

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.01.07 - EMERGENCY MEDICAL SERVICES (EMS) -- PERSONNEL LICENSING REQUIREMENTS

DOCKET NO. 16-0107-1301

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 56-1011 through 56-1023 (Board), and 56-1003 (Director), Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearings concerning this rulemaking will be held as follows:

Thursday, August 22, 2013 6:00 p.m. - 7:00 p.m.	Monday, August 26, 2013 3:30 p.m. - 4:30 p.m.	Wednesday, August 28, 2013 6:00 p.m. - 7:00 p.m.
Coeur d'Alene Public Library Community Room 702 E. Front Ave. Coeur d'Alene, ID 83814	EMS Bureau Conference Room 650 W. State St. B-25 Boise, ID 83702	Fire Station #2 Training Room 1539 N Hayes Pocatello, ID 83204

The hearing sites will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

Over the past several years, meetings have been held to negotiate and discuss the rewrite and update of the Emergency Medical Services chapters of rules. The changes being made to this chapter align these rules with new EMS chapters being implemented to update definitions for the ever-changing technology used by emergency medical services providers across the state, and referencing the new EMS Agency Licensing chapter. These rules need to be amended to avoid confusion and ensure all EMS chapters use consistent terminology and are in compliance with statutes and rules.

These rules changes will align this chapter with the new chapters of rules by adding references to the new chapters and removing sections that are no longer needed or required to be in this chapter.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: NA

FISCAL IMPACT: The following is a specific description, if applicable, of any fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

This rulemaking has no fiscal impact to the state general fund.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220, Idaho Code, negotiated rulemaking was conducted. In fact, thirteen (13) negotiated rule meetings have been held throughout the state. A task force committee, comprised of EMS representatives from around the state, has met to assist with finalizing these rule amendments. Notices for Negotiated Rulemaking published in the April 3, 2013, [Vol. 13-4, page 13 and 14](#), and May 1, 2013, [Vol. 13-5, page 75 and 76](#), Idaho Administrative Bulletins, under the current Emergency Medical Services chapter in Docket No. 16-0203-1301.

INCORPORATION BY REFERENCE: No materials are being incorporated by reference into these rules.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Chris Stoker at (208) 334-4000.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 28, 2013.

DATED this 1st day of July, 2013.

Tamara Prisock
DHW - Administrative Rules Unit
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5564; fax: (208) 334-6558
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THE FOLLOWING IS THE TEXT OF THE PROPOSED RULE FOR DOCKET NO. 16-0107-1301

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS -- STREET ADDRESS -- TELEPHONE NUMBER -- INTERNET WEBSITE.

01. Office Hours. Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays designated by the state of Idaho. (3-29-12)

02. Mailing Address. The mailing address for the business office is Idaho Department of Health and Welfare, P.O. Box 83720, Boise, Idaho 83720-0036. (3-29-12)

03. Street Address. (3-29-12)

a. The business office of the Idaho Department of Health and Welfare is located at 450 West State Street, Boise, Idaho 83702. (3-29-12)

b. The EMS Bureau of Emergency Medical Services and Preparedness is located at 650 W. State Street, Suite B-17, Boise, Idaho 83702. (~~3-29-12~~)()

04. Telephone. (3-29-12)

a. The telephone number for the Idaho Department of Health and Welfare is (208) 334-5500. (3-29-12)

b. The telephone number for the EMS Bureau of Emergency Medical Services and Preparedness is (208) 334-4000. The toll-free, phone number is 1-877-554-3367. (~~3-29-12~~)()

05. Internet Websites. (3-29-12)

a. The Department's internet website is found at <http://www.healthandwelfare.idaho.gov>. (3-29-12)

b. The Bureau of Emergency Medical Services Bureau's and Preparedness internet website is found at <http://www.idahoems.org>. (~~3-29-12~~)()

(BREAK IN CONTINUITY OF SECTIONS)

010. DEFINITIONS AND ABBREVIATIONS.

For the purposes of this chapter, ~~of rules, the following terms~~ the definitions in IDAPA 16.01.02, "Emergency Medical Services (EMS) -- Rule Definitions" apply. ~~(3-29-12)()~~

- ~~01. **Advanced Emergency Medical Technician (AEMT).** An AEMT is a person who: (3-29-12)~~
- ~~a. Has met the qualifications for licensure in Sections 56-1011 through 56-1023, Idaho Code, and these rules; (3-29-12)~~
- ~~b. Is licensed by the EMS Bureau under Sections 56-1011 through 56-1023, Idaho Code; (3-29-12)~~
- ~~c. Carries out the practice of emergency medical care within the scope of practice for AEMT determined by the Idaho Emergency Medical Services Physicians Commission (EMSPC), under IDAPA 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physicians Commission;" and (3-29-12)~~
- ~~d. Practices under the supervision of a physician licensed in Idaho. (3-29-12)~~
- ~~02. **Affiliation.** The formal association that exists between an agency and those licensed personnel who appear on the agency's roster, which includes active participation, collaboration, and involvement. Affiliation can be demonstrated by the credentialing of licensed personnel by the agency medical director. (3-29-12)~~
- ~~03. **Agency-EMS.** Any organization required to be licensed under the provisions in IDAPA 16.02.03, "Emergency Medical Services," by the EMS Bureau that operates an air medical service, ambulance service, or nontransport service. (3-29-12)~~
- ~~04. **Board.** The Idaho Board of Health and Welfare. (3-29-12)~~
- ~~05. **Candidate.** Any individual who is requesting an EMS personnel license under Sections 56-1011 through 56-1023, Idaho Code. (3-29-12)~~
- ~~06. **Certificate of Eligibility.** Documentation that an individual is eligible for affiliation with an EMS agency, having satisfied all requirements for an EMS Personnel Licensure except for affiliation, but is not licensed to practice. (3-29-12)~~
- ~~07. **Commission.** The Idaho Emergency Medical Services Physician Commission. (3-29-12)~~
- ~~08. **Competency.** The expected behavior, skill performance and knowledge identified in the description of the profession and the allowable skills and interventions as defined by the scope of practice in the EMS Physicians Commissions Standards Manual incorporated in Section 004 of these rules. (3-29-12)~~
- ~~09. **Department.** The Idaho Department of Health and Welfare. (3-29-12)~~
- ~~10. **Emergency Medical Care.** The care provided to a person suffering from a medical condition, the onset of which is sudden, that manifests itself by symptoms of sufficient severity, including severe pain, that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to result in placing the person's health in serious jeopardy, or in causing serious impairments of bodily function or serious dysfunction of any bodily organ or part. (3-29-12)~~
- ~~11. **Emergency Medical Responder (EMR).** An EMR is a person who: (3-29-12)~~
- ~~a. Has met the qualifications for licensure in Sections 56-1011 through 56-1023, Idaho Code, and these rules; (3-29-12)~~
- ~~b. Is licensed by the EMS Bureau under Sections 56-1011 through 56-1023, Idaho Code; (3-29-12)~~
- ~~c. Carries out the practice of emergency medical care within the scope of practice for EMR~~

~~determined by the Idaho Emergency Medical Services Physicians Commission (EMSPC), under IDAPA 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physicians Commission"; and (3-29-12)~~

- ~~d. Practices under the supervision of a physician licensed in Idaho. (3-29-12)~~
- ~~12. **Emergency Medical Services (EMS).** The services utilized in responding to a perceived individual need for immediate care in order to prevent loss of life or aggravation of physiological or psychological illness or injury. (3-29-12)~~
- ~~13. **EMS Bureau.** The Emergency Medical Services (EMS) Bureau of the Idaho Department of Health and Welfare. (3-29-12)~~
- ~~14. **Emergency Medical Technician (EMT).** An EMT is a person who: (3-29-12)~~
- ~~a. Has met the qualifications for licensure in Sections 56-1011 through 56-1023, Idaho Code, and these rules; (3-29-12)~~
- ~~b. Is licensed by the EMS Bureau under Sections 56-1011 through 56-1023, Idaho Code; (3-29-12)~~
- ~~c. Carries out the practice of emergency medical care within the scope of practice for EMT determined by the Idaho Emergency Medical Services Physicians Commission (EMSPC), under IDAPA 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physicians Commission"; and (3-29-12)~~
- ~~d. Practices under the supervision of a physician licensed in Idaho. (3-29-12)~~
- ~~15. **Licensed Personnel.** Those individuals who are emergency medical responders, emergency medical technicians, advanced emergency medical technicians, and paramedics. (3-29-12)~~
- ~~16. **National Registry of Emergency Medical Technicians (NREMT).** An independent, non-governmental, not for profit organization which prepares validated examinations for the state's use in evaluating candidates for licensure. (3-29-12)~~
- ~~17. **Paramedic.** A paramedic is a person who: (3-29-12)~~
- ~~a. Has met the qualifications for licensure in Sections 56-1011 through 56-1023, Idaho Code, and these rules; (3-29-12)~~
- ~~b. Is licensed by the EMS Bureau under Sections 56-1011 through 56-1023, Idaho Code; (3-29-12)~~
- ~~c. Carries out the practice of emergency medical care within the scope of practice for paramedic determined by the Idaho Emergency Medical Services Physicians Commission (EMSPC), under IDAPA 16.02.02, "Rules of the Idaho Emergency Medical Services (EMS) Physicians Commission"; and (3-29-12)~~
- ~~d. Practices under the supervision of a physician licensed in Idaho. (3-29-12)~~
- ~~18. **Patient.** A sick, injured, incapacitated, or helpless person who is under medical care or treatment. (3-29-12)~~
- ~~19. **Patient Assessment.** The evaluation of a patient by EMS licensed personnel intending to provide treatment or transportation to that patient. (3-29-12)~~
- ~~20. **Patient Care.** The performance of acts or procedures under emergency conditions in responding to a perceived individual need for immediate care in order to prevent loss of life or aggravation of physiological or psychological illness or injury. (3-29-12)~~
- ~~21. **Skills Proficiency.** The process overseen by an EMS agency medical director to verify competency in psychomotor skills. (3-29-12)~~

~~22. **Supervision.** The medical direction by a licensed physician of activities provided by licensed personnel affiliated with a licensed ambulance, air medical, or nontransport service, including: establishing standing orders and protocols, reviewing performance of licensed personnel, providing instructions for patient care via radio or telephone, and other oversight. (3-29-12)~~

~~23. **State Health Officer.** The Administrator of the Division of Public Health. (3-29-12)~~