

## IDAPA 16 – IDAHO DEPARTMENT OF HEALTH AND WELFARE

### Division of Public Health

#### 16.02.02 – Idaho Emergency Medical Services (EMS) Physician Commission

##### **Who does this rule apply to?**

*Credentialed EMS personnel, licensed EMS personnel, EMS agencies, designated clinicians, EMS bureau, Emergency Medical Services Physician Commission, hospitals, physicians and professional medical personnel, medical clinics.*

##### **What is the purpose of this rule?**

*The scope of these rules is to define the allowable scope of practice, acts, and duties that can be performed by persons licensed as emergency medical services personnel by the Department of Health and Welfare Bureau of Emergency Medical Services and Preparedness and to define the required level of supervision by a physician.*

##### **What is the legal authority for the agency to promulgate this rule?**

*This rule implements the following statutes passed by the Idaho Legislature:*

Public Assistance and Welfare -

Department of Health and Welfare:

- [Section 56-1013A, Idaho Code](#) – Idaho Emergency Medical Services Physician Commission – Terms and Operation
- [Section 56-1023, Idaho Code](#) – Rules

##### **Where can I find information on Administrative Appeals?**

*Administrative appeals and contested cases are governed by the provisions of IDAPA 16.05.03, "Contested Case Proceedings and Declaratory Rulings." Regarding Physician Complaint Investigations – the provisions of the rules of the Board of Medicine, IDAPA 24.33.03, General Provisions of the Board of Medicine," Section 151, govern investigation of complaints regarding physicians. Regarding EMS Personnel and EMS Agency Complaint Investigations – the provisions of IDAPA 16.01.12, "Emergency Medical Services (EMS) -- Complaints, Investigations, and Disciplinary Actions," govern investigation of complaints regarding licensed EMS personnel and EMS Agencies.*

##### **How do I request public records?**

*Unless exempted, all public records are subject to disclosure by the Department that will comply with Title 74, Chapter 1, Idaho Code, upon requests. Confidential information may be restricted by state or federal law, federal regulation, and IDAPA 16.05.01, "Use and Disclosure of Department Records."*

##### **Who do I contact for more information on this rule?**

Idaho Department of Health and Welfare –  
Idaho EMS Physician Commission  
2224 East Old Penitentiary Road  
Boise, ID 83712-8249  
Phone: (208) 334-4000 or 1-877-554-3367  
Fax: (208) 334-4015

P.O. Box 83720  
Boise, ID 83720-0036  
Email: [EMSPhysicianComm@dhw.idaho.gov](mailto:EMSPhysicianComm@dhw.idaho.gov)

Webpage: <https://healthandwelfare.idaho.gov/about-dhw/boards-councils-committees/ems-physician-commission>

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## 16.02.02 – IDAHO EMERGENCY MEDICAL SERVICES (EMS) PHYSICIAN COMMISSION

### 000. LEGAL AUTHORITY.

Sections 56-1013A and 56-1023, Idaho Code, authorize the Emergency Medical Services Physician Commission (EMSPC) to promulgate rules to establish standards for scope of practice and medical supervision for licensed personnel, air medical, ambulance services, and nontransport agencies licensed by the Department. (7-1-24)

### 001. (RESERVED)

### 002. INVESTIGATIONS.

**01. Physician Professional Disciplinary Enforcement Investigations.** Section 54-1806A, Idaho Code, governs investigation of complaints regarding physicians. (7-1-24)

**02. EMS Personnel and EMS Agency Complaint Investigations.** IDAPA 16.01.12, “Emergency Medical Services (EMS) -- Complaints, Investigations, and Disciplinary Actions,” govern investigation of complaints regarding licensed EMS personnel and EMS Agencies. (7-1-24)

### 003. INCORPORATION BY REFERENCE.

The EMSPC has incorporated by reference the Idaho Emergency Medical Services (EMS) Physician Commission Standards Manual, edition 2024-1. Copies are available at <https://healthandwelfare.idaho.gov/about-dhw/boards-councils-committees/ems-physician-commission> or from the Bureau of Emergency Medical Services and Preparedness located at 2224 East Old Penitentiary Road, Boise, ID, 83712-8249; the mailing address is PO Box 83720, Boise, Idaho 83720-0036. (7-1-24)

### 004. EMS COMPLAINTS.

IDAPA 16.01.12, “Emergency Medical Services (EMS) -- Complaints, Investigations, and Disciplinary Actions,” governs the confidentiality of the investigation of complaints regarding licensed EMS personnel. (7-1-24)

### 005. -- 009. (RESERVED)

### 010. DEFINITIONS.

In addition to the applicable definitions in Section 56-1012, Idaho Code, and IDAPA 16.01.02, “Emergency Medical Services (EMS) -- Rule Definitions,” the following are used in these rules: (7-1-24)

**01. Credentialed EMS Personnel.** Individuals authorized to provide medical care by the EMS medical director, hospital supervising physician, or medical clinic supervising physician. (7-1-24)

**02. Credentialing.** The local process by which licensed EMS personnel are authorized to provide medical care in the out-of-hospital, hospital, and medical clinic setting, including the determination of a local scope of practice. (7-1-24)

**03. Designated Clinician.** A Physician Assistant (PA) or Nurse Practitioner designated by the EMS medical director, hospital supervising physician, or medical clinic supervising physician responsible for direct (on-line) medical supervision of licensed EMS personnel in the temporary absence of the EMS medical director. (7-1-24)

**04. Direct (On-Line) Supervision.** Contemporaneous instructions and directives about a specific patient encounter provided by a physician or designated clinician to licensed EMS personnel providing medical care. (7-1-24)

**05. Emergency Medical Services (EMS).** Under Section 56-1012(12), Idaho Code, emergency medical services or EMS is aid rendered by an individual or group of individuals who do the following: (7-1-24)

**a.** Respond to a perceived need for medical care to prevent loss of life, aggravation of physiological or psychological illness, or injury; (7-1-24)

**b.** Are prepared to provide interventions that are within the scope of practice under IDAPA 16.02.02, “Idaho Emergency Medical Services (EMS) Physician Commission”; (7-1-24)

**c.** Use an alerting mechanism to initiate a response to requests for medical care; and (7-1-24)

**d.** Offer, advertise, or attempt to respond as described in Section 56-1012(12), (a) through (c), Idaho Code. (7-1-24)

- e. Aid rendered by a ski patroller, as described in Section 54-1804(1)(h), Idaho Code, is not EMS. (7-1-24)
- 06. Emergency Medical Services (EMS) Bureau.** The Bureau of Emergency Medical Services (EMS) and Preparedness for the Department. (7-1-24)
- 07. Emergency Medical Services) Physician Commission (EMSPC).** The Idaho Emergency Medical Services Physician Commission as created under Section 56-1013A, Idaho Code. (7-1-24)
- 08. EMS Agency.** An organization licensed by the EMS Bureau to provide emergency medical services in Idaho. (7-1-24)
- 09. EMS Medical Director.** A physician who supervises the medical activities of licensed personnel affiliated with an EMS agency. (7-1-24)
- 10. Hospital.** A facility in Idaho licensed under Sections 39-1301 through 39-1314, Idaho Code, and defined in Section 39-1301(a)(1), Idaho Code. (7-1-24)
- 11. Hospital Supervising Physician.** A physician who supervises the medical activities of licensed EMS personnel while employed or utilized for delivery of services in a hospital. (7-1-24)
- 12. Indirect (Off-Line) Supervision.** The medical supervision provided by a physician to licensed EMS personnel who are providing medical care including EMS system design, education, quality management, patient care guidelines, medical policies, and compliance. (7-1-24)
- 13. License.** A license issued by the EMS Bureau to an individual for a specified period indicating that minimum standards corresponding to one (1) of several levels of EMS proficiency have been met. (7-1-24)
- 14. Licensed EMS Personnel.** Individuals who possess a valid license issued by the EMS Bureau. (7-1-24)
- 15. Medical Clinic.** A place devoted primarily to the maintenance and operation of facilities for outpatient medical, surgical, and emergency care of acute and chronic conditions or injury. (7-1-24)
- 16. Medical Clinic Supervising Physician.** A physician who supervises the medical activities of licensed EMS personnel while employed or utilized for delivery of services in a medical clinic. (7-1-24)
- 17. Medical Supervision.** The advice and direction provided by, or under the direction of a physician, to licensed EMS personnel who are providing medical care, including direct and indirect supervision. (7-1-24)
- 18. Medical Supervision Plan.** The written document describing the provisions for medical supervision of licensed EMS personnel. (7-1-24)
- 19. Nurse Practitioner.** An Advanced Practice Professional Nurse, licensed as a Nurse Practitioner, under IDAPA 24.34.01, "Rules of the Idaho Board of Nursing." (7-1-24)
- 20. Out-of-Hospital.** Any setting outside of a hospital, including inter-facility transfers, in which the provision of emergency medical services may take place. (7-1-24)
- 21. Physician.** Under Section 54-1803, Idaho Code, a person who holds a current active license issued by the Board of Medicine to practice medicine and surgery, osteopathic medicine and surgery, or osteopathic medicine in Idaho and is in good standing with no restriction upon, or actions taken against, their license. (7-1-24)
- 22. Physician Assistant.** A person who meets the requirements to practice as a licensed physician assistant under Title 54, Chapter 18, Idaho Code, and IDAPA 24.33.02, "Rules for the Licensure of Physician Assistants." (7-1-24)

**011. -- 094. (RESERVED)**

**095. GENERAL PROVISIONS.**

**01. Practice of Medicine.** These rules may authorize the practice of medicine by licensed EMS personnel practicing within their defined scope of practice. (7-1-24)

**02. Patient Consent.** The provision or refusal of consent for individuals receiving emergency medical services under Title 39, Chapter 45, Idaho Code. (7-1-24)

**03. System Consistency.** All EMS medical directors, hospital supervising physicians, and medical clinic supervising physicians must collaborate to ensure EMS agencies and licensed EMS personnel have protocols, policies, standards of care, and procedures that are consistent and compatible with one another. (7-1-24)

**096. -- 099. (RESERVED)**

**100. GENERAL DUTIES OF EMS PERSONNEL.**

**01. General Duties.** General duties of EMS personnel include the following: (7-1-24)

**a.** Licensed EMS personnel must possess a valid license issued by the EMS Bureau equivalent to or higher than the scope of practice authorized by the EMS medical director, hospital supervising physician, or medical clinic supervising physician. (7-1-24)

**b.** Licensed EMS personnel must only provide patient care for which they have been trained, based on curricula or specialized training approved under IDAPA 16.01.07, "Emergency Medical Services (EMS) -- Personnel Licensing Requirements," or additional training approved by the hospital or medical clinic supervising physician. (7-1-24)

**c.** Licensed EMS personnel must not perform a task(s) within their scope of practice that has been specifically prohibited by their EMS medical director, hospital supervising physician, or medical clinic supervising physician. (7-1-24)

**d.** Licensed EMS personnel that possess a valid credential issued by the EMS medical director, hospital supervising physician, or medical clinic supervising physician are authorized to provide services when representing an Idaho EMS agency, hospital, or medical clinic and under any of the following conditions: (7-1-24)

**i.** When part of a documented, planned deployment of personnel resources approved by the EMS medical director, hospital supervising physician, or medical clinic supervising physician; (7-1-24)

**ii.** When, in a manner approved by the EMS medical director, hospital supervising physician, or medical clinic supervising physician, administering first aid or emergency medical attention under Section 5-330 or 5-331, Idaho Code, without expectation of remuneration; or (7-1-24)

**iii.** When participating in a training program approved by the EMS Bureau, the EMS medical director, hospital supervising physician, or medical clinic supervising physician. (7-1-24)

**02. Scope of Practice.** (7-1-24)

**a.** The EMSPC maintains an "EMS Physician Commission Standards Manual" that: (7-1-24)

**i.** Establishes the scope of practice of licensed EMS personnel; and (7-1-24)

**ii.** Specifies the type and degree of medical supervision for specific skills, treatments, and procedures by level of EMS licensure. (7-1-24)

**b.** The EMSPC will consider the United States Department of Transportation's National EMS Scope

of Practice Model when preparing or revising the standards manual under Subsection 100.02.a. of this rule; (7-1-24)

**c.** The scope of practice established by the EMSPC determines the objectives of applicable curricula and specialized education of licensed EMS personnel; (7-1-24)

**d.** The scope of practice does not define a standard of care, nor does it define what should be done in a given situation; (7-1-24)

**e.** Licensed EMS personnel must not provide out-of-hospital patient care that exceeds the scope of practice established by the EMSPC; (7-1-24)

**f.** Licensed EMS personnel must be credentialed by the EMS medical director, hospital supervising physician, or medical clinic supervising physician to be authorized for their scope of practice; (7-1-24)

**g.** The credentialing of licensed EMS personnel affiliated with an EMS agency, under IDAPA 16.01.03, "Emergency Medical Services (EMS) -- Agency Licensing Requirements," must not exceed the licensure level of that EMS agency; and (7-1-24)

**h.** The patient care provided by licensed EMS personnel must conform to the Medical Supervision Plan as authorized by the EMS medical director, hospital supervising physician, or medical clinic supervising physician. (7-1-24)

**101. -- 199. (RESERVED)**

**200. EMS MEDICAL DIRECTOR, HOSPITAL SUPERVISING PHYSICIAN, AND MEDICAL CLINIC SUPERVISING PHYSICIAN QUALIFICATIONS.**

The EMS Medical Director, Hospital Supervising Physician, and Medical Clinic Supervising Physician must: (7-1-24)

**01. Accept Responsibility.** Accept responsibility for the medical direction and medical supervision of the activities provided by licensed EMS personnel. (7-1-24)

**02. Complete Medical Director Training.** Complete any required Medical Director training within one (1) year of appointment. (7-1-24)

**03. Maintain Knowledge of EMS Systems.** Obtain and maintain knowledge of the contemporary design and operation of EMS systems. (7-1-24)

**04. Maintain Knowledge of Idaho EMS.** Obtain and maintain knowledge of Idaho EMS laws, regulations, and standards manuals. (7-1-24)

**201. -- 299. (RESERVED)**

**300. EMS MEDICAL DIRECTOR, HOSPITAL SUPERVISING PHYSICIAN, AND MEDICAL CLINIC SUPERVISING PHYSICIAN RESPONSIBILITIES AND AUTHORITY.**

**01. Documentation of Written Agreement.** The EMS medical director must document a written agreement with the EMS agency to supervise licensed EMS personnel and provide such documentation to the EMS Bureau annually and upon request. (7-1-24)

**02. Approval for EMS Personnel to Function.** (7-1-24)

**a.** The explicit approval of the EMS medical director, hospital supervising physician, or medical clinic supervising physician is required for licensed EMS personnel under their supervision to provide medical care. (7-1-24)

**b.** The EMS medical director, hospital supervising physician, or medical clinic supervising physician

may credential licensed EMS personnel under their supervision with a limited scope of practice relative to that allowed by the EMSPC, or with a limited scope of practice corresponding to a lower level of EMS licensure.

(7-1-24)

**03. Restriction or Withdrawal of Approval for EMS Personnel to Function.** The EMS medical director, hospital supervising physician, or medical clinic supervising physician:

(7-1-24)

**a.** Can restrict the scope of practice of licensed EMS personnel under their supervision when such personnel fail to meet or maintain proficiencies established by the EMS medical director, hospital supervising physician, or medical clinic supervising physician, or the Idaho EMS Bureau.

(7-1-24)

**b.** Can withdraw approval of licensed EMS personnel to provide services, under their supervision, when such personnel fail to meet or maintain proficiencies established by the EMS medical director, hospital supervising physician, or medical clinic supervising physician, or the EMS Bureau.

(7-1-24)

**c.** Must report in writing such restriction or withdrawal of approval within fifteen (15) days of the action to the EMS Bureau in accordance with Section 39-1393, Idaho Code.

(7-1-24)

**04. Review Qualifications of EMS Personnel.** The EMS medical director, hospital supervising physician, or medical clinic supervising physician must document the review of the qualification, proficiencies, and all other EMS agency, hospital, and medical clinic affiliations of EMS personnel prior to credentialing the individual.

(7-1-24)

**05. Document EMS Personnel Proficiencies.** The EMS medical director, hospital supervising physician, or medical clinic supervising physician must document that the capabilities of licensed EMS personnel are maintained on an ongoing basis through education, skill proficiencies, and competency assessment.

(7-1-24)

**06. Develop and Implement a Performance Assessment and Improvement Program.** The EMS medical director must develop and implement a program for continuous assessment and improvement of services provided by licensed EMS personnel under their supervision.

(7-1-24)

**07. Review and Update Procedures.** The EMS medical director must review and update protocols, policies, and procedures at least every two (2) years.

(7-1-24)

**08. Develop and Implement Plan for Medical Supervision.** The EMS medical director, hospital supervising physician, or medical clinic supervising physician must develop, implement, and oversee a plan for supervision of licensed EMS personnel under Subsection 400.06 of these rules.

(7-1-24)

**09. Access to Records.** The EMS medical director must have access to all relevant agency, hospital, or medical clinic records as permitted or required by statute to ensure responsible medical supervision of licensed EMS personnel.

(7-1-24)

**301. -- 399. (RESERVED)**

#### **400. PHYSICIAN SUPERVISION IN THE OUT-OF-HOSPITAL SETTING.**

**01. Medical Supervision Required.** Under Section 56-1011, Idaho Code, licensed EMS personnel must provide emergency medical services under the supervision of a designated EMS medical director.

(7-1-24)

**02. Designation of EMS Medical Director.** The EMS agency must designate a physician for the medical supervision of licensed EMS personnel affiliated with the EMS agency.

(7-1-24)

**03. Education of EMS Medical Director.** Medical director must complete mandatory education required by the EMSPC.

(7-1-24)

**04. Delegated Medical Supervision of EMS Personnel.** The EMS medical director can designate other physicians to supervise the licensed EMS personnel in the temporary absence of the EMS medical director.

(7-1-24)

**05. Direct Medical Supervision by Physician Assistants (PA) and Nurse Practitioners.** The EMS medical director can designate PAs and Nurse Practitioners for purposes of direct medical supervision of licensed EMS personnel under the following conditions: (7-1-24)

- a.** A designated physician is not present in the anticipated receiving health care facility; and (7-1-24)
- b.** The Nurse Practitioner, when designated, must have a preexisting written agreement with the EMS medical director describing the role and responsibilities of the Nurse Practitioner; or (7-1-24)
- c.** The physician supervising the PA, under IDAPA 24.33.02, "Rules for the Licensure of Physician Assistants," authorizes the PA to provide direct (on-line) supervision; and (7-1-24)
- d.** The PA, when designated, must have a preexisting written agreement with the EMS medical director describing the role and responsibilities of the PA related to supervision of EMS personnel. (7-1-24)
- e.** Such designated clinician must possess and be familiar with the medical supervision plan, protocols, standing orders, and standard operating procedures authorized by the EMS medical director. (7-1-24)

**06. Indirect Medical Supervision by Non-Physicians.** Non-physicians can assist the EMS medical director with indirect medical supervision of licensed EMS personnel. (7-1-24)

**07. Medical Supervision Plan.** The medical supervision of licensed EMS personnel must be provided under a documented medical supervision plan that includes direct, indirect, on-scene, educational, and proficiency standards components. The requirements for the medical supervision plan are found in the Idaho EMS Physician Commission Standards Manual under Section 004 of these rules. (7-1-24)

**08. Out-of-Hospital Medical Supervision Plan Filed with EMS Bureau.** The agency EMS medical director must submit the medical supervision plan within thirty (30) days of request to the EMS Bureau in a form described in the standards manual. (7-1-24)

- a.** The agency EMS medical director must identify the designated clinicians to the EMS Bureau annually in a form described in the standards manual. (7-1-24)
- b.** The agency EMS medical director must inform the EMS Bureau of any changes in designated clinicians or of a change in the agency medical director within thirty (30) days of the change(s). (7-1-24)
- c.** The EMS Bureau must provide the EMSPC with the medical supervision plans within thirty (30) days of request. (7-1-24)
- d.** The EMS Bureau must provide the EMSPC with the identification of EMS Medical directors and designated clinicians annually and upon request. (7-1-24)

**401. -- 499. (RESERVED)**

**500. EMS PERSONNEL PRACTICE IN HOSPITALS AND CLINICS.**

**01. Medical Supervision Required.** Under Section 56-1011, Idaho Code, licensed EMS personnel must provide emergency medical services under the supervision of a designated hospital supervising physician or medical clinic supervising physician. (7-1-24)

**02. Credentialing of Licensed EMS Personnel in a Hospital or Medical Clinic.** The hospital or medical clinic must maintain a current written description of acts and duties authorized to be performed by licensed EMS personnel. Any of these acts or duties that is outside the public scope of practice for the licensed EMS personnel, the hospital has sole responsibility in training and credentialing. (7-1-24)

**501. -- 999. (RESERVED)**