

# HB3884



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

**HB3884**

Introduced 2/26/2009, by Rep. Jehan A. Gordon

#### SYNOPSIS AS INTRODUCED:

210 ILCS 50/3.50

Amends the Emergency Medical Services (EMS) Systems Act. Provides that the Department of Public Health may not issue or renew a license for any level of emergency medical technician (EMT) in the case of a person who is a sex offender as defined in the Sex Offender Registration Act.

LRB096 09913 DRJ 20076 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 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 Technician (EMT) Licensure.

8 (a) "Emergency Medical Technician-Basic" or "EMT-B" means  
9 a person who has successfully completed a course of instruction  
10 in basic life support as prescribed by the Department, is  
11 currently licensed by the Department in accordance with  
12 standards prescribed by this Act and rules adopted by the  
13 Department pursuant to this Act, and practices within an EMS  
14 System.

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

22 (c) "Emergency Medical Technician-Paramedic" or "EMT-P"  
23 means a person who has successfully completed a course of

1 instruction in advanced life support care as prescribed by the  
2 Department, is licensed by the Department in accordance with  
3 standards prescribed by this Act and rules adopted by the  
4 Department pursuant to this Act, and practices within an  
5 Advanced Life Support EMS System.

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

8 (1) Prescribe education and training requirements,  
9 which includes training in the use of epinephrine, for all  
10 levels of EMT, based on the respective national curricula  
11 of the United States Department of Transportation and any  
12 modifications to such curricula specified by the  
13 Department through rules adopted pursuant to this Act;

14 (2) Prescribe licensure testing requirements for all  
15 levels of EMT, which shall include a requirement that all  
16 phases of instruction, training, and field experience be  
17 completed before taking the EMT licensure examination.  
18 Candidates may elect to take the National Registry of  
19 Emergency Medical Technicians examination in lieu of the  
20 Department's examination, but are responsible for making  
21 their own arrangements for taking the National Registry  
22 examination;

23 (3) License individuals as an EMT-B, EMT-I, or EMT-P  
24 who have met the Department's education, training and  
25 testing requirements;

26 (4) Prescribe annual continuing education and

1 relicensure requirements for all levels of EMT;

2 (5) Relicense individuals as an EMT-B, EMT-I, or EMT-P  
3 every 4 years, based on their compliance with continuing  
4 education and relicensure requirements;

5 (6) Grant inactive status to any EMT who qualifies,  
6 based on standards and procedures established by the  
7 Department in rules adopted pursuant to this Act;

8 (7) Charge each candidate for EMT a fee to be submitted  
9 with an application for a licensure examination;

10 (8) Suspend, revoke, or refuse to renew the license of  
11 an EMT, after an opportunity for a hearing, when findings  
12 show one or more of the following:

13 (A) The EMT has not met continuing education or  
14 relicensure requirements as prescribed by the  
15 Department;

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

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

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

26 (E) The EMT is physically impaired to the extent

1           that he or she cannot physically perform the skills and  
2           functions for which he or she is licensed, as verified  
3           by a physician, unless the person is on inactive status  
4           pursuant to Department regulations;

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

11          (G) The EMT has violated this Act or any rule  
12          adopted by the Department pursuant to this Act.

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

24          (e) In the event that any rule of the Department or an EMS  
25          Medical Director that requires testing for drug use as a  
26          condition for EMT licensure conflicts with or duplicates a

1 provision of a collective bargaining agreement that requires  
2 testing for drug use, that rule shall not apply to any person  
3 covered by the collective bargaining agreement.

4 (f) The Department may not issue a license for any level of  
5 EMT to a person who is a sex offender as defined in the Sex  
6 Offender Registration Act, nor may the Department renew a  
7 license for any level of EMT in the case of a person who is a  
8 sex offender as defined in the Sex Offender Registration Act.

9 (Source: P.A. 94-504, eff. 8-8-05.)