



Rep. Chapin Rose

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LRB097 17893 DRJ 67013 a

1 AMENDMENT TO HOUSE BILL 5880

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5880 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Emergency Medical Services (EMS) Systems  
5 Act is amended by changing Sections 3.50, 3.55, 3.60, and 3.85  
6 as 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"

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

7 (c) "Emergency Medical Technician-Paramedic" or "EMT-P"  
8 means a person who has successfully completed a course of  
9 instruction in advanced life support care as prescribed by the  
10 Department, is licensed by the Department in accordance with  
11 standards prescribed by this Act and rules adopted by the  
12 Department pursuant to this Act, and practices within an  
13 Advanced Life Support EMS System.

14 (d) The Department shall have the authority and  
15 responsibility to:

16 (1) Prescribe education and training requirements,  
17 which includes training in the use of epinephrine, for all  
18 levels of EMT, based on the respective national curricula  
19 of the United States Department of Transportation and any  
20 modifications to such curricula specified by the  
21 Department through rules adopted pursuant to this Act.

22 (2) Prescribe licensure testing requirements for all  
23 levels of EMT, which shall include a requirement that all  
24 phases of instruction, training, and field experience be  
25 completed before taking the EMT licensure examination.  
26 Candidates may elect to take the National Registry of

1           Emergency Medical Technicians examination in lieu of the  
2           Department's examination, but are responsible for making  
3           their own arrangements for taking the National Registry  
4           examination.

5           (2.5) Review applications for EMT licensure from  
6           honorably discharged members of the armed forces of the  
7           United States with military emergency medical training.  
8           Applications shall be filed with the Department within one  
9           year after military discharge and shall contain: (i) proof  
10          of successful completion of military emergency medical  
11          training; (ii) a detailed description of the emergency  
12          medical curriculum completed; and (iii) a detailed  
13          description of the applicant's clinical experience. The  
14          Department may request additional and clarifying  
15          information. The Department shall evaluate the  
16          application, including the applicant's training and  
17          experience, consistent with the standards set forth under  
18          subsections (a), (b), (c), and (d) of Section 3.10. If the  
19          application clearly demonstrates that the training and  
20          experience meets such standards, the Department shall  
21          offer the applicant the opportunity to successfully  
22          complete a Department-approved EMT examination for which  
23          the applicant is qualified. Upon passage of an examination,  
24          the Department shall issue a license, which shall be  
25          subject to all provisions of this Act that are otherwise  
26          applicable to the class of EMT license issued.

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

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

6           (5) Relicense individuals as an EMT-B, EMT-I, or EMT-P  
7 every 4 years, based on their compliance with continuing  
8 education and relicensure requirements. An Illinois  
9 licensed Emergency Medical Technician whose license has  
10 been expired for less than 36 months may apply for  
11 reinstatement by the Department. Reinstatement shall  
12 require that the applicant (i) submit satisfactory proof of  
13 completion of continuing medical education and clinical  
14 requirements to be prescribed by the Department in an  
15 administrative rule; (ii) submit a positive recommendation  
16 from an Illinois EMS Medical Director attesting to the  
17 applicant's qualifications for retesting; and (iii) pass a  
18 Department approved test for the level of EMT license  
19 sought to be reinstated.

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

23           (7) Charge a fee for EMT examination, licensure, and  
24 license renewal.

25           (8) Suspend, revoke, or refuse to issue or renew the  
26 license of any licensee, after an opportunity for an

1 impartial hearing before a neutral administrative law  
2 judge appointed by the Director, where the preponderance of  
3 the evidence shows one or more of the following:

4 (A) The licensee has not met continuing education  
5 or relicensure requirements as prescribed by the  
6 Department;

7 (B) The licensee has failed to maintain  
8 proficiency in the level of skills for which he or she  
9 is licensed;

10 (C) The licensee, during the provision of medical  
11 services, engaged in dishonorable, unethical, or  
12 unprofessional conduct of a character likely to  
13 deceive, defraud, or harm the public;

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

18 (E) The licensee is physically impaired to the  
19 extent that he or she cannot physically perform the  
20 skills and functions for which he or she is licensed,  
21 as verified by a physician, unless the person is on  
22 inactive status pursuant to Department regulations;

23 (F) The licensee is mentally impaired to the extent  
24 that he or she cannot exercise the appropriate  
25 judgment, skill and safety for performing the  
26 functions for which he or she is licensed, as verified

1 by a physician, unless the person is on inactive status  
2 pursuant to Department regulations;

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

5 (H) The licensee has been convicted (or entered a  
6 plea of guilty or nolo-contendere) by a court of  
7 competent jurisdiction of a Class X, Class 1, or Class  
8 2 felony in this State or an out-of-state equivalent  
9 offense.

10 (9) An EMT who is a member of the Illinois National  
11 Guard ~~or~~ an Illinois State Trooper~~r~~ or who exclusively  
12 serves as a volunteer for units of local government with a  
13 population base of less than 5,000 or as a volunteer for a  
14 not-for-profit organization that serves a service area  
15 with a population base of less than 5,000 may submit an  
16 application to the Department for a waiver of these fees on  
17 a form prescribed by the Department.

18 The education requirements prescribed by the Department  
19 under this subsection must allow for the suspension of those  
20 requirements in the case of a member of the armed services or  
21 reserve forces of the United States or a member of the Illinois  
22 National Guard who is on active duty pursuant to an executive  
23 order of the President of the United States, an act of the  
24 Congress of the United States, or an order of the Governor at  
25 the time that the member would otherwise be required to fulfill  
26 a particular education requirement. Such a person must fulfill

1 the education requirement within 6 months after his or her  
2 release from active duty.

3 The Department may not implement the U.S. Department of  
4 Transportation National Emergency Medical Services (EMS)  
5 Education Standards until expressly authorized to do so by the  
6 General Assembly.

7 (e) In the event that any rule of the Department or an EMS  
8 Medical Director that requires testing for drug use as a  
9 condition for EMT licensure conflicts with or duplicates a  
10 provision of a collective bargaining agreement that requires  
11 testing for drug use, that rule shall not apply to any person  
12 covered by the collective bargaining agreement.

13 (Source: P.A. 96-540, eff. 8-17-09; 96-1149, eff. 7-21-10;  
14 96-1469, eff. 1-1-11; 97-333, eff. 8-12-11; 97-509, eff.  
15 8-23-11; revised 11-18-11.)

16 (210 ILCS 50/3.55)

17 Sec. 3.55. Scope of practice.

18 (a) Any person currently licensed as an EMT-B, EMT-I, or  
19 EMT-P may perform emergency and non-emergency medical services  
20 as defined in this Act, in accordance with his or her level of  
21 education, training and licensure, the standards of  
22 performance and conduct prescribed by the Department in rules  
23 adopted pursuant to this Act, and the requirements of the EMS  
24 System in which he or she practices, as contained in the  
25 approved Program Plan for that System. An EMT-B, EMT-I, or

1 EMT-P may perform such medical services, in accordance with his  
2 or her level of education, training, and licensure, regardless  
3 of the level or type of vehicle (as described in subdivision  
4 (b) (4) of Section 3.85) in which he or she is practicing as an  
5 EMT.

6 (a-5) A person currently approved as a First Responder or  
7 licensed as an EMT-B, EMT-I, or EMT-P who has successfully  
8 completed a Department approved course in automated  
9 defibrillator operation and who is functioning within a  
10 Department approved EMS System may utilize such automated  
11 defibrillator according to the standards of performance and  
12 conduct prescribed by the Department in rules adopted pursuant  
13 to this Act and the requirements of the EMS System in which he  
14 or she practices, as contained in the approved Program Plan for  
15 that System.

16 (a-7) A person currently licensed as an EMT-B, EMT-I, or  
17 EMT-P who has successfully completed a Department approved  
18 course in the administration of epinephrine, shall be required  
19 to carry epinephrine with him or her as part of the EMT medical  
20 supplies whenever he or she is performing the duties of an  
21 emergency medical technician.

22 (b) A person currently licensed as an EMT-B, EMT-I, or  
23 EMT-P may only practice as an EMT or utilize his or her EMT  
24 license in pre-hospital or inter-hospital emergency care  
25 settings or non-emergency medical transport situations, under  
26 the written or verbal direction of the EMS Medical Director.

1 For purposes of this Section, a "pre-hospital emergency care  
2 setting" may include a location, that is not a health care  
3 facility, which utilizes EMTs to render pre-hospital emergency  
4 care prior to the arrival of a transport vehicle. The location  
5 shall include communication equipment and all of the portable  
6 equipment and drugs appropriate for the EMT's level of care, as  
7 required by this Act, rules adopted by the Department pursuant  
8 to this Act, and the protocols of the EMS Systems, and shall  
9 operate only with the approval and under the direction of the  
10 EMS Medical Director.

11 This Section shall not prohibit an EMT-B, EMT-I, or EMT-P  
12 from practicing within an emergency department or other health  
13 care setting for the purpose of receiving continuing education  
14 or training approved by the EMS Medical Director. This Section  
15 shall also not prohibit an EMT-B, EMT-I, or EMT-P from seeking  
16 credentials other than his or her EMT license and utilizing  
17 such credentials to work in emergency departments or other  
18 health care settings under the jurisdiction of that employer.

19 (c) A person currently licensed as an EMT-B, EMT-I, or  
20 EMT-P may honor Do Not Resuscitate (DNR) orders and powers of  
21 attorney for health care only in accordance with rules adopted  
22 by the Department pursuant to this Act and protocols of the EMS  
23 System in which he or she practices.

24 (d) A student enrolled in a Department approved emergency  
25 medical technician program, while fulfilling the clinical  
26 training and in-field supervised experience requirements

1 mandated for licensure or approval by the System and the  
2 Department, may perform prescribed procedures under the direct  
3 supervision of a physician licensed to practice medicine in all  
4 of its branches, a qualified registered professional nurse or a  
5 qualified EMT, only when authorized by the EMS Medical  
6 Director.

7 (Source: P.A. 92-376, eff. 8-15-01.)

8 (210 ILCS 50/3.60)

9 Sec. 3.60. First Responder.

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

22 Persons who have already completed a course of instruction  
23 in emergency first response based on or equivalent to the  
24 national curriculum of the United States Department of  
25 Transportation, or as otherwise previously recognized by the

1 Department, shall be considered First Responders on the  
2 effective date of this amendatory Act of 1995.

3 (b) The Department shall have the authority and  
4 responsibility to:

5 (1) Prescribe education requirements for the First  
6 Responder, which meet or exceed the national curriculum of  
7 the United States Department of Transportation, through  
8 rules adopted pursuant to this Act.

9 (2) Prescribe a standard set of equipment for use  
10 during first response services. An individual First  
11 Responder shall not be required to maintain his or her own  
12 set of such equipment, provided he or she has access to  
13 such equipment during a first response call.

14 (3) Require the First Responder to notify the  
15 Department of any EMS System in which he or she  
16 participates as dispatched personnel as described in  
17 subsection (a).

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

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

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

25 (7) Charge each First Responder applicant a fee for  
26 testing, initial licensure, and license renewal. A First

1 Responder who exclusively serves as a volunteer for units  
2 of local government or a not-for-profit organization that  
3 serves a service area with a population base of less than  
4 5,000 may submit an application to the Department for a  
5 waiver of these fees on a form prescribed by the  
6 Department.

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

8 (210 ILCS 50/3.85)

9 Sec. 3.85. Vehicle Service Providers.

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

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

25 (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) Annual license renewal.

2 The Department's standards and requirements with  
3 respect to vehicle staffing must allow for a person who is  
4 not an EMT-B, EMT-I, or EMT-P to serve as the driver of a  
5 vehicle covered by a Vehicle Service Provider's license  
6 while the vehicle is being used to provide emergency or  
7 non-emergency transportation and must provide for the  
8 licensure of such a person to serve in that capacity. †

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

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

20 (6) Suspend, revoke, refuse to issue or refuse to renew  
21 the license of any Vehicle Service Provider, or that  
22 portion of a license pertaining to a specific vehicle  
23 operated by the Provider, after an opportunity for a  
24 hearing, when findings show that the Provider or one or  
25 more of its vehicles has failed to comply with the  
26 standards and requirements of this Act or rules adopted by

1 the Department pursuant to this Act. ‡

2 (7) Issue an Emergency Suspension Order for any  
3 Provider or vehicle licensed under this Act, when the  
4 Director or his designee has determined that an immediate  
5 and serious danger to the public health, safety and welfare  
6 exists. Suspension or revocation proceedings which offer  
7 an opportunity for hearing shall be promptly initiated  
8 after the Emergency Suspension Order has been issued. ‡

9 (8) Exempt any licensed vehicle from subsequent  
10 vehicle design standards or specifications required by the  
11 Department, as long as said vehicle is continuously in  
12 compliance with the vehicle design standards and  
13 specifications originally applicable to that vehicle, or  
14 until said vehicle's title of ownership is transferred. ‡

15 (9) Exempt any vehicle (except an SEMSV) which was  
16 being used as an ambulance on or before December 15, 1980,  
17 from vehicle design standards and specifications required  
18 by the Department, until said vehicle's title of ownership  
19 is transferred. Such vehicles shall not be exempt from all  
20 other licensing standards and requirements prescribed by  
21 the Department. ‡

22 (10) Prohibit any Vehicle Service Provider from  
23 advertising, identifying its vehicles, or disseminating  
24 information in a false or misleading manner concerning the  
25 Provider's type and level of vehicles, location, primary  
26 service area, response times, level of personnel,

1 licensure status or System participation. ~~†~~

2 (10.5) Prohibit any Vehicle Service Provider, whether  
3 municipal, private, or hospital-owned, from advertising  
4 itself as a critical care transport provider unless it  
5 participates in a Department-approved EMS System critical  
6 care transport plan. ~~† and~~

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

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