## 98TH GENERAL ASSEMBLY

## State of Illinois

# 2013 and 2014

#### HB3208

by Rep. Michael Unes

## SYNOPSIS AS INTRODUCED:

50	ILCS	705/10.14 new					
55	ILCS	5/3-6013	from (	Ch.	34,	par.	3-6013
55	ILCS	5/3-6015.1 new					
65	ILCS	5/3.1-30-20	from (	Ch.	24,	par.	3.1-30-20
65	ILCS	5/11-1-1.05 new					
30	ILCS	805/8.37 new					

Amends the Illinois Police Training Act. Provides that the Illinois Law Enforcement Training Standards Board shall certify Tactical Medicine Providers. Provides that in order to be eligible for certification the person must be an Emergency Medical Technician, Advanced Emergency Medical Technician, paramedic, nurse, physician assistant, advanced practice nurse physician, dentist, or other medical provider designated by the Board. Establishes additional training requirements for Tactical Medicine Providers. Amends the Counties Code and the Illinois Municipal Code. Provides that Tactical Medicine Providers may assist the sheriff or police chief, including but not limited to, Special Weapons And Tactics (SWAT), special operations, search and rescue, and disaster response teams. Provides that Tactical Medicine Providers may be assigned to a Special Weapons And Tactics (SWAT) team designated by the sheriff or police chief. Provides that a Tactical Medicine Provider does not have the power of arrest and shall not be considered a conservator of the peace. Provides that immediately prior to, during, and immediately after an authorized deployment or mission, a sheriff or police chief may authorize and direct a Tactical Medicine Provider to carry a firearm for self-protection and protection of their patients and casualties, which may include wounded law enforcement officers. Prescribes the duties of Tactical Medicine Providers. Permits TMPs to live outside the county served by the local law enforcement agency that employs him or her.

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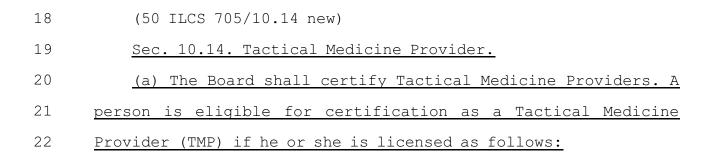
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AN ACT concerning Tactical Medicine Providers.

2 WHEREAS, Law enforcement agencies and their special teams function in high-threat environments, such as encountering 3 4 active shooters in schools, malls, and religious institutions, engaging domestic terrorists, neutralizing methamphetamine 5 6 labs, serving high-risk arrest and search warrants, addressing 7 barricaded suspects holding hostages, and facing a variety of 8 other life threatening situations; and 9 WHEREAS, Many law enforcement agencies must face these extreme hazards without the emergency medical care that is 10 11 provided to citizens of Illinois through the Emergency Medical 12 Services system because EMTs and paramedics are not permitted 13 within the inner perimeter of the hot zone; therefore

# 14 Be it enacted by the People of the State of Illinois, 15 represented in the General Assembly:

Section 5. The Illinois Police Training Act is amended by adding Section 10.14 as follows:



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1	(1) by the Department of Public Health as an Emergency
2	Medical Technician-Basic (EMT-B), an Emergency Medical
3	Technician-Intermediate (EMT-I), or an Emergency Medical
4	Technician-Paramedic (EMT-P) under the Emergency Medical
5	Services (EMS) Systems Act;
6	(2) by the Department of Financial and Professional
7	Regulation as a physician (whether licensed to practice
8	medicine in all of its branches or licensed as a
9	chiropractic physician) under the Medical Practice Act of
10	<u>1987;</u>
11	(3) by the Department of Financial and Professional
12	Regulation as a practical nurse, registered nurse, or
13	advanced practice nurse under the Nurse Practice Act;
14	(4) by the Department of Financial and Professional
15	Regulation as a physician assistant under the Physician
16	Assistant Practice Act of 1987; or
17	(5) by the Department of Financial and Professional
18	Regulation as a dentist under the Illinois Dental Practice
19	<u>Act.</u>
20	The Board may designate other medical providers as eligible
21	for certification as Tactical Medicine Providers.
22	(b) The Board shall require a person to receive the
23	following training in order to be eligible for certification as
24	a Tactical Medicine Provider:
25	(1) Completion of a standard 40 hour tactical emergency
26	medicine training course at a reputable school, such as the

1International School of Tactical Medicine (approved by the2Department of Homeland Security), Counter Narcotics and3Terrorism Operational Medical Support (CONTOMS), or other4reputable tactical emergency medical specialist (TEMS)5training program, as the Board may approve.

6 (2) Completion of a course of study in Tactical Law 7 Enforcement that develops proficiency in the area that the 8 TMP is assigned. This may include a 40-hour component that 9 shall enable the TMP to learn and become proficient in 10 Special Weapons And Tactics (SWAT). This may be completed 11 by routine training with the TMP's agency, or at a 12 certified course, such as a standard 40-hour SWAT course.

<u>(3) A 40-hour firearms training course and additional</u>
<u>firearms training conducted with the TMP's tactical team on</u>
<u>an ongoing basis to maintain competency in safely handling</u>
<u>weapons and disarming downed officers and suspects.</u>

17 <u>(4) Routine on-going tactical and medical training</u> 18 <u>with the law enforcement agency that the TMP is supporting,</u> 19 <u>including training in topics such as officer-down</u> 20 <u>scenarios, familiarization with weapons and tactics, and</u> 21 <u>medical support during training and operations.</u>

(5) Training in blood-borne pathogens, hazardous
materials, weapons of mass destruction, terrorism-related
topics, self defense tactics, environmental medicine, law
enforcement, and other advanced training.

26 (6) Such other education and training deemed

1	appropriate by the Board.
2	(c) In determining what training under items (1), (4), and
3	(5) of subsection (b) of this Section is appropriate, the Board
4	shall consult with and receive the approval of the Director of
5	Public Health and the State Emergency Medical Services Advisory
6	Council before authorizing those particular courses of
7	training.
8	(d) A sheriff or municipal police chief may employ or may
9	receive volunteer service from one or more Tactical Medicine
10	Providers pursuant to Section 3-6015.1 of the Counties Code and
11	Section 11-1-1.05 of the Illinois Municipal Code.
12	(e) Any TMP serving a law enforcement agency may apply for
13	a Non-transport Provider license with the Department of Public
14	Health and shall comply with existing rules regarding such
15	licensure.
16	(f) A Tactical Medicine Provider certified under this Act
17	shall not, as a result of his or her acts or omissions in
18	performing his or her duties as a TMP, be subject to
19	disciplinary or other adverse action under the Emergency
20	Medical Services (EMS) Systems Act, the Medical Practice Act of
21	1987, the Nurse Practice Act, the Physician Assistant Practice
22	Act of 1987, the Illinois Dental Practice Act, or any other Act
23	that licenses professions that the Board deems eligible for
24	certification as Tactical Medicine Providers.

25 Section 10. The Counties Code is amended by changing

1 Section 3-6013 and adding Section 3-6015.1 as follows:

2

(55 ILCS 5/3-6013) (from Ch. 34, par. 3-6013)

3 Sec. 3-6013. Duties, training and compensation of 4 auxiliary deputies. Auxiliary deputies shall not supplement 5 members of the regular county police department or regular 6 deputies in the performance of their assigned and normal duties, except as provided herein. Auxiliary deputies may be 7 8 assigned and directed by the sheriff to perform the following 9 duties in the county:

To aid or direct traffic within the county, to aid in 10 11 control of natural or human made disasters, to aid in case of 12 civil disorder as assigned and directed by the sheriff, 13 provided, that in emergency cases which render it impractical 14 for members of the regular county police department or regular 15 deputies to perform their assigned and normal duties, the 16 sheriff is hereby authorized to assign and direct auxiliary perform such regular and 17 deputies to normal duties. 18 Identification symbols worn by such auxiliary deputies shall be 19 different and distinct from those used by members of the 20 regular county police department or regular deputies. Such 21 auxiliary deputies shall at all times during the performance of 22 their duties be subject to the direction and control of the sheriff of the county. Such auxiliary deputies shall not carry 23 24 firearms, except with the permission of the sheriff, and only 25 while in uniform and in the performance of their assigned - 6 - LRB098 11172 OMW 41883 b

1 duties.

2 Auxiliary deputies, prior to entering upon any of their duties, shall receive a course of training in the use of 3 weapons and other police procedures as shall be appropriate in 4 5 the exercise of the powers conferred upon them under this 6 which training and course of study shall Division, be 7 determined and provided by the sheriff of each county utilizing 8 auxiliary deputies, provided that, before being permitted to 9 carry a firearm an auxiliary deputy must have the same course 10 of training as required of peace officers in Section 2 of the Peace Officer Firearm Training Act. The county authorities 11 12 shall require that all auxiliary deputies be residents of the 13 county served by them. Prior to the appointment of any auxiliary deputy his or her fingerprints shall be taken and no 14 15 person shall be appointed as such auxiliary deputy if he or she has been convicted of a felony or other crime involving moral 16 17 turpitude.

Auxiliary deputies may receive such compensation as is set 18 by the County Board, with the advice and consent of the 19 20 Sheriff, not to exceed the lowest hourly pay of a full-time sworn member of the regular county police or sheriff's 21 22 department and not be paid a salary, except as provided in 23 Section 3-6036, but may be reimbursed for actual expenses incurred in performing their assigned duty. The County Board 24 25 must approve such actual expenses and arrange for payment.

26 <u>Auxiliary deputies who have been certified by the Illinois</u>

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1	Law Enforcement Training Standards Board as Tactical Medicine
2	Providers shall perform the duties prescribed to them in
3	Section 3-6015.1.
4	Nothing in this Division shall preclude an auxiliary deputy
5	from holding a simultaneous appointment as an auxiliary police
6	officer pursuant to Section 3-6-5 of the Illinois Municipal
7	Code.
8	(Source: P.A. 97-379, eff. 8-15-11.)
9	(55 ILCS 5/3-6015.1 new)
10	Sec. 3-6015.1. Law enforcement agency support; Tactical
11	Medicine Providers.
12	(a) A sheriff may employ or may receive volunteer service
13	from one or more Tactical Medicine Providers. The sheriff may
14	designate persons as auxiliary deputies who are certified by
15	the Illinois Law Enforcement Training Standards Board as
16	Tactical Medicine Providers.
17	(b) A Tactical Medicine Provider may be assigned to a law
18	enforcement agency, including special teams such as component
19	of the sheriff's department including, but not limited to,
20	SWAT, special operations, search and rescue, and disaster
21	response. One or more Tactical Medicine Providers assigned to a
22	SWAT team shall be considered a Tactical Emergency Medical
23	Support Unit and pre-hospital emergency care providers. Before
24	the sheriff deploys a Tactical Emergency Medical Support Unit
25	assigned to a SWAT team, the sheriff must receive the approval

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1	of the Unit by the Department of Public Health.
2	(c) A Tactical Medicine Provider does not have the power of
3	arrest and shall not be considered a conservator of the peace.
4	(d) The sheriff may authorize a Tactical Medicine Provider
5	to carry a firearm during deployment, including a SWAT team
6	mission, and at times immediately prior to and after the
7	mission, as designated by the sheriff.
8	(e) The Tactical Medicine Provider shall have the following
9	<u>duties:</u>
10	(1) Prior to a law enforcement agency team deployment
11	or SWAT team mission to:
12	(A) attend tactical team training sessions;
13	(B) provide preventive medicine, health
14	maintenance, and injury control measures;
15	(C) provide medical care to team members who become
16	injured or ill at training;
17	(D) provide education in first aid and combat
18	casualty care to team members, including providing
19	instruction in CPR, combat first aid, ballistics,
20	field medicine, and other medically-related topics
21	that pertain to the tactical environment, practicing
22	"officer down" immediate action drills, extractions,
23	and other scenarios;
24	(E) prepare the tactical medicine team to deal with
24 25	(E) prepare the tactical medicine team to deal with pertinent medical threats and hazards expected at

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1	(F) identify and prepare for any pre-existing
2	medical condition of team members;
3	(G) make recommendations to optimize internal
4	policies related to Tactical Emergency Medical
5	Services (TEMS) and general law enforcement health
6	issues; and
7	(H) serve as a resource for any medical concerns
8	that affect the sheriff's office.
9	(2) During a mission "call-out", a Tactical Medicine
10	Provider shall:
11	(A) remain available to provide emergency medical
12	care for those in need;
13	(B) participate in mission planning, preparing an
14	assessment of medical threats, and providing
15	appropriate advice while keeping missions
16	appropriately confidential to avoid any information
17	leaks that would jeopardize the mission;
18	(C) pre-plan and arrange emergency medical
19	evacuation and transportation pertinent to the
20	mission, including methods of transport, appropriate
21	hospitals, and route planning;
22	(D) provide appropriate preventive and immediate
23	medical care to tactical team members, other law
24	enforcement officers, and public safety personnel;
25	(E) provide secondary emergency care to
26	bystanders, suspects, or others on site at the

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discretion of the team leader or commander; 1 (F) provide "assessment and clearing" of suspects 2 3 prior to incarceration as directed by the team leader 4 or commander; 5 (G) advise the command staff of developing medical concerns, and remaining available for medical 6 7 consultation to the team leader or commander; (H) perform remote assessment or "medicine across 8 the barricade" of any downed victims in exposed areas 9 10 and then advising the commander about the likely 11 viability of the victim or victims and injuries; 12 (I) improve team performance and morale by the 13 presence of immediate medical support; and 14 (J) function as a liaison with the local Emergency Medical Services (EMS) System, hospitals, and 15 16 officials from other public safety and law enforcement 17 agencies. (3) After a mission, a Tactical Medicine Provider may 18 19 be involved in the following post-incident support 20 activities: 21 (A) participating in post-incident debriefing and 22 review, assisting command staff with analysis of the 23 operation or training event, or both, and any medical 24 care delivered, and making improvements to the 25 tactical medicine unit, policies, and procedures as 26 needed;

1	(B) reviewing and documenting all medical
2	treatment and records relevant to operational or
3	training missions;
4	(C) appropriately optimizing treatment,
5	rehabilitation, and mental health for injured officers
6	through "ombudsman" involvement with hospitals,
7	physicians, family, and sheriff's office officials,
8	while maintaining HIPAA and patient confidentiality
9	regulations; and
10	(D) Incorporating "lessons learned" into future
11	unit training and preparedness, assisting with
12	preventive medicine efforts, and improving care.
13	(f) A Tactical Medicine Provider may reside outside the
14	limits of the county served by the law enforcement agency of
15	his or her employment.
16	(g) The sheriff may authorize Tactical Medicine Providers
17	that are assigned to a law enforcement agency or a SWAT team,
18	or both, to deploy with that team to any location in the State
19	of Illinois or other state to which the responding team is
20	ordered. If the location is in a different EMS system, then the
21	TMP (if a non-physician) shall report to his or her regular EMS
22	Medical Director for the duration of the deployment and shall
23	continue to abide by his or her normal EMS medical and tactical
24	medicine protocols. Liability coverage for officers and TMPs
25	during deployment across county or state lines including, but
26	not limited to, health insurance, disability insurance,

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#### worker's compensation, and other insurance coverage, shall not 1 2 be altered by the deployment. 3 (h) If a Tactical Medicine Provider is serving as a 4 volunteer and engaged in one or more of the duties described in subsection (e) of this Section, or an act ancillary thereto: 5 (1) he or she shall be treated as if the TMP is a 6 7 "public employee" under the Local Governmental and 8 Governmental Employees Tort Immunity Act; and (2) the acts, or omissions to act, of the TMP shall be 9 10 deemed to have been for public and governmental purposes 11 and subject to immunity from liability to the same extent 12 as an employee of a governmental entity of this State for whom the TMP is a volunteer. 13

14 Section 15. The Illinois Municipal Code is amended by 15 changing Section 3.1-30-20 and adding Section 11-1-1.05 as 16 follows:

17 (65 ILCS 5/3.1-30-20) (from Ch. 24, par. 3.1-30-20)

18 Sec. 3.1-30-20. Auxiliary police officers.

(a) Auxiliary police officers shall not be members of the regular police department of the municipality. Auxiliary police officers shall not supplement members of the regular police department of any municipality in the performance of their assigned and normal duties, except as otherwise provided in this Code. Auxiliary police officers shall only be assigned

to perform the following duties in a municipality: (i) to aid 1 2 or direct traffic within the municipality, (ii) to aid in control of natural or man made disasters, and (iii) to aid in 3 case of civil disorder as directed by the chief of police. When 4 5 it is impractical for members of the regular police department to perform those normal and regular police duties, however, the 6 7 chief of police of the regular police department may assign auxiliary police officers to perform those normal and regular 8 9 police duties. Identification symbols worn by auxiliary police 10 officers shall be different and distinct from those used by 11 members of the regular police department. Auxiliary police 12 officers shall at all times during the performance of their 13 duties be subject to the direction and control of the chief of police of the municipality. Auxiliary police officers shall not 14 15 carry firearms, except with the permission of the chief of 16 police and while in uniform and in the performance of their 17 duties. Auxiliary police officers, when on duty, shall also be conservators of the peace and shall have the powers specified 18 in Section 3.1-15-25. 19

(b) Auxiliary police officers, before entering upon any of their duties, shall receive a course of training in the use of weapons and other police procedures appropriate for the exercise of the powers conferred upon them under this Code. The training and course of study shall be determined and provided by the corporate authorities of each municipality employing auxiliary police officers. Before being permitted to carry a

firearm, however, an auxiliary police officer must have the 1 2 same course of training as required of peace officers under Section 2 of the Peace Officer Firearm Training Act. The 3 4 municipal authorities may require that all auxiliary police 5 officers be residents of the municipality served by them. 6 Before the appointment of an auxiliary police officer, the 7 person's fingerprints shall be taken, and no person shall be appointed as an auxiliary police officer if that person has 8 9 been convicted of a felony or other crime involving moral 10 turpitude.

11 (b-5) Auxiliary police officers who have been certified by 12 the Illinois Law Enforcement Training Standards Board as 13 Tactical Medicine Providers shall perform the duties 14 prescribed to them in Section 11-1-1.05.

15 (c) The Line of Duty Compensation Act shall be applicable 16 to auxiliary police officers upon their death in the line of 17 duty described in this Code.

18 (Source: P.A. 94-984, eff. 6-30-06.)

19

(65 ILCS 5/11-1-1.05 new)

Sec. 11-1-1.05. Law enforcement agency support; Tactical
Medicine Providers.
(a) A municipal police chief may employ or may receive
volunteer service from one or more Tactical Medicine Providers.
The municipal police chief may designate persons as auxiliary
police officers who are certified by the Illinois Law

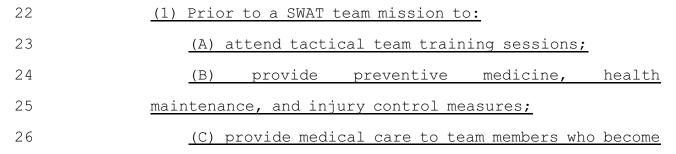
1	Enforcement	Training	Standards	Board	as	Tactical	Medicine
2	Providers.						

3 (b) A Tactical Medicine Provider may be assigned to a Law 4 Enforcement Agency, including special teams such as a Special 5 Weapons And Tactics (SWAT) team, designated by the municipal police chief. One or more Tactical Medicine Providers assigned 6 7 to a SWAT team shall be considered a Tactical Emergency Medical 8 Support Unit and pre-hospital emergency care providers. Before 9 the municipal police chief deploys a Tactical Emergency Medical Support Unit assigned to a SWAT team, the municipal police 10 11 chief must receive the approval of the Unit by the Department 12 of Public Health.

13(c) A Tactical Medicine Provider does not have the power of14arrest and shall not be considered a conservator of the peace.

15 <u>(d) The municipal police chief may authorize a Tactical</u> 16 <u>Medicine Provider to carry a firearm during a law enforcement</u> 17 <u>agency deployment, such as a SWAT team mission, and at times</u> 18 <u>immediately prior to and after the mission as designated by the</u> 19 municipal police chief.

20 (e) The Tactical Medicine Provider shall have the following
21 duties:



injured or ill at training; 1 2 (D) provide education in first aid and combat 3 casualty care to team members, including providing instruction in CPR, combat first aid, ballistics, 4 field medicine, and other medically-related topics 5 that pertain to the tactical environment, practicing 6 7 "officer down" immediate action drills, extractions, and other scenarios; 8 9 (E) prepare the tactical medicine team to deal with 10 pertinent medical threats and hazards expected at 11 training event and call-outs; 12 (F) identify and prepare for any pre-existing medical condition of team members; 13 14 (G) make recommendations to optimize internal policies related to Tactical Emergency Medical 15 Services (TEMS) and general law enforcement health 16 17 issues; and (H) serve as a resource for any medical concerns 18 19 that affect the sheriff's office. 20 (2) During a mission "call-out", a Tactical Medicine 21 Provider shall: 22 (A) remain available to provide emergency medical 23 care for those in need; 24 (B) participate in mission planning, preparing an 25 assessment of medical threats, and providing 26 appropriate advice while keeping missions

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appropriately confidential to avoid any information 1 2 leaks that would jeopardize the mission; 3 (C) pre-plan and arrange emergency medical evacuation and transportation pertinent to the 4 mission, including methods of transport, appropriate 5 6 hospitals, and route planning; 7 (D) provide appropriate preventive and immediate medical care to tactical team members, other law 8 9 enforcement officers, and public safety personnel; (E) provide secondary <u>emergency</u> care to 10 11 bystanders, suspects, or others on site at the 12 discretion of the team leader or commander; (F) provide "assessment and clearing" of suspects 13 14 prior to incarceration as directed by the team leader 15 or commander; 16 (G) advise the command staff of developing medical concerns, and remaining available for medical 17 18 consultation to the team leader or commander; 19 (H) perform remote assessment or "medicine across 20 the barricade" of any downed victims in exposed areas 21 and then advising the commander about the likely 22 viability of the victim or victims and injuries; 23 (I) improve team performance and morale by the 24 presence of immediate medical support; and 25 (J) function as a liaison with the local Emergency Medical Services (EMS) System, hospitals, and 26

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1	officials from other public safety and law enforcement
2	agencies.
3	(3) After a mission, a Tactical Medicine Provider may
4	be involved in the following post-incident support
5	activities:
6	(A) participating in post-incident debriefing and
7	review, assisting command staff with analysis of the
8	operation or training event, or both, and any medical
9	care delivered, and making improvements to the
10	tactical medicine unit, policies, and procedures as
11	needed;
12	(B) reviewing and documenting all medical
13	treatment and records relevant to operational or
14	training missions;
15	(C) appropriately optimizing treatment,
16	rehabilitation, and mental health for injured officers
17	through "ombudsman" involvement with hospitals,
18	physicians, family, and sheriff's office officials,
19	while maintaining HIPAA and patient confidentiality
20	regulations; and
21	(D) Incorporating "lessons learned" into future
22	unit training and preparedness, assisting with
23	preventive medicine efforts, and improving care.
24	(f) A Tactical Medicine Provider may reside outside the
25	limits of the municipality served by the law enforcement agency
26	<u>of his or her employment.</u>

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1	(g) The municipal police chief may authorize Tactical
2	Medicine Providers that are assigned to a law enforcement
3	agency or a SWAT team, or both, to deploy with that team to any
4	location in the State of Illinois or other state to which the
5	responding team is ordered. If the location is in a different
6	EMS system, then the TMP (if a non-physician) shall report to
7	his or her regular EMS Medical Director for the duration of the
8	deployment and shall continue to abide by his or her normal EMS
9	medical and tactical medicine protocols. Liability coverage
10	for officers and TMPs during deployment across county or state
11	lines including, but not limited to, health insurance,
12	disability insurance, workmen's compensation, and other
13	insurance coverage, shall not be altered by the deployment.
14	(h) If a Tactical Medicine Provider is serving as a
15	volunteer and engaged in one or more of the duties described in
16	subsection (e) of this Section, or an act ancillary thereto:
17	(1) he or she shall be treated as if the TMP is a
18	"public employee" under the Local Governmental and
19	Governmental Employees Tort Immunity Act; and
20	(2) the acts, or omissions to act, of the TMP shall be
21	deemed to have been for public and governmental purposes
22	and subject to immunity from liability to the same extent
23	as an employee of a governmental entity of this State for
24	whom the TMP is a volunteer.

25 Section 90. The State Mandates Act is amended by adding

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1 Section 8.37 as follows:

2	(30 ILCS 805/8.37 new)
3	Sec. 8.37. Exempt mandate. Notwithstanding Sections 6 and 8
4	of this Act, no reimbursement by the State is required for the
5	implementation of any mandate created by this amendatory Act of
6	the 98th General Assembly.