



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5085

Introduced 2/18/2020, by Rep. Thaddeus Jones

SYNOPSIS AS INTRODUCED:

210 ILCS 50/3.50

Amends the Emergency Medical Services (EMS) Systems Act. Provides that the Department of Public Health may require that each applicant for a license or license renewal under the Act shall have his or her fingerprints submitted to the Illinois State Police in a specified manner. Requires the fingerprints to be checked against specified databases. Provides that the Illinois State Police shall charge a fee to be paid by the applicant for conducting the criminal history records check, which shall be deposited in the State Police Services Fund and shall not exceed the actual cost of the records check. Requires the Illinois State Police to furnish, after positive identification, records of an applicant's Illinois convictions and to forward the criminal history record information to the Department. Provides that incomplete applications or applications that do not comply with the amendatory provisions may be denied by the Department. Allows the Department to adopt rules regarding the amendatory provisions. Effective January 1, 2021.

LRB101 18835 CPF 68292 b

1 AN ACT concerning health.

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

4 Section 5. The Emergency Medical Services (EMS) Systems Act
5 is amended by changing Section 3.50 as follows:

6 (210 ILCS 50/3.50)

7 Sec. 3.50. Emergency Medical Services personnel licensure
8 levels.

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

19 (b) "Emergency Medical Technician-Intermediate" or "EMT-I"
20 means a person who has successfully completed a course in
21 intermediate life support as approved by the Department, is
22 currently licensed by the Department in accordance with
23 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), a person who is licensed by the Department as a First
11 Responder and has completed a Department-approved course in
12 first responder defibrillator training based on, or equivalent
13 to, the National EMS Educational Standards or other standards
14 previously recognized by the Department shall be eligible for
15 licensure as an Emergency Medical Responder upon meeting the
16 licensure requirements and submitting an application to the
17 Department. A valid First Responder license issued under this
18 Act shall continue to be valid and shall be recognized as an
19 Emergency Medical Responder license until the First Responder
20 license expires.

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

25 (d) The Department shall have the authority and
26 responsibility to:

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

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

22 (2.5) Review applications for EMS personnel licensure
23 from honorably discharged members of the armed forces of
24 the United States with military emergency medical
25 training. Applications shall be filed with the Department
26 within one year after military discharge and shall contain:

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

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

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

25 (5) Relicense individuals as an EMD, EMR, EMT, EMT-I,
26 A-EMT, PHRN, PHAPRN, PHPA, or Paramedic every 4 years,

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

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

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

25 (8) Suspend, revoke, or refuse to issue or renew the
26 license of any licensee, after an opportunity for an

1 impartial hearing before a neutral administrative law
2 judge appointed by the Director, where the preponderance of
3 the evidence shows one or more of the following:

4 (A) The licensee has not met continuing education
5 or relicensure requirements as prescribed by the
6 Department;

7 (B) The licensee has failed to maintain
8 proficiency in the level of skills for which he or she
9 is licensed;

10 (C) The licensee, during the provision of medical
11 services, engaged in dishonorable, unethical, or
12 unprofessional conduct of a character likely to
13 deceive, defraud, or harm the public;

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

18 (E) The licensee is physically impaired to the
19 extent that he or she cannot physically perform the
20 skills and functions for which he or she is licensed,
21 as verified by a physician, unless the person is on
22 inactive status pursuant to Department regulations;

23 (F) The licensee is mentally impaired to the extent
24 that he or she cannot exercise the appropriate
25 judgment, skill and safety for performing the
26 functions for which he or she is licensed, as verified

1 by a physician, unless the person is on inactive status
2 pursuant to Department regulations;

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

5 (H) The licensee has been convicted (or entered a
6 plea of guilty or nolo contendere ~~nolo contendere~~) by a
7 court of competent jurisdiction of a Class X, Class 1,
8 or Class 2 felony in this State or an out-of-state
9 equivalent offense.

10 (9) Prescribe education and training requirements in
11 the administration and use of opioid antagonists for all
12 levels of EMS personnel based on the National EMS
13 Educational Standards and any modifications to those
14 curricula specified by the Department through rules
15 adopted pursuant to this Act.

16 (10) Require that each applicant for a license or
17 license renewal under this Act shall have his or her
18 fingerprints submitted to the Illinois State Police in an
19 electronic format that complies with the form and manner
20 for requesting and furnishing criminal history record
21 information as prescribed by the Illinois State Police. The
22 fingerprints shall be transmitted through a live scan
23 fingerprint vendor licensed by the Department of Financial
24 and Professional Regulation. The fingerprints shall be
25 checked against the Illinois State Police and Federal
26 Bureau of Investigation criminal history record databases

1 now and hereafter filed, including, but not limited to,
2 civil, criminal, and latent fingerprint databases. The
3 Illinois State Police shall charge a fee to be paid by the
4 applicant for conducting the criminal history records
5 check, which shall be deposited in the State Police
6 Services Fund and shall not exceed the actual cost of the
7 records check. The Illinois State Police shall furnish,
8 after positive identification, records of an applicant's
9 Illinois convictions and shall forward the national
10 criminal history record information to the Department.
11 Incomplete applications or applications that do not comply
12 with this Section may be denied by the Department. The
13 Department may adopt rules to implement this Section,
14 including, but not limited to, rules regarding
15 disqualifying conditions.

16 (d-5) An EMR, EMD, EMT, EMT-I, A-EMT, Paramedic, ECRN,
17 PHAPRN, PHPA, or PHRN who is a member of the Illinois National
18 Guard or an Illinois State Trooper or who exclusively serves as
19 a volunteer for units of local government with a population
20 base of less than 5,000 or as a volunteer for a not-for-profit
21 organization that serves a service area with a population base
22 of less than 5,000 may submit an application to the Department
23 for a waiver of the fees described under paragraph (7) of
24 subsection (d) of this Section on a form prescribed by the
25 Department.

26 The education requirements prescribed by the Department

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

11 (e) In the event that any rule of the Department or an EMS
12 Medical Director that requires testing for drug use as a
13 condition of the applicable EMS personnel license conflicts
14 with or duplicates a provision of a collective bargaining
15 agreement that requires testing for drug use, that rule shall
16 not apply to any person covered by the collective bargaining
17 agreement.

18 (f) At the time of applying for or renewing his or her
19 license, an applicant for a license or license renewal may
20 submit an email address to the Department. The Department shall
21 keep the email address on file as a form of contact for the
22 individual. The Department shall send license renewal notices
23 electronically and by mail to a licensee ~~all licensees~~ who
24 provides ~~provide~~ the Department with his or her email address.
25 The notices shall be sent at least 60 days prior to the
26 expiration date of the license.

1 (Source: P.A. 100-1082, eff. 8-24-19; 101-81, eff. 7-12-19;
2 101-153, eff. 1-1-20; revised 12-3-19.)

3 Section 99. Effective date. This Act takes effect January
4 1, 2021.