

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 Sections 3.50, 3.60, and 3.85 as
6 follows:

7 (210 ILCS 50/3.50)

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

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

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

23 (c) "Emergency Medical Technician-Paramedic" or "EMT-P"

1 means a person who has successfully completed a course of
2 instruction in advanced life support care as prescribed by the
3 Department, is licensed by the Department in accordance with
4 standards prescribed by this Act and rules adopted by the
5 Department pursuant to this Act, and practices within an
6 Advanced Life Support EMS System.

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

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

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

24 (2.5) Review applications for EMT licensure from
25 honorably discharged members of the armed forces of the
26 United States with military emergency medical training.

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

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

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

25 (5) Relicense individuals as an EMT-B, EMT-I, or EMT-P
26 every 4 years, based on their compliance with continuing

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

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

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

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

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

26 (B) The licensee has failed to maintain

1 proficiency in the level of skills for which he or she
2 is licensed;

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

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

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

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

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

24 (H) The licensee has been convicted (or entered a
25 plea of guilty or nolo-contendere) by a court of
26 competent jurisdiction of a Class X, Class 1, or Class

1 2 felony in this State or an out-of-state equivalent
2 offense.

3 (9) An EMT who is a member of the Illinois National
4 Guard or, an Illinois State Trooper, or who exclusively
5 serves as a volunteer for units of local government with a
6 population base of less than 5,000 or as a volunteer for a
7 not-for-profit organization that serves a service area
8 with a population base of less than 5,000 may submit an
9 application to the Department for a waiver of these fees on
10 a form prescribed by the Department.

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

22 (e) In the event that any rule of the Department or an EMS
23 Medical Director that requires testing for drug use as a
24 condition for EMT licensure conflicts with or duplicates a
25 provision of a collective bargaining agreement that requires
26 testing for drug use, that rule shall not apply to any person

1 covered by the collective bargaining agreement.

2 (Source: P.A. 96-540, eff. 8-17-09; 96-1149, eff. 7-21-10;
3 96-1469, eff. 1-1-11; 97-333, eff. 8-12-11; 97-509, eff.
4 8-23-11; revised 11-18-11.)

5 (210 ILCS 50/3.60)

6 Sec. 3.60. First Responder.

7 (a) "First Responder" means a person who is at least 18
8 years of age, who has successfully completed a course of
9 instruction in emergency medical responder ~~first response~~ as
10 prescribed by the Department, and who provides first response
11 services prior to the arrival of an ambulance or specialized
12 emergency medical services vehicle, in accordance with the
13 level of care established in the emergency medical responder
14 ~~first response~~ course. A First Responder who provides such
15 services as part of an EMS System response plan which utilizes
16 First Responders as the personnel dispatched to the scene of an
17 emergency to provide initial emergency medical care shall
18 comply with the applicable sections of the Program Plan of that
19 EMS System.

20 Persons who have already completed a course of instruction
21 in emergency first response based on or equivalent to the
22 national curriculum of the United States Department of
23 Transportation, or as otherwise previously recognized by the
24 Department, shall be considered First Responders on the
25 effective date of this amendatory Act of 1995.

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

17 (b) The Department shall have the authority and
18 responsibility to:

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

23 (2) Prescribe a standard set of equipment for use
24 during first response services. An individual First
25 Responder shall not be required to maintain his or her own
26 set of such equipment, provided he or she has access to

1 such equipment during a first response call.

2 (3) Require the First Responder to notify the
3 Department of any EMS System in which he or she
4 participates as dispatched personnel as described in
5 subsection (a).

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

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

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

13 (7) Charge each First Responder applicant a fee for
14 testing, initial licensure, and license renewal. A First
15 Responder who exclusively serves as a volunteer for units
16 of local government or a not-for-profit organization that
17 serves a service area with a population base of less than
18 5,000 may submit an application to the Department for a
19 waiver of these fees on a form prescribed by the
20 Department.

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

22 (210 ILCS 50/3.85)

23 Sec. 3.85. Vehicle Service Providers.

24 (a) "Vehicle Service Provider" means an entity licensed by
25 the Department to provide emergency or non-emergency medical

1 services in compliance with this Act, the rules promulgated by
2 the Department pursuant to this Act, and an operational plan
3 approved by its EMS System(s), utilizing at least ambulances or
4 specialized emergency medical service vehicles (SEMSV).

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

14 (2) "Specialized Emergency Medical Services Vehicle"
15 or "SEMSV" means a vehicle or conveyance, other than those
16 owned or operated by the federal government, that is
17 primarily intended for use in transporting the sick or
18 injured by means of air, water, or ground transportation,
19 that is not an ambulance as defined in this Act. The term
20 includes watercraft, aircraft and special purpose ground
21 transport vehicles or conveyances not intended for use on
22 public roads.

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

25 (A) "Limited Operation Vehicle" means a vehicle
26 which is licensed by the Department to provide basic,

1 intermediate or advanced life support emergency or
2 non-emergency medical services that are exclusively
3 limited to specific events or locales.

4 (B) "Special-Use Vehicle" means any publicly or
5 privately owned vehicle that is specifically designed,
6 constructed or modified and equipped, and is intended
7 to be used for, and is maintained or operated solely
8 for the emergency or non-emergency transportation of a
9 specific medical class or category of persons who are
10 sick, injured, wounded or otherwise incapacitated or
11 helpless (e.g. high-risk obstetrical patients,
12 neonatal patients).

13 (C) "Reserve Ambulance" means a vehicle that meets
14 all criteria set forth in this Section and all
15 Department rules, except for the required inventory of
16 medical supplies and durable medical equipment, which
17 may be rapidly transferred from a fully functional
18 ambulance to a reserve ambulance without the use of
19 tools or special mechanical expertise.

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

22 (1) Require all Vehicle Service Providers, both
23 publicly and privately owned, to function within an EMS
24 System. +

25 (2) Require a Vehicle Service Provider utilizing
26 ambulances to have a primary affiliation with an EMS System

1 within the EMS Region in which its Primary Service Area is
2 located, which is the geographic areas in which the
3 provider renders the majority of its emergency responses.
4 This requirement shall not apply to Vehicle Service
5 Providers which exclusively utilize Limited Operation
6 Vehicles. †

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

10 (A) Vehicle design, specification, operation and
11 maintenance standards, including standards for the use
12 of reserve ambulances;

13 (B) Equipment requirements;

14 (C) Staffing requirements; and

15 (D) Annual license renewal.

16 The Department's standards and requirements with
17 respect to vehicle staffing must allow for an alternative
18 rural staffing model for those vehicle service providers
19 that serve a rural or semi-rural population of 10,000 or
20 fewer inhabitants and exclusively uses volunteers,
21 paid-on-call, or a combination thereof. †

22 (4) License all Vehicle Service Providers that have met
23 the Department's requirements for licensure, unless such
24 Provider is owned or licensed by the federal government.
25 All Provider licenses issued by the Department shall
26 specify the level and type of each vehicle covered by the

1 license (BLS, ILS, ALS, ambulance, SEMSV, limited
2 operation vehicle, special use vehicle, reserve
3 ambulance).†

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

7 (6) Suspend, revoke, refuse to issue or refuse to renew
8 the license of any Vehicle Service Provider, or that
9 portion of a license pertaining to a specific vehicle
10 operated by the Provider, after an opportunity for a
11 hearing, when findings show that the Provider or one or
12 more of its vehicles has failed to comply with the
13 standards and requirements of this Act or rules adopted by
14 the Department pursuant to this Act.†

15 (7) Issue an Emergency Suspension Order for any
16 Provider or vehicle licensed under this Act, when the
17 Director or his designee has determined that an immediate
18 and serious danger to the public health, safety and welfare
19 exists. Suspension or revocation proceedings which offer
20 an opportunity for hearing shall be promptly initiated
21 after the Emergency Suspension Order has been issued.†

22 (8) Exempt any licensed vehicle from subsequent
23 vehicle design standards or specifications required by the
24 Department, as long as said vehicle is continuously in
25 compliance with the vehicle design standards and
26 specifications originally applicable to that vehicle, or

1 until said vehicle's title of ownership is transferred. ~~†~~

2 (9) Exempt any vehicle (except an SEMSV) which was
3 being used as an ambulance on or before December 15, 1980,
4 from vehicle design standards and specifications required
5 by the Department, until said vehicle's title of ownership
6 is transferred. Such vehicles shall not be exempt from all
7 other licensing standards and requirements prescribed by
8 the Department. ~~†~~

9 (10) Prohibit any Vehicle Service Provider from
10 advertising, identifying its vehicles, or disseminating
11 information in a false or misleading manner concerning the
12 Provider's type and level of vehicles, location, primary
13 service area, response times, level of personnel,
14 licensure status or System participation. ~~†~~

15 (10.5) Prohibit any Vehicle Service Provider, whether
16 municipal, private, or hospital-owned, from advertising
17 itself as a critical care transport provider unless it
18 participates in a Department-approved EMS System critical
19 care transport plan. ~~† and~~

20 (11) Charge each Vehicle Service Provider a fee per
21 transport vehicle, to be submitted with each application
22 for licensure and license renewal. The fee per transport
23 vehicle shall be set by administrative rule by the
24 Department and shall not exceed 100 vehicles per provider.

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