

HB3255



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3255

Introduced 2/24/2011, by Rep. Donald L. Moffitt

SYNOPSIS AS INTRODUCED:

210 ILCS 50/3.50

Amends the Emergency Medical Services (EMS) Systems Act to provide that an EMT who is an Illinois State Trooper may submit an application to the Department of Public Health for a waiver of certain fees.

LRB097 09107 RPM 49242 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning health facilities.

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

1 year after military discharge and shall contain: (i) proof
2 of successful completion of military emergency medical
3 training; (ii) a detailed description of the emergency
4 medical curriculum completed; and (iii) a detailed
5 description of the applicant's clinical experience. The
6 Department may request additional and clarifying
7 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 meets such standards, the Department shall
13 offer the applicant the opportunity to successfully
14 complete a Department-approved EMT examination for which
15 the applicant is qualified. Upon passage of an examination,
16 the Department shall issue a license, which shall be
17 subject to all provisions of this Act that are otherwise
18 applicable to the class of EMT license issued.

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

22 (4) Prescribe annual continuing education and
23 relicensure requirements for all levels of EMT.

24 (5) Relicense individuals as an EMT-B, EMT-I, or EMT-P
25 every 4 years, based on their compliance with continuing
26 education and relicensure requirements. An Illinois

1 licensed Emergency Medical Technician whose license has
2 been expired for less than 36 months may apply for
3 reinstatement by the Department. Reinstatement shall
4 require that the applicant (i) submit satisfactory proof of
5 completion of continuing medical education and clinical
6 requirements to be prescribed by the Department in an
7 administrative rule; (ii) submit a positive recommendation
8 from an Illinois EMS Medical Director attesting to the
9 applicant's qualifications for retesting; and (iii) pass a
10 Department approved test for the level of EMT license
11 sought to be reinstated.

12 (6) Grant inactive status to any EMT who qualifies,
13 based on standards and procedures established by the
14 Department in rules adopted pursuant to this Act.

15 (7) Charge a fee for EMT examination, licensure, and
16 license renewal.

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

22 (A) The licensee has not met continuing education
23 or relicensure requirements as prescribed by the
24 Department;

25 (B) The licensee has failed to maintain
26 proficiency in the level of skills for which he or she

1 is licensed;

2 (C) The licensee, during the provision of medical
3 services, engaged in dishonorable, unethical, or
4 unprofessional conduct of a character likely to
5 deceive, defraud, or harm the public;

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

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

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

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

23 (H) The licensee has been convicted (or entered a
24 plea of guilty or nolo-contendere) by a court of
25 competent jurisdiction of a Class X, Class 1, or Class
26 2 felony in this State or an out-of-state equivalent

1 offense.

2 (9) An EMT who is an Illinois State Trooper or
3 exclusively serves as a volunteer for units of local
4 government with a population base of less than 5,000 may
5 submit an application to the Department for a waiver of
6 these fees on a form prescribed by the Department.

7 The education requirements prescribed by the Department
8 under this subsection 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 for EMT licensure conflicts with or duplicates a
21 provision of a collective bargaining agreement that requires
22 testing for drug use, that rule shall not apply to any person
23 covered by the collective bargaining agreement.

24 (Source: P.A. 96-540, eff. 8-17-09; 96-1149, eff. 7-21-10;
25 96-1469, eff. 1-1-11; revised 9-16-10.)