



# Legislative Services Office

## Idaho State Legislature

Eric Milstead  
Director

*Serving Idaho's Citizen Legislature*

### MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Health & Welfare Committee and the House Health & Welfare Committee  
**FROM:** Legislative Research Analyst - Elizabeth Bowen  
**DATE:** August 10, 2015  
**SUBJECT:** Department of Health and Welfare

- IDAPA 16.01.01 - EMS Services - Advisory Committee - Proposed Rule (Docket No. 16-0101-1501)
- IDAPA 16.01.02 - Emergency Medical Services (EMS) - Rule Definitions - Proposed Rule (Docket No. 16-0102-1501)
- IDAPA 16.01.03 - EMS Agency Licensing Requirements - Proposed Rule (Docket No. 16-0103-1501)
- IDAPA 16.01.05 - EMS Education, Instructor, and Examination Requirements - Proposed Rule (Docket No. 16-0105-1501)
- IDAPA 16.01.07 - EMS - Personnel Licensing Requirements - Vacation of Proposed Rulemaking (Docket No. 16-0107-1501)
- IDAPA 16.01.07 - EMS- Personnel Licensing Requirements - Proposed Rule (Docket No. 16-0107-1502)
- IDAPA 16.01.12 - EMS - Complaints, Investigations, and Disciplinary Actions - Proposed Rule (Docket No. 16-0112-1501)

The Department of Health and Welfare submits notice of proposed rulemaking at IDAPA 16.01.01, 16.01.02, 16.01.03, 16.01.05, 16.01.07, and 16.01.12.

#### 1. IDAPA 16.01.01

The proposed rule adds a reference to a new rule, IDAPA 16.01.05, discussed below. Additionally, the proposed rule incorporates certain provisions from another rule, IDAPA 16.02.03, that is being repealed. Negotiated rulemaking was conducted. The Department states that the proposed rule is consistent with the rule-making authority granted by Section 56-1023, Idaho Code. There is no anticipated fiscal impact to the state general fund.

#### 2. IDAPA 16.01.02

The proposed rule updates an existing rule to reflect recent changes made to statutes and rules relating to emergency medical services (EMS). Specifically, the proposed rule includes several definitions of terms relating to education, evaluation, and paramedicine. Negotiated rulemaking was conducted. The Department states that the proposed rule is consistent with the rulemaking authority granted by Section 56-1023, Idaho Code. There is no anticipated fiscal impact to the state general fund.

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### 3. IDAPA 16.01.03

The proposed rule amends existing EMS agency licensing requirements to be consistent with changes to statutes and rules relating to EMS. Provisions relating to record-keeping by EMS agencies have also been incorporated into the proposed rule. Negotiated rulemaking was conducted for related rules but not specifically for this rule. The Department states that the proposed rule is consistent with the rulemaking authority granted by Sections 56-1011 through 56-1023, Idaho Code. There is no anticipated fiscal impact to the state general fund.

### 4. IDAPA 16.01.05

The proposed rule provides updated education, instruction, and examination requirements for EMS personnel. The proposed rule replaces the education requirements found in IDAPA 16.02.03, which is being repealed. Negotiated rulemaking was conducted. The Department states that the proposed rule is consistent with the rulemaking authority granted by Section 56-1023, Idaho Code. There is no anticipated fiscal impact to the state general fund.

### 5. IDAPA 16.01.07

(a) Docket 16-0107-1501 -- This proposed rulemaking is being vacated in favor of the docket in (b) below.

(b) Docket 16-0107-1502 -- The proposed rule amends licensing requirements for EMS personnel to be consistent with the proposed rule at IDAPA 16.01.05, discussed above. The proposed rule also incorporates provisions from a rule, IDAPA 16.02.03, that is being repealed. Negotiated rulemaking was not conducted; however, the Department states that it has met with stakeholders around the state to discuss the rule. The proposed rule is based on concerns voiced during those meetings. According to the Department, the proposed rule is consistent with the rulemaking authority granted by Sections 56-1011 through 56-1023, Idaho Code. There is no anticipated fiscal impact to the state general fund.

### 6. IDAPA 16.01.12

The proposed rule amends existing language to be consistent with the proposed rule at IDAPA 16.01.05, discussed above. Negotiated rulemaking was not specifically conducted for this rule but was conducted for related rules. The Department states that the changes in this rule are being made for the sake of clarity. According to the Department, the proposed rule is consistent with the rulemaking authority granted by Sections 56-1011 through 56-1023, Idaho Code. There is no anticipated fiscal impact to the state general fund.

cc: Department of Health and Welfare  
Tamara Prisock