9 "Medical assisted transport vehicle" means any publicly or  
10 privately owned on-road vehicle that is equipped for, intended  
11 to be used for, and operated for non-emergency  
12 bedside-to-bedside transportation.

13 (b) The Department shall:

14 (1) require that all medical assisted transport  
15 providers, both publicly and privately owned, be licensed  
16 by the Department; and

17 (2) establish staffing, licensing, safety, and  
18 training standards and requirements for medical assisted  
19 transport providers through rules adopted under this Act,  
20 including, but not limited to, the following:

21 (A) vehicle design, specification, operation, and  
22 maintenance standards;

23 (B) safety equipment requirements and standards;

24 (C) medical supply and equipment requirements and  
25 standards, including, but not limited to, the

1 requirement to have the following medical supply and  
2 equipment items on each medical assisted transport  
3 vehicle:

4 (i) a first aid kit; and

5 (ii) a communication device to contact local  
6 EMS providers.

7 (D) training and hiring requirements, including,  
8 but not limited to, the requirement that all staff  
9 members providing medical assisted transport services  
10 under this Section:

11 (i) have not been convicted by a court of  
12 competent jurisdiction of (or have not entered a  
13 plea of guilty or nolo contendere to) a Class X,  
14 Class 1, or Class 2 felony in this State or an  
15 out-of-state equivalent offense;

16 (ii) have been drug tested prior to hiring and  
17 have passed such drug test; however, if that  
18 testing for drug use conflicts with or duplicates a  
19 provision of a collective bargaining agreement  
20 that requires testing for drug use, this  
21 subdivision shall not apply to any person covered  
22 by that collective bargaining agreement;

23 (iii) have completed the safety training  
24 specified in subsection (e) of Section 5-4.2 of the  
25 Illinois Public Aid Code and appropriate training  
26 in patient lifting and moving, which includes

1 wheelchair transport via stairs;

2 (iv) have completed defensive driving training  
3 equivalent to the National Safety Council's  
4 Coaching the Van Driver 3 course;

5 (v) have completed basic first aid training  
6 equivalent to the American Red Cross's First Aid  
7 course; and

8 (vi) have completed cardiopulmonary  
9 resuscitation (CPR) training; and

10 (E) annual license renewal and licensing  
11 standards, including, but not limited to:

12 (i) licensing all medical assisted transport  
13 providers that have met the Department's  
14 requirements for licensure;

15 (ii) annually inspecting all licensed medical  
16 assisted transport providers and relicensing  
17 providers that have met the Department's  
18 requirements for license renewal;

19 (iii) suspending, revoking, refusing to issue,  
20 or refusing to renew the license of any medical  
21 assisted transport provider, or that portion of a  
22 license pertaining to a specific vehicle operated  
23 by a provider, after an opportunity for a hearing  
24 and when findings show that the provider or one or  
25 more of its vehicles has failed to comply with the  
26 rules adopted by the Department pursuant to this

1 Act;

2 (iv) issuing an emergency suspension order for  
3 any medical assisted transport provider or vehicle  
4 licensed under this Act when the Director or his or  
5 her designee has determined that an immediate or  
6 serious danger to the public health, safety, and  
7 welfare exists; suspension or revocation  
8 proceedings that offer an opportunity for a  
9 hearing shall be promptly initiated after the  
10 emergency suspension order has been issued;

11 (v) prohibiting any medical assisted transport  
12 provider from advertising, identifying its  
13 vehicles, or disseminating information in a false  
14 or misleading manner concerning the provider's  
15 type and level of vehicles, location, response  
16 times, level of personnel, licensure status, or  
17 EMS System participation; and

18 (vi) charging each medical assisted transport  
19 provider a fee that shall not exceed \$25 per  
20 vehicle nor \$500 per provider; the fee shall be  
21 submitted with each application for licensure and  
22 license renewal.

23 (c) A medical assisted transport provider may provide  
24 transport to a passenger who is ambulatory or is in a  
25 wheelchair if all of the following requirements are met:

26 (1) The passenger needs no medical monitoring or

1 clinical observation.

2 (2) The passenger is transported as follows:

3 (A) if the passenger resides in a facility licensed  
4 under the Nursing Home Care Act, from the inside of his  
5 or her room to a room at a physician's office or to a  
6 ward, unit, or room of a hospital licensed under the  
7 Hospital Licensing Act or operated under the  
8 University of Illinois Hospital Act; or

9 (B) from a room at a physician's office or the  
10 ward, unit, or room of a hospital licensed under the  
11 Hospital Licensing Act or operated under the  
12 University of Illinois Hospital Act to the inside of  
13 his or her residence or, if the passenger resides in a  
14 facility licensed under the Nursing Home Care Act, to  
15 the inside of his or her room.

16 (d) A medical assisted transport provider may not transport  
17 a passenger who meets any of the following conditions:

18 (1) He or she is acutely ill, wounded, or medically  
19 unstable as determined by a licensed physician.

20 (2) He or she is experiencing an emergency medical  
21 condition, an acute medical condition, or a sudden illness  
22 or injury.

23 (3) He or she was administered a medication that might  
24 prevent the passenger from caring for himself or herself.

25 (4) He or she requires active medical monitoring,  
26 clinical observation, isolation precautions, supplemental



1       oxygen that is not self-administered, continuous airway  
2       management, suctioning during transport, or the  
3       administration of intravenous fluids during transport.

4       (e) The Medical Assisted Transport Licensure Fund is  
5       created as a special fund in the State treasury for the purpose  
6       of receiving fines and fees collected by the Department of  
7       Public Health pursuant to this Act. Moneys in the Fund shall be  
8       used by the Department, subject to appropriation, to implement  
9       this Section.

10       (210 ILCS 50/3.220)

11       Sec. 3.220. EMS Assistance Fund.

12       (a) There is hereby created an "EMS Assistance Fund" within  
13       the State treasury, for the purpose of receiving fines and fees  
14       collected by the Illinois Department of Public Health pursuant  
15       to this Act.

16       (b) (Blank).

17       (b-5) All licensing, testing, and certification fees  
18       authorized by this Act, excluding ambulance licensure fees,  
19       within this fund shall be used by the Department for  
20       administration, oversight, and enforcement of activities  
21       authorized under this Act.

22       (c) All other moneys within this fund shall be distributed  
23       by the Department to the EMS Regions for disbursement in  
24       accordance with protocols established in the EMS Region Plans,  
25       for the purposes of organization, development and improvement

1 of Emergency Medical Services Systems, including but not  
2 limited to training of personnel and acquisition, modification  
3 and maintenance of necessary supplies, equipment and vehicles.

4 (d) All fees and fines collected pursuant to this Act shall  
5 be deposited into the EMS Assistance Fund, except that: (1) all  
6 fees collected under Section 3.86 in connection with the  
7 licensure of stretcher van providers shall be deposited into  
8 the Stretcher Van Licensure Fund; and (2) all fees collected  
9 under Section 3.89 in connection with the licensure of medical  
10 assisted transport providers shall be deposited into the  
11 Medical Assisted Transport Licensure Fund.

12 (Source: P.A. 100-201, eff. 8-18-17.)

13 Section 15. The Illinois Public Aid Code is amended by  
14 changing Section 5-4.2 as follows:

15 (305 ILCS 5/5-4.2) (from Ch. 23, par. 5-4.2)

16 Sec. 5-4.2. Ambulance services payments.

17 (a) For ambulance services provided to a recipient of aid  
18 under this Article on or after January 1, 1993, the Illinois  
19 Department shall reimburse ambulance service providers at  
20 rates calculated in accordance with this Section. It is the  
21 intent of the General Assembly to provide adequate  
22 reimbursement for ambulance services so as to ensure adequate  
23 access to services for recipients of aid under this Article and  
24 to provide appropriate incentives to ambulance service

1 providers to provide services in an efficient and  
2 cost-effective manner. Thus, it is the intent of the General  
3 Assembly that the Illinois Department implement a  
4 reimbursement system for ambulance services that, to the extent  
5 practicable and subject to the availability of funds  
6 appropriated by the General Assembly for this purpose, is  
7 consistent with the payment principles of Medicare. To ensure  
8 uniformity between the payment principles of Medicare and  
9 Medicaid, the Illinois Department shall follow, to the extent  
10 necessary and practicable and subject to the availability of  
11 funds appropriated by the General Assembly for this purpose,  
12 the statutes, laws, regulations, policies, procedures,  
13 principles, definitions, guidelines, and manuals used to  
14 determine the amounts paid to ambulance service providers under  
15 Title XVIII of the Social Security Act (Medicare).

16 (b) For ambulance services provided to a recipient of aid  
17 under this Article on or after January 1, 1996, the Illinois  
18 Department shall reimburse ambulance service providers based  
19 upon the actual distance traveled if a natural disaster,  
20 weather conditions, road repairs, or traffic congestion  
21 necessitates the use of a route other than the most direct  
22 route.

23 (c) For purposes of this Section, "ambulance services"  
24 includes medical transportation services provided by means of  
25 an ambulance, medical assisted transportation, medi-car,  
26 service car, or taxi.

1 (c-1) For purposes of this Section, "ground ambulance  
2 service" means medical transportation services that are  
3 described as ground ambulance services by the Centers for  
4 Medicare and Medicaid Services and provided in a vehicle that  
5 is licensed as an ambulance by the Illinois Department of  
6 Public Health pursuant to the Emergency Medical Services (EMS)  
7 Systems Act.

8 (c-2) For purposes of this Section, "ground ambulance  
9 service provider" means a vehicle service provider as described  
10 in the Emergency Medical Services (EMS) Systems Act that  
11 operates licensed ambulances for the purpose of providing  
12 emergency ambulance services, or non-emergency ambulance  
13 services, or both. For purposes of this Section, this includes  
14 both ambulance providers and ambulance suppliers as described  
15 by the Centers for Medicare and Medicaid Services.

16 (c-3) For purposes of this Section, "medi-car" means  
17 transportation services provided to a patient who is confined  
18 to a wheelchair and requires the use of a hydraulic or electric  
19 lift or ramp and wheelchair lockdown when the patient's  
20 condition does not require medical observation, medical  
21 supervision, medical equipment, the administration of  
22 medications, or the administration of oxygen.

23 (c-4) For purposes of this Section, "service car" means  
24 transportation services provided to a patient by a passenger  
25 vehicle where that patient does not require the specialized  
26 modes described in subsection (c-1) or (c-3).

1 (d) This Section does not prohibit separate billing by  
2 ambulance service providers for oxygen furnished while  
3 providing advanced life support services.

4 (e) ~~All Beginning with services rendered on or after July~~  
5 ~~1, 2008, all~~ providers of non-emergency medical assisted  
6 transportation, medi-car and service car transportation must  
7 certify that the driver and employee attendant, as applicable,  
8 have completed a safety program approved by the Department to  
9 protect both the patient and the driver, prior to transporting  
10 a patient. The provider must maintain this certification in its  
11 records. The provider shall produce such documentation upon  
12 demand by the Department or its representative. Failure to  
13 produce documentation of such training shall result in recovery  
14 of any payments made by the Department for services rendered by  
15 a non-certified driver or employee attendant. Medical assisted  
16 transportation, medi-car, ~~Medi-car~~ and service car providers  
17 must maintain legible documentation in their records of the  
18 driver and, as applicable, employee attendant that actually  
19 transported the patient. Providers must recertify all drivers  
20 and employee attendants every 3 years.

21 Notwithstanding the requirements above, any public  
22 transportation provider of medi-car and service car  
23 transportation that receives federal funding under 49 U.S.C.  
24 5307 and 5311 need not certify its drivers and employee  
25 attendants under this Section, since safety training is already  
26 federally mandated.

1 (f) With respect to any policy or program administered by  
2 the Department or its agent regarding approval of non-emergency  
3 medical transportation by ground ambulance service providers,  
4 including, but not limited to, the Non-Emergency  
5 Transportation Services Prior Approval Program (NETSPAP), the  
6 Department shall establish by rule a process by which ground  
7 ambulance service providers of non-emergency medical  
8 transportation may appeal any decision by the Department or its  
9 agent for which no denial was received prior to the time of  
10 transport that either (i) denies a request for approval for  
11 payment of non-emergency transportation by means of ground  
12 ambulance service or (ii) grants a request for approval of  
13 non-emergency transportation by means of ground ambulance  
14 service at a level of service that entitles the ground  
15 ambulance service provider to a lower level of compensation  
16 from the Department than the ground ambulance service provider  
17 would have received as compensation for the level of service  
18 requested. The rule shall be filed by December 15, 2012 and  
19 shall provide that, for any decision rendered by the Department  
20 or its agent on or after the date the rule takes effect, the  
21 ground ambulance service provider shall have 60 days from the  
22 date the decision is received to file an appeal. The rule  
23 established by the Department shall be, insofar as is  
24 practical, consistent with the Illinois Administrative  
25 Procedure Act. The Director's decision on an appeal under this  
26 Section shall be a final administrative decision subject to

1 review under the Administrative Review Law.

2 (f-5) Beginning 90 days after July 20, 2012 (the effective  
3 date of Public Act 97-842), (i) no denial of a request for  
4 approval for payment of non-emergency transportation by means  
5 of ground ambulance service, and (ii) no approval of  
6 non-emergency transportation by means of ground ambulance  
7 service at a level of service that entitles the ground  
8 ambulance service provider to a lower level of compensation  
9 from the Department than would have been received at the level  
10 of service submitted by the ground ambulance service provider,  
11 may be issued by the Department or its agent unless the  
12 Department has submitted the criteria for determining the  
13 appropriateness of the transport for first notice publication  
14 in the Illinois Register pursuant to Section 5-40 of the  
15 Illinois Administrative Procedure Act.

16 (g) Whenever a patient covered by a medical assistance  
17 program under this Code or by another medical program  
18 administered by the Department, including a patient covered  
19 under the State's Medicaid managed care program, is being  
20 transported from a facility and requires non-emergency  
21 transportation including ground ambulance, medi-car, or  
22 service car transportation, a Physician Certification  
23 Statement as described in this Section shall be required for  
24 each patient. Facilities shall develop procedures for a  
25 licensed medical professional to provide a written and signed  
26 Physician Certification Statement. The Physician Certification

1 Statement shall specify the level of transportation services  
2 needed and complete a medical certification establishing the  
3 criteria for approval of non-emergency ambulance  
4 transportation, as published by the Department of Healthcare  
5 and Family Services, that is met by the patient. This  
6 certification shall be completed prior to ordering the  
7 transportation service and prior to patient discharge. The  
8 Physician Certification Statement is not required prior to  
9 transport if a delay in transport can be expected to negatively  
10 affect the patient outcome.

11 The medical certification specifying the level and type of  
12 non-emergency transportation needed shall be in the form of the  
13 Physician Certification Statement on a standardized form  
14 prescribed by the Department of Healthcare and Family Services.  
15 Within 75 days after July 27, 2018 (the effective date of  
16 Public Act 100-646) ~~this amendatory Act of the 100th General~~  
17 ~~Assembly~~, the Department of Healthcare and Family Services  
18 shall develop a standardized form of the Physician  
19 Certification Statement specifying the level and type of  
20 transportation services needed in consultation with the  
21 Department of Public Health, Medicaid managed care  
22 organizations, a statewide association representing ambulance  
23 providers, a statewide association representing hospitals, 3  
24 statewide associations representing nursing homes, and other  
25 stakeholders. The Physician Certification Statement shall  
26 include, but is not limited to, the criteria necessary to



1 demonstrate medical necessity for the level of transport needed  
2 as required by (i) the Department of Healthcare and Family  
3 Services and (ii) the federal Centers for Medicare and Medicaid  
4 Services as outlined in the Centers for Medicare and Medicaid  
5 Services' Medicare Benefit Policy Manual, Pub. 100-02, Chap.  
6 10, Sec. 10.2.1, et seq. The use of the Physician Certification  
7 Statement shall satisfy the obligations of hospitals under  
8 Section 6.22 of the Hospital Licensing Act and nursing homes  
9 under Section 2-217 of the Nursing Home Care Act.  
10 Implementation and acceptance of the Physician Certification  
11 Statement shall take place no later than 90 days after the  
12 issuance of the Physician Certification Statement by the  
13 Department of Healthcare and Family Services.

14 Pursuant to subsection (E) of Section 12-4.25 of this Code,  
15 the Department is entitled to recover overpayments paid to a  
16 provider or vendor, including, but not limited to, from the  
17 discharging physician, the discharging facility, and the  
18 ground ambulance service provider, in instances where a  
19 non-emergency ground ambulance service is rendered as the  
20 result of improper or false certification.

21 Beginning October 1, 2018, the Department of Healthcare and  
22 Family Services shall collect data from Medicaid managed care  
23 organizations and transportation brokers, including the  
24 Department's NETSPAP broker, regarding denials and appeals  
25 related to the missing or incomplete Physician Certification  
26 Statement forms and overall compliance with this subsection.

1 The Department of Healthcare and Family Services shall publish  
2 quarterly results on its website within 15 days following the  
3 end of each quarter.

4 (h) On and after July 1, 2012, the Department shall reduce  
5 any rate of reimbursement for services or other payments or  
6 alter any methodologies authorized by this Code to reduce any  
7 rate of reimbursement for services or other payments in  
8 accordance with Section 5-5e.

9 (i) On and after July 1, 2018, the Department shall  
10 increase the base rate of reimbursement for both base charges  
11 and mileage charges for ground ambulance service providers for  
12 medical transportation services provided by means of a ground  
13 ambulance to a level not lower than 112% of the base rate in  
14 effect as of June 30, 2018.

15 (j) On and after July 1, 2019, the Department shall:

16 (1) set the base rate of reimbursement for base charges  
17 for medical assisted transportation at a level not lower  
18 than 250% of the base rate for medi-car services in effect  
19 on July 1, 2019;

20 (2) set the mileage rate of reimbursement for mileage  
21 for medical assisted transportation at a level not lower  
22 than 250% of the mileage rate for medi-car services in  
23 effect on July 1, 2019;

24 (3) set a rate for bed/chair lift assist for medical  
25 assisted transportation at a level not lower than 250% of  
26 the rate for an additional attendant for medicare services

1           in effect on July 1, 2019; and  
2           (4) set a rate for stair lift assist for medical  
3           assisted transportation at a level not to exceed \$75 per  
4           stair lift assist over 4 stairs.

5           (Source: P.A. 100-587, eff. 6-4-18; 100-646, eff. 7-27-18;  
6           revised 8-27-18.)

7           Section 95. No acceleration or delay. Where this Act makes  
8           changes in a statute that is represented in this Act by text  
9           that is not yet or no longer in effect (for example, a Section  
10          represented by multiple versions), the use of that text does  
11          not accelerate or delay the taking effect of (i) the changes  
12          made by this Act or (ii) provisions derived from any other  
13          Public Act.