



Rep. Chapin Rose

Filed: 3/26/2012

09700HB5880ham002

LRB097 17893 CEL 67866 a

1 AMENDMENT TO HOUSE BILL 5880

2 AMENDMENT NO. _____. Amend House Bill 5880, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Emergency Medical Services (EMS) Systems
6 Act is amended by changing Sections 3.50, 3.60, and 3.85 as
7 follows:

8 (210 ILCS 50/3.50)

9 Sec. 3.50. Emergency Medical Technician (EMT) Licensure.

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

1 (b) "Emergency Medical Technician-Intermediate" or "EMT-I"
2 means a person who has successfully completed a course of
3 instruction in intermediate life support as prescribed by the
4 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) "Emergency Medical Technician-Paramedic" or "EMT-P"
9 means a person who has successfully completed a course of
10 instruction in advanced life support care as prescribed by the
11 Department, is 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
14 Advanced Life Support EMS System.

15 (d) The Department shall have the authority and
16 responsibility to:

17 (1) Prescribe education and training requirements,
18 which includes training in the use of epinephrine, for all
19 levels of EMT, based on the respective national curricula
20 of the United States Department of Transportation and any
21 modifications to such curricula specified by the
22 Department through rules adopted pursuant to this Act.

23 (2) Prescribe licensure testing requirements for all
24 levels of EMT, which shall include a requirement that all
25 phases of instruction, training, and field experience be
26 completed before taking the EMT licensure examination.

1 Candidates may elect to take the National Registry of
2 Emergency Medical Technicians examination in lieu of the
3 Department's examination, but are responsible for making
4 their own arrangements for taking the National Registry
5 examination.

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

1 applicable to the class of EMT license issued.

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

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

7 (5) Relicense individuals as an EMT-B, EMT-I, or EMT-P
8 every 4 years, based on their compliance with continuing
9 education and relicensure requirements. An Illinois
10 licensed Emergency Medical Technician whose license has
11 been expired for less than 36 months may apply for
12 reinstatement by the Department. Reinstatement shall
13 require that the applicant (i) submit satisfactory proof of
14 completion of continuing medical education and clinical
15 requirements to be prescribed by the Department in an
16 administrative rule; (ii) submit a positive recommendation
17 from an Illinois EMS Medical Director attesting to the
18 applicant's qualifications for retesting; and (iii) pass a
19 Department approved test for the level of EMT license
20 sought to be reinstated.

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

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

26 (8) Suspend, revoke, or refuse to issue or renew the

1 license of any licensee, after an opportunity for an
2 impartial hearing before a neutral administrative law
3 judge appointed by the Director, where the preponderance of
4 the evidence shows one or more of the following:

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

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

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

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

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

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

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

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

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

11 (9) An EMT who is a member of the Illinois National
12 Guard ~~or~~ an Illinois State Trooper~~r~~ or who exclusively
13 serves as a volunteer for units of local government with a
14 population base of less than 5,000 or as a volunteer for a
15 not-for-profit organization that serves a service area
16 with a population base of less than 5,000 may submit an
17 application to the Department for a waiver of these fees on
18 a form prescribed by the Department.

19 The education requirements prescribed by the Department
20 under this subsection must allow for the suspension of those
21 requirements in the case of a member of the armed services or
22 reserve forces of the United States or a member of the Illinois
23 National Guard who is on active duty pursuant to an executive
24 order of the President of the United States, an act of the
25 Congress of the United States, or an order of the Governor at
26 the time that the member would otherwise be required to fulfill

1 a particular education requirement. Such a person must fulfill
2 the education requirement within 6 months after his or her
3 release from active duty.

4 (e) In the event that any rule of the Department or an EMS
5 Medical Director that requires testing for drug use as a
6 condition for EMT licensure conflicts with or duplicates a
7 provision of a collective bargaining agreement that requires
8 testing for drug use, that rule shall not apply to any person
9 covered by the collective bargaining agreement.

10 (Source: P.A. 96-540, eff. 8-17-09; 96-1149, eff. 7-21-10;
11 96-1469, eff. 1-1-11; 97-333, eff. 8-12-11; 97-509, eff.
12 8-23-11; revised 11-18-11.)

13 (210 ILCS 50/3.60)

14 Sec. 3.60. First Responder.

15 (a) "First Responder" means a person who is at least 18
16 years of age, who has successfully completed a course of
17 instruction in emergency medical responder ~~first response~~ as
18 prescribed by the Department, and who provides first response
19 services prior to the arrival of an ambulance or specialized
20 emergency medical services vehicle, in accordance with the
21 level of care established in the emergency medical responder
22 ~~first response~~ course. A First Responder who provides such
23 services as part of an EMS System response plan which utilizes
24 First Responders as the personnel dispatched to the scene of an
25 emergency to provide initial emergency medical care shall

1 comply with the applicable sections of the Program Plan of that
2 EMS System.

3 Persons who have already completed a course of instruction
4 in emergency first response based on or equivalent to the
5 national curriculum of the United States Department of
6 Transportation, or as otherwise previously recognized by the
7 Department, shall be considered First Responders on the
8 effective date of this amendatory Act of 1995.

9 (a-5) "Provisional First Responder" means a person who is
10 at least 16 years of age, who has successfully completed a
11 course of instruction in emergency medical responder as
12 prescribed by the Department, and who provides first response
13 services prior to the arrival of an ambulance or specialized
14 emergency medical services vehicle, in accordance with the
15 level of care established in the emergency medical responder
16 course. A Provisional First Responder must provide such
17 services as part of an EMS System Response plan that utilizes
18 Provisional First Responders with other EMS personnel
19 dispatched to the scene of an emergency to provide initial
20 emergency medical care and shall comply with the applicable
21 sections of the program plan of that EMS System. A Provisional
22 First Responder may apply to the Department for a First
23 Responder license at the age of 18 upon the EMS Medical
24 Director's written approval.

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

1 (1) Prescribe education requirements for the First
2 Responder, which meet or exceed the national curriculum of
3 the United States Department of Transportation, through
4 rules adopted pursuant to this Act.

5 (2) Prescribe a standard set of equipment for use
6 during first response services. An individual First
7 Responder shall not be required to maintain his or her own
8 set of such equipment, provided he or she has access to
9 such equipment during a first response call.

10 (3) Require the First Responder to notify the
11 Department of any EMS System in which he or she
12 participates as dispatched personnel as described in
13 subsection (a).

14 (4) Require the First Responder to comply with the
15 applicable sections of the Program Plans for those Systems.

16 (5) Require the First Responder to keep the Department
17 currently informed as to who employs him or her and who
18 supervises his or her activities as a First Responder.

19 (6) Establish a mechanism for phasing in the First
20 Responder requirements over a 5-year period.

21 (7) Charge each First Responder applicant a fee for
22 testing, initial licensure, and license renewal. A First
23 Responder who exclusively serves as a volunteer for units
24 of local government or a not-for-profit organization that
25 serves a service area with a population base of less than
26 5,000 may submit an application to the Department for a

1 waiver of these fees on a form prescribed by the
2 Department.

3 (Source: P.A. 96-1469, eff. 1-1-11.)

4 (210 ILCS 50/3.85)

5 Sec. 3.85. Vehicle Service Providers.

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

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

21 (2) "Specialized Emergency Medical Services Vehicle"
22 or "SEMSV" means a vehicle or conveyance, other than those
23 owned or operated by the federal government, that is
24 primarily intended for use in transporting the sick or
25 injured by means of air, water, or ground transportation,

1 that is not an ambulance as defined in this Act. The term
2 includes watercraft, aircraft and special purpose ground
3 transport vehicles or conveyances not intended for use on
4 public roads.

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

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

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

21 (C) "Reserve Ambulance" means a vehicle that meets
22 all criteria set forth in this Section and all
23 Department rules, except for the required inventory of
24 medical supplies and durable medical equipment, which
25 may be rapidly transferred from a fully functional
26 ambulance to a reserve ambulance without the use of

1 tools or special mechanical expertise.

2 (b) The Department shall have the authority and
3 responsibility to:

4 (1) Require all Vehicle Service Providers, both
5 publicly and privately owned, to function within an EMS
6 System. †

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

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

18 (A) Vehicle design, specification, operation and
19 maintenance standards, including standards for the use
20 of reserve ambulances;

21 (B) Equipment requirements;

22 (C) Staffing requirements; and

23 (D) Annual license renewal. †

24 The Department's standards and requirements with
25 respect to vehicle staffing must allow for an alternative
26 rural staffing model for those vehicle service providers

1 that serve a rural or semi-rural population of 10,000 or
2 fewer inhabitants and exclusively uses volunteers,
3 paid-on-call, or a combination thereof. †

4 (4) License all Vehicle Service Providers that have met
5 the Department's requirements for licensure, unless such
6 Provider is owned or licensed by the federal government.
7 All Provider licenses issued by the Department shall
8 specify the level and type of each vehicle covered by the
9 license (BLS, ILS, ALS, ambulance, SEMSV, limited
10 operation vehicle, special use vehicle, reserve
11 ambulance). †

12 (5) Annually inspect all licensed Vehicle Service
13 Providers, and relicense such Providers that have met the
14 Department's requirements for license renewal. †

15 (6) Suspend, revoke, refuse to issue or refuse to renew
16 the license of any Vehicle Service Provider, or that
17 portion of a license pertaining to a specific vehicle
18 operated by the Provider, after an opportunity for a
19 hearing, when findings show that the Provider or one or
20 more of its vehicles has failed to comply with the
21 standards and requirements of this Act or rules adopted by
22 the Department pursuant to this Act. †

23 (7) Issue an Emergency Suspension Order for any
24 Provider or vehicle licensed under this Act, when the
25 Director or his designee has determined that an immediate
26 and serious danger to the public health, safety and welfare

1 exists. Suspension or revocation proceedings which offer
2 an opportunity for hearing shall be promptly initiated
3 after the Emergency Suspension Order has been issued. +

4 (8) Exempt any licensed vehicle from subsequent
5 vehicle design standards or specifications required by the
6 Department, as long as said vehicle is continuously in
7 compliance with the vehicle design standards and
8 specifications originally applicable to that vehicle, or
9 until said vehicle's title of ownership is transferred. +

10 (9) Exempt any vehicle (except an SEMSV) which was
11 being used as an ambulance on or before December 15, 1980,
12 from vehicle design standards and specifications required
13 by the Department, until said vehicle's title of ownership
14 is transferred. Such vehicles shall not be exempt from all
15 other licensing standards and requirements prescribed by
16 the Department. +

17 (10) Prohibit any Vehicle Service Provider from
18 advertising, identifying its vehicles, or disseminating
19 information in a false or misleading manner concerning the
20 Provider's type and level of vehicles, location, primary
21 service area, response times, level of personnel,
22 licensure status or System participation. +

23 (10.5) Prohibit any Vehicle Service Provider, whether
24 municipal, private, or hospital-owned, from advertising
25 itself as a critical care transport provider unless it
26 participates in a Department-approved EMS System critical

1 care transport plan. ~~and~~

2 (11) Charge each Vehicle Service Provider a fee per
3 transport vehicle, to be submitted with each application
4 for licensure and license renewal. The fee per transport
5 vehicle shall be set by administrative rule by the
6 Department and shall not exceed 100 vehicles per provider.

7 (Source: P.A. 96-1469, eff. 1-1-11; 97-333, eff. 8-12-11.)".