

HB2777



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB2777

Introduced 2/21/2013, by Rep. Donald L. Moffitt

SYNOPSIS AS INTRODUCED:

210 ILCS 50/3.85

Amends the Emergency Medical Services (EMS) Systems Act. Provides for renewal of vehicle service provider licenses at intervals determined by the Department of Public Health, which shall be not less than every 2 years (instead of annual renewals). Provides for inspection of licensed vehicle service providers at intervals determined by the Department, which shall be not less than every 2 years (instead of annual inspections).

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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 3.85 as follows:

6 (210 ILCS 50/3.85)

7 Sec. 3.85. Vehicle Service Providers.

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

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

23 (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 System
13 within the EMS Region in which its Primary Service Area is
14 located, which is the geographic areas in which the
15 provider renders the majority of its emergency responses.
16 This requirement shall not apply to Vehicle Service
17 Providers which exclusively utilize Limited Operation
18 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 2 years
3 ~~Annual license renewal.~~

4 The Department's standards and requirements with
5 respect to vehicle staffing must allow for an alternative
6 rural staffing model for those vehicle service providers
7 that serve a rural or semi-rural population of 10,000 or
8 fewer inhabitants and exclusively uses volunteers,
9 paid-on-call, or a combination thereof.

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

18 (5) Inspect ~~Annually inspect~~ all licensed Vehicle
19 Service Providers at intervals determined by the
20 Department, which shall be not less than every 2 years, and
21 relicense such Providers that have met the Department's
22 requirements for license renewal.

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

1 hearing, when findings show that the Provider or one or
2 more of its vehicles has failed to comply with the
3 standards and requirements of this Act or rules adopted by
4 the Department pursuant to this Act.

5 (7) Issue an Emergency Suspension Order for any
6 Provider or vehicle licensed under this Act, when the
7 Director or his designee has determined that an immediate
8 and serious danger to the public health, safety and welfare
9 exists. Suspension or revocation proceedings which offer
10 an opportunity for hearing shall be promptly initiated
11 after the Emergency Suspension Order has been 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, to be submitted with each application
12 for licensure and license renewal. The fee per transport
13 vehicle shall be set by administrative rule by the
14 Department and shall not exceed 100 vehicles per provider.

15 (Source: P.A. 96-1469, eff. 1-1-11; 97-333, eff. 8-12-11;
16 97-1014, eff. 1-1-13.)