



Sen. David Koehler

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10200HB2431sam002

LRB102 14481 SPS 30163 a

1 AMENDMENT TO HOUSE BILL 2431

2 AMENDMENT NO. _____. Amend House Bill 2431, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Administrative Procedure Act is
6 amended by adding Section 5-45.20 as follows:

7 (5 ILCS 100/5-45.20 new)

8 Sec. 5-45.20. Emergency rulemaking; Department of Public
9 Health. To provide for the expeditious and timely
10 implementation of the provisions of Sections 3.50 of the
11 Emergency Medical Services (EMS) Systems Act, emergency rules
12 implementing the changes made to Sections 3.50 of the
13 Emergency Medical Services (EMS) Systems Act by this
14 amendatory Act of the 102nd General Assembly may be adopted by
15 the Department of Public Health in accordance with Section
16 5-45. The adoption of emergency rules authorized by Section

1 5-45 and this Section is deemed to be necessary for the public
2 interest, safety, and welfare.

3 Section 10. The Emergency Medical Services (EMS) Systems
4 Act is amended by changing Sections 3.50 and 3.85 as follows:

5 (210 ILCS 50/3.50)

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

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

18 (b) "Emergency Medical Technician-Intermediate" or "EMT-I"
19 means a person who has successfully completed a course in
20 intermediate life support as approved by the Department, is
21 currently licensed by the Department in accordance with
22 standards prescribed by this Act and rules adopted by the
23 Department pursuant to this Act, and practices within an
24 Intermediate or Advanced Life Support EMS System.

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

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

18 (c-5) "Emergency Medical Responder" or "EMR (First
19 Responder)" means a person who has successfully completed a
20 course in emergency medical response as approved by the
21 Department and provides emergency medical response services in
22 accordance with the level of care established by the National
23 EMS Educational Standards Emergency Medical Responder course
24 as modified by the Department, or who provides services as
25 part of an EMS System response plan, as approved by the
26 Department, of that EMS System. The Department shall have the

1 authority to adopt rules governing the curriculum, practice,
2 and necessary equipment applicable to Emergency Medical
3 Responders.

4 On August 15, 2014 (the effective date of Public Act
5 98-973), a person who is licensed by the Department as a First
6 Responder and has completed a Department-approved course in
7 first responder defibrillator training based on, or equivalent
8 to, the National EMS Educational Standards or other standards
9 previously recognized by the Department shall be eligible for
10 licensure as an Emergency Medical Responder upon meeting the
11 licensure requirements and submitting an application to the
12 Department. A valid First Responder license issued under this
13 Act shall continue to be valid and shall be recognized as an
14 Emergency Medical Responder license until the First Responder
15 license expires.

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

20 (d) The Department shall have the authority and
21 responsibility to:

22 (1) Prescribe education and training requirements,
23 which includes training in the use of epinephrine, for all
24 levels of EMS personnel except for EMRs, based on the
25 National EMS Educational Standards and any modifications
26 to those curricula specified by the Department through

1 rules adopted pursuant to this Act.

2 (1.5) Adopt rules permitting immediate reciprocity to
3 all EMS personnel who have received a certification issued
4 by the National Registry of Emergency Medical Technicians,
5 allowing such individuals to operate in a provisional
6 status until the Illinois license is issued. To operate as
7 EMS personnel on provisional status, an individual must
8 have applied for licensure with the Department and meet
9 all requirements for licensure under this Act.

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

25 (2.5) Review applications for EMS personnel licensure
26 from honorably discharged members of the armed forces of

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

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

25 (4) Prescribe annual continuing education and
26 relicensure requirements for all EMS personnel licensure

1 levels.

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

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

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

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

8 (A) The licensee has not met continuing education
9 or relicensure requirements as prescribed by the
10 Department;

11 (B) The licensee has failed to maintain
12 proficiency in the level of skills for which he or she
13 is licensed;

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

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

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

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

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

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

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

20 (d-5) An EMR, EMD, EMT, EMT-I, A-EMT, Paramedic, ECRN,
21 PHAPRN, PHPA, or PHRN who is a member of the Illinois National
22 Guard or an Illinois State Trooper or who exclusively serves
23 as a volunteer for units of local government with a population
24 base of less than 5,000 or as a volunteer for a not-for-profit
25 organization that serves a service area with a population base
26 of less than 5,000 may submit an application to the Department

1 for a waiver of the fees described under paragraph (7) of
2 subsection (d) of this Section on a form prescribed by the
3 Department.

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

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

22 (f) At the time of applying for or renewing his or her
23 license, an applicant for a license or license renewal may
24 submit an email address to the Department. The Department
25 shall keep the email address on file as a form of contact for
26 the individual. The Department shall send license renewal

1 notices electronically and by mail to a licensee who provides
2 the Department with his or her email address. The notices
3 shall be sent at least 60 days prior to the expiration date of
4 the license.

5 (Source: P.A. 101-81, eff. 7-12-19; 101-153, eff. 1-1-20;
6 102-558, eff. 8-20-21; 102-623, eff. 8-27-21.)

7 (210 ILCS 50/3.85)

8 Sec. 3.85. Vehicle Service Providers.

9 (a) "Vehicle Service Provider" means an entity licensed by
10 the Department to provide emergency or non-emergency medical
11 services in compliance with this Act, the rules promulgated by
12 the Department pursuant to this Act, and an operational plan
13 approved by its EMS System(s), utilizing at least ambulances
14 or specialized emergency medical service vehicles (SEMSV).

15 (1) "Ambulance" means any publicly or privately owned
16 on-road vehicle that is specifically designed, constructed
17 or modified and equipped, and is intended to be used for,
18 and is maintained or operated for the emergency
19 transportation of persons who are sick, injured, wounded
20 or otherwise incapacitated or helpless, or the
21 non-emergency medical transportation of persons who
22 require the presence of medical personnel to monitor the
23 individual's condition or medical apparatus being used on
24 such individuals.

25 (2) "Specialized Emergency Medical Services Vehicle"

1 or "SEMSV" means a vehicle or conveyance, other than those
2 owned or operated by the federal government, that is
3 primarily intended for use in transporting the sick or
4 injured by means of air, water, or ground transportation,
5 that is not an ambulance as defined in this Act. The term
6 includes watercraft, aircraft and special purpose ground
7 transport vehicles or conveyances not intended for use on
8 public roads.

9 (3) An ambulance or SEMSV may also be designated as a
10 Limited Operation Vehicle or Special-Use Vehicle:

11 (A) "Limited Operation Vehicle" means a vehicle
12 which is licensed by the Department to provide basic,
13 intermediate or advanced life support emergency or
14 non-emergency medical services that are exclusively
15 limited to specific events or locales.

16 (B) "Special-Use Vehicle" means any publicly or
17 privately owned vehicle that is specifically designed,
18 constructed or modified and equipped, and is intended
19 to be used for, and is maintained or operated solely
20 for the emergency or non-emergency transportation of a
21 specific medical class or category of persons who are
22 sick, injured, wounded or otherwise incapacitated or
23 helpless (e.g. high-risk obstetrical patients,
24 neonatal patients).

25 (C) "Reserve Ambulance" means a vehicle that meets
26 all criteria set forth in this Section and all

1 Department rules, except for the required inventory of
2 medical supplies and durable medical equipment, which
3 may be rapidly transferred from a fully functional
4 ambulance to a reserve ambulance without the use of
5 tools or special mechanical expertise.

6 (b) The Department shall have the authority and
7 responsibility to:

8 (1) Require all Vehicle Service Providers, both
9 publicly and privately owned, to function within an EMS
10 System.

11 (2) Require a Vehicle Service Provider utilizing
12 ambulances to have a primary affiliation with an EMS
13 System within the EMS Region in which its Primary Service
14 Area is located, which is the geographic areas in which
15 the provider renders the majority of its emergency
16 responses. This requirement shall not apply to Vehicle
17 Service Providers which exclusively utilize Limited
18 Operation Vehicles.

19 (3) Establish licensing standards and requirements for
20 Vehicle Service Providers, through rules adopted pursuant
21 to this Act, including but not limited to:

22 (A) Vehicle design, specification, operation and
23 maintenance standards, including standards for the use
24 of reserve ambulances;

25 (B) Equipment requirements;

26 (C) Staffing requirements; and

1 (D) License renewal at intervals determined by the
2 Department, which shall be not less than every 4
3 years.

4 The Department's standards and requirements with
5 respect to vehicle staffing for private, nonpublic local
6 government employers must allow for alternative staffing
7 models that include an EMR who drives an ambulance with a
8 licensed EMT, EMT-I, A-EMT, Paramedic, or PHRN, as
9 appropriate, in the patient compartment providing care to
10 the patient pursuant to the approval of the EMS System
11 Program Plan developed and approved by the EMS Medical
12 Director for an EMS System. The Department shall monitor
13 the implementation and performance of alternative staffing
14 models and may issue a notice of termination of an
15 alternative staffing model only upon evidence that an EMS
16 System Program Plan is not being adhered to.

17 An EMS System Program Plan for a Basic Life Support
18 transport utilizing an EMR and an EMT shall include the
19 following:

20 (A) Alternative staffing models for a Basic Life
21 Support transport utilizing an EMR and an EMT shall
22 only be utilized for interfacility Basic Life Support
23 transports and medical appointments, excluding any
24 transport to or from a dialysis center.

25 (B) Protocols that shall include dispatch
26 procedures to properly screen and assess patients for

1 EMR-staffed and EMT-staffed Basic Life Support
2 transport.

3 (C) A requirement that a provider shall implement
4 a quality assurance plan with mechanisms outlined to
5 audit dispatch screening and the outcome of transports
6 performed.

7 (D) The EMT shall have at least one year of
8 experience in performance of pre-hospital emergency
9 care.

10 (E) The licensed EMR must complete a defensive
11 driving course prior to participation in the
12 Department's alternative staffing model.

13 (F) The length of the EMS System Program Plan for a
14 Basic Life Support transport utilizing an EMR and an
15 EMT shall be for one year, and must be renewed annually
16 if proof of the criteria being met is submitted,
17 validated, and approved by the EMS Medical Director
18 for the EMS System and the Department.

19 Until October 1, 2022, the Department must require
20 each EMS System Program Plan to permit the utilization of
21 alternative staffing models for use of an EMR as the
22 driver and an EMT in the patient compartment for basic
23 life support services, an EMR as the driver and a
24 paramedic in the patient compartment for advanced life
25 support services, and an EMR as the driver and appropriate
26 critical care transport staffing in the patient

1 compartment for critical care transport services. Each EMS
2 System Program Plan shall be required to implement
3 alternative staffing models no later than January 1, 2022.
4 Local governments and local government employees who
5 provide EMS services are not required to implement
6 alternative staffing models.

7 The Department must allow for an alternative rural
8 staffing model for those vehicle service providers that
9 serve a rural or semi-rural population of 10,000 or fewer
10 inhabitants and exclusively uses volunteers, paid-on-call,
11 or a combination thereof.

12 (4) License all Vehicle Service Providers that have
13 met the Department's requirements for licensure, unless
14 such Provider is owned or licensed by the federal
15 government. All Provider licenses issued by the Department
16 shall specify the level and type of each vehicle covered
17 by the license (BLS, ILS, ALS, ambulance, SEMSV, limited
18 operation vehicle, special use vehicle, reserve
19 ambulance).

20 (5) Annually inspect all licensed vehicles operated by
21 Vehicle Service Providers.

22 (6) Suspend, revoke, refuse to issue or refuse to
23 renew the license of any Vehicle Service Provider, or that
24 portion of a license pertaining to a specific vehicle
25 operated by the Provider, after an opportunity for a
26 hearing, when findings show that the Provider or one or

1 more of its vehicles has failed to comply with the
2 standards and requirements of this Act or rules adopted by
3 the Department pursuant to this Act.

4 (7) Issue an Emergency Suspension Order for any
5 Provider or vehicle licensed under this Act, when the
6 Director or his designee has determined that an immediate
7 and serious danger to the public health, safety and
8 welfare exists. Suspension or revocation proceedings which
9 offer an opportunity for hearing shall be promptly
10 initiated after the Emergency Suspension Order has been
11 issued.

12 (8) Exempt any licensed vehicle from subsequent
13 vehicle design standards or specifications required by the
14 Department, as long as said vehicle is continuously in
15 compliance with the vehicle design standards and
16 specifications originally applicable to that vehicle, or
17 until said vehicle's title of ownership is transferred.

18 (9) Exempt any vehicle (except an SEMSV) which was
19 being used as an ambulance on or before December 15, 1980,
20 from vehicle design standards and specifications required
21 by the Department, until said vehicle's title of ownership
22 is transferred. Such vehicles shall not be exempt from all
23 other licensing standards and requirements prescribed by
24 the Department.

25 (10) Prohibit any Vehicle Service Provider from
26 advertising, identifying its vehicles, or disseminating

1 information in a false or misleading manner concerning the
2 Provider's type and level of vehicles, location, primary
3 service area, response times, level of personnel,
4 licensure status or System participation.

5 (10.5) Prohibit any Vehicle Service Provider, whether
6 municipal, private, or hospital-owned, from advertising
7 itself as a critical care transport provider unless it
8 participates in a Department-approved EMS System critical
9 care transport plan.

10 (11) Charge each Vehicle Service Provider a fee per
11 transport vehicle, due annually at time of inspection. The
12 fee per transport vehicle shall be set by administrative
13 rule by the Department and shall not exceed 100 vehicles
14 per provider.

15 (Source: P.A. 102-623, eff. 8-27-21.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law."