

# SB3255



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB3255

Introduced 2/15/2018, by Sen. Chapin Rose

### SYNOPSIS AS INTRODUCED:

210 ILCS 50/3.5  
210 ILCS 50/3.35  
210 ILCS 50/3.40  
210 ILCS 50/3.45  
210 ILCS 50/3.50  
210 ILCS 50/3.65  
210 ILCS 50/3.80  
210 ILCS 50/3.165

Amends the Emergency Medical Services (EMS) Systems Act. Defines "Pre-Hospital Physician Assistant" or "PHPA". Includes Pre-Hospital Physician Assistants in the definition of "Emergency Medical Services Personnel". Adds PHPAs to provisions concerning licensing and educational requirements. Provides that an EMS Medical Director may immediately suspend a PHPA for specified reasons. Adds a PHPA to the State Emergency Medical Services Disciplinary Review Board. Adds PHPAs to provisions concerning misrepresentation. Makes other changes. Effective immediately.

LRB100 20052 MJP 35334 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Emergency Medical Services (EMS) Systems Act  
5 is amended by changing Sections 3.5, 3.35, 3.40, 3.45, 3.50,  
6 3.65, 3.80, and 3.165 as follows:

7 (210 ILCS 50/3.5)

8 Sec. 3.5. Definitions. As used in this Act:

9 "Clinical observation" means the on-going observation of a  
10 patient's condition by a licensed health care professional  
11 utilizing a medical skill set while continuing assessment and  
12 care.

13 "Department" means the Illinois Department of Public  
14 Health.

15 "Director" means the Director of the Illinois Department of  
16 Public Health.

17 "Emergency" means a medical condition of recent onset and  
18 severity that would lead a prudent layperson, possessing an  
19 average knowledge of medicine and health, to believe that  
20 urgent or unscheduled medical care is required.

21 "Emergency Medical Services personnel" or "EMS personnel"  
22 means persons licensed as an Emergency Medical Responder (EMR)  
23 (First Responder), Emergency Medical Dispatcher (EMD),

1 Emergency Medical Technician (EMT), Emergency Medical  
2 Technician-Intermediate (EMT-I), Advanced Emergency Medical  
3 Technician (A-EMT), Paramedic (EMT-P), Emergency  
4 Communications Registered Nurse (ECRN), Pre-Hospital Physician  
5 Assistant (PHPA), or Pre-Hospital Registered Nurse (PHRN).

6 "Health care facility" means a hospital, nursing home,  
7 physician's office or other fixed location at which medical and  
8 health care services are performed. It does not include  
9 "pre-hospital emergency care settings" which utilize EMS  
10 personnel to render pre-hospital emergency care prior to the  
11 arrival of a transport vehicle, as defined in this Act.

12 "Hospital" has the meaning ascribed to that term in the  
13 Hospital Licensing Act.

14 "Medical monitoring" means the performance of medical  
15 tests and physical exams to evaluate an individual's on-going  
16 exposure to a factor that could negatively impact that person's  
17 health. "Medical monitoring" includes close surveillance or  
18 supervision of patients liable to suffer deterioration in  
19 physical or mental health and checks of various parameters such  
20 as pulse rate, temperature, respiration rate, the condition of  
21 the pupils, the level of consciousness and awareness, the  
22 degree of appreciation of pain, and blood gas concentrations  
23 such as oxygen and carbon dioxide.

24 "Trauma" means any significant injury which involves  
25 single or multiple organ systems.

26 (Source: P.A. 98-973, eff. 8-15-14; 99-661, eff. 1-1-17.)

1 (210 ILCS 50/3.35)

2 Sec. 3.35. Emergency Medical Services (EMS) Resource  
3 Hospital; Functions. The Resource Hospital of an EMS System  
4 shall:

5 (a) Prepare a Program Plan in accordance with the  
6 provisions of this Act and minimum standards and criteria  
7 established in rules adopted by the Department pursuant to  
8 this Act, and submit such Program Plan to the Department  
9 for approval.

10 (b) Appoint an EMS Medical Director, who will  
11 continually monitor and supervise the System and who will  
12 have the responsibility and authority for total management  
13 of the System as delegated by the EMS Resource Hospital.

14 The Program Plan shall require the EMS Medical Director  
15 to appoint an alternate EMS Medical Director and establish  
16 a written protocol addressing the functions to be carried  
17 out in his or her absence.

18 (c) Appoint an EMS System Coordinator and EMS  
19 Administrative Director in consultation with the EMS  
20 Medical Director and in accordance with rules adopted by  
21 the Department pursuant to this Act.

22 (d) Identify potential EMS System participants and  
23 obtain commitments from them for the provision of services.

24 (e) Educate or coordinate the education of EMS  
25 personnel and all other license holders in accordance with

1 the requirements of this Act, rules adopted by the  
2 Department pursuant to this Act, and the EMS System Program  
3 Plan.

4 (f) Notify the Department of EMS personnel who have  
5 successfully completed the requirements as provided by law  
6 for initial licensure, license renewal, and license  
7 reinstatement by the Department.

8 (g) Educate or coordinate the education of Emergency  
9 Medical Dispatcher candidates, in accordance with the  
10 requirements of this Act, rules adopted by the Department  
11 pursuant to this Act, and the EMS System Program Plan.

12 (h) Establish or approve protocols for prearrival  
13 medical instructions to callers by System Emergency  
14 Medical Dispatchers who provide such instructions.

15 (i) Educate or coordinate the education of  
16 Pre-Hospital Registered Nurse, Pre-Hospital Physician  
17 Assistant, and ECRN candidates, in accordance with the  
18 requirements of this Act, rules adopted by the Department  
19 pursuant to this Act, and the EMS System Program Plan.

20 (j) Approve Pre-Hospital Registered Nurse, Pre-Hospital Physician Assistant, and ECRN candidates to  
21 practice within the System, and reapprove Pre-Hospital  
22 Registered Nurses, Pre-Hospital Physician Assistants, and  
23 ECRNs every 4 years in accordance with the requirements of  
24 the Department and the System Program Plan.

25 (k) Establish protocols for the use of Pre-Hospital  
26

1 Registered Nurses within the System.

2 (l) Establish protocols for utilizing ECRNs and  
3 physicians licensed to practice medicine in all of its  
4 branches to monitor telecommunications from, and give  
5 voice orders to, EMS personnel, under the authority of the  
6 EMS Medical Director.

7 (m) Monitor emergency and non-emergency medical  
8 transports within the System, in accordance with rules  
9 adopted by the Department pursuant to this Act.

10 (n) Utilize levels of personnel required by the  
11 Department to provide emergency care to the sick and  
12 injured at the scene of an emergency, during transport to a  
13 hospital or during inter-hospital transport and within the  
14 hospital emergency department until the responsibility for  
15 the care of the patient is assumed by the medical personnel  
16 of a hospital emergency department or other facility within  
17 the hospital to which the patient is first delivered by  
18 System personnel.

19 (o) Utilize levels of personnel required by the  
20 Department to provide non-emergency medical services  
21 during transport to a health care facility and within the  
22 health care facility until the responsibility for the care  
23 of the patient is assumed by the medical personnel of the  
24 health care facility to which the patient is delivered by  
25 System personnel.

26 (p) Establish and implement a program for System

1 participant information and education, in accordance with  
2 rules adopted by the Department pursuant to this Act.

3 (q) Establish and implement a program for public  
4 information and education, in accordance with rules  
5 adopted by the Department pursuant to this Act.

6 (r) Operate in compliance with the EMS Region Plan.

7 (Source: P.A. 98-973, eff. 8-15-14.)

8 (210 ILCS 50/3.40)

9 Sec. 3.40. EMS System Participation Suspensions and Due  
10 Process.

11 (a) An EMS Medical Director may suspend from participation  
12 within the System any EMS personnel, EMS Lead Instructor (LI),  
13 individual, individual provider or other participant  
14 considered not to be meeting the requirements of the Program  
15 Plan of that approved EMS System.

16 (b) Prior to suspending any individual or entity, an EMS  
17 Medical Director shall provide an opportunity for a hearing  
18 before the local System review board in accordance with  
19 subsection (f) and the rules promulgated by the Department.

20 (1) If the local System review board affirms or  
21 modifies the EMS Medical Director's suspension order, the  
22 individual or entity shall have the opportunity for a  
23 review of the local board's decision by the State EMS  
24 Disciplinary Review Board, pursuant to Section 3.45 of this  
25 Act.

1           (2) If the local System review board reverses or  
2 modifies the EMS Medical Director's order, the EMS Medical  
3 Director shall have the opportunity for a review of the  
4 local board's decision by the State EMS Disciplinary Review  
5 Board, pursuant to Section 3.45 of this Act.

6           (3) The suspension shall commence only upon the  
7 occurrence of one of the following:

8           (A) the individual or entity has waived the  
9 opportunity for a hearing before the local System  
10 review board; or

11           (B) the order has been affirmed or modified by the  
12 local system review board and the individual or entity  
13 has waived the opportunity for review by the State  
14 Board; or

15           (C) the order has been affirmed or modified by the  
16 local system review board, and the local board's  
17 decision has been affirmed or modified by the State  
18 Board.

19           (c) An EMS Medical Director may immediately suspend an EMR,  
20 EMD, EMT, EMT-I, A-EMT, Paramedic, ECRN, PHPA, PHRN, LI, or  
21 other individual or entity if he or she finds that the  
22 continuation in practice by the individual or entity would  
23 constitute an imminent danger to the public. The suspended  
24 individual or entity shall be issued an immediate verbal  
25 notification followed by a written suspension order by the EMS  
26 Medical Director which states the length, terms and basis for



1 the suspension.

2 (1) Within 24 hours following the commencement of the  
3 suspension, the EMS Medical Director shall deliver to the  
4 Department, by messenger, telefax, or other  
5 Department-approved electronic communication, a copy of  
6 the suspension order and copies of any written materials  
7 which relate to the EMS Medical Director's decision to  
8 suspend the individual or entity. All medical and  
9 patient-specific information, including Department  
10 findings with respect to the quality of care rendered,  
11 shall be strictly confidential pursuant to the Medical  
12 Studies Act (Part 21 of Article VIII of the Code of Civil  
13 Procedure).

14 (2) Within 24 hours following the commencement of the  
15 suspension, the suspended individual or entity may deliver  
16 to the Department, by messenger, telefax, or other  
17 Department-approved electronic communication, a written  
18 response to the suspension order and copies of any written  
19 materials which the individual or entity feels are  
20 appropriate. All medical and patient-specific information,  
21 including Department findings with respect to the quality  
22 of care rendered, shall be strictly confidential pursuant  
23 to the Medical Studies Act.

24 (3) Within 24 hours following receipt of the EMS  
25 Medical Director's suspension order or the individual or  
26 entity's written response, whichever is later, the

1 Director or the Director's designee shall determine  
2 whether the suspension should be stayed pending an  
3 opportunity for a hearing or review in accordance with this  
4 Act, or whether the suspension should continue during the  
5 course of that hearing or review. The Director or the  
6 Director's designee shall issue this determination to the  
7 EMS Medical Director, who shall immediately notify the  
8 suspended individual or entity. The suspension shall  
9 remain in effect during this period of review by the  
10 Director or the Director's designee.

11 (d) Upon issuance of a suspension order for reasons  
12 directly related to medical care, the EMS Medical Director  
13 shall also provide the individual or entity with the  
14 opportunity for a hearing before the local System review board,  
15 in accordance with subsection (f) and the rules promulgated by  
16 the Department.

17 (1) If the local System review board affirms or  
18 modifies the EMS Medical Director's suspension order, the  
19 individual or entity shall have the opportunity for a  
20 review of the local board's decision by the State EMS  
21 Disciplinary Review Board, pursuant to Section 3.45 of this  
22 Act.

23 (2) If the local System review board reverses or  
24 modifies the EMS Medical Director's suspension order, the  
25 EMS Medical Director shall have the opportunity for a  
26 review of the local board's decision by the State EMS

1           Disciplinary Review Board, pursuant to Section 3.45 of this  
2           Act.

3           (3) The suspended individual or entity may elect to  
4           bypass the local System review board and seek direct review  
5           of the EMS Medical Director's suspension order by the State  
6           EMS Disciplinary Review Board.

7           (e) The Resource Hospital shall designate a local System  
8           review board in accordance with the rules of the Department,  
9           for the purpose of providing a hearing to any individual or  
10          entity participating within the System who is suspended from  
11          participation by the EMS Medical Director. The EMS Medical  
12          Director shall arrange for a certified shorthand reporter to  
13          make a stenographic record of that hearing and thereafter  
14          prepare a transcript of the proceedings. The transcript, all  
15          documents or materials received as evidence during the hearing  
16          and the local System review board's written decision shall be  
17          retained in the custody of the EMS system. The System shall  
18          implement a decision of the local System review board unless  
19          that decision has been appealed to the State Emergency Medical  
20          Services Disciplinary Review Board in accordance with this Act  
21          and the rules of the Department.

22          (f) The Resource Hospital shall implement a decision of the  
23          State Emergency Medical Services Disciplinary Review Board  
24          which has been rendered in accordance with this Act and the  
25          rules of the Department.

26          (Source: P.A. 100-201, eff. 8-18-17.)

1 (210 ILCS 50/3.45)

2 Sec. 3.45. State Emergency Medical Services Disciplinary  
3 Review Board.

4 (a) The Governor shall appoint a State Emergency Medical  
5 Services Disciplinary Review Board, composed of an EMS Medical  
6 Director, an EMS System Coordinator, a Paramedic, an Emergency  
7 Medical Technician (EMT), and the following members, who shall  
8 only review cases in which a party is from the same  
9 professional category: a Pre-Hospital Registered Nurse, a  
10 Pre-Hospital Physician Assistant, an ECRN, a Trauma Nurse  
11 Specialist, an Emergency Medical Technician-Intermediate  
12 (EMT-I), an Advanced Emergency Medical Technician (A-EMT), a  
13 representative from a private vehicle service provider, a  
14 representative from a public vehicle service provider, and an  
15 emergency physician who monitors telecommunications from and  
16 gives voice orders to EMS personnel. The Governor shall also  
17 appoint one alternate for each member of the Board, from the  
18 same professional category as the member of the Board.

19 (b) The members shall be appointed for a term of 3 years.  
20 All appointees shall serve until their successors are  
21 appointed. The alternate members shall be appointed and serve  
22 in the same fashion as the members of the Board. If a member  
23 resigns his or her appointment, the corresponding alternate  
24 shall serve the remainder of that member's term until a  
25 subsequent member is appointed by the Governor.

1           (c) The function of the Board is to review and affirm,  
2 reverse or modify disciplinary orders.

3           (d) Any individual or entity, who received an immediate  
4 suspension from an EMS Medical Director may request the Board  
5 to reverse or modify the suspension order. If the suspension  
6 had been affirmed or modified by a local System review board,  
7 the suspended individual or entity may request the Board to  
8 reverse or modify the local board's decision.

9           (e) Any individual or entity who received a non-immediate  
10 suspension order from an EMS Medical Director which was  
11 affirmed or modified by a local System review board may request  
12 the Board to reverse or modify the local board's decision.

13           (f) An EMS Medical Director whose suspension order was  
14 reversed or modified by a local System review board may request  
15 the Board to reverse or modify the local board's decision.

16           (g) The Board shall meet on the first Tuesday of every  
17 month, unless no requests for review have been submitted.  
18 Additional meetings of the Board shall be scheduled to ensure  
19 that a request for direct review of an immediate suspension  
20 order is scheduled within 14 days after the Department receives  
21 the request for review or as soon thereafter as a quorum is  
22 available. The Board shall meet in Springfield or Chicago,  
23 whichever location is closer to the majority of the members or  
24 alternates attending the meeting. The Department shall  
25 reimburse the members and alternates of the Board for  
26 reasonable travel expenses incurred in attending meetings of

1 the Board.

2 (h) A request for review shall be submitted in writing to  
3 the Chief of the Department's Division of Emergency Medical  
4 Services and Highway Safety, within 10 days after receiving the  
5 local board's decision or the EMS Medical Director's suspension  
6 order, whichever is applicable, a copy of which shall be  
7 enclosed.

8 (i) At its regularly scheduled meetings, the Board shall  
9 review requests which have been received by the Department at  
10 least 10 working days prior to the Board's meeting date.  
11 Requests for review which are received less than 10 working  
12 days prior to a scheduled meeting shall be considered at the  
13 Board's next scheduled meeting, except that requests for direct  
14 review of an immediate suspension order may be scheduled up to  
15 3 working days prior to the Board's meeting date.

16 (j) A quorum shall be required for the Board to meet, which  
17 shall consist of 3 members or alternates, including the EMS  
18 Medical Director or alternate and the member or alternate from  
19 the same professional category as the subject of the suspension  
20 order. At each meeting of the Board, the members or alternates  
21 present shall select a Chairperson to conduct the meeting.

22 (k) Deliberations for decisions of the State EMS  
23 Disciplinary Review Board shall be conducted in closed session.  
24 Department staff may attend for the purpose of providing  
25 clerical assistance, but no other persons may be in attendance  
26 except for the parties to the dispute being reviewed by the

1 Board and their attorneys, unless by request of the Board.

2 (l) The Board shall review the transcript, evidence and  
3 written decision of the local review board or the written  
4 decision and supporting documentation of the EMS Medical  
5 Director, whichever is applicable, along with any additional  
6 written or verbal testimony or argument offered by the parties  
7 to the dispute.

8 (m) At the conclusion of its review, the Board shall issue  
9 its decision and the basis for its decision on a form provided  
10 by the Department, and shall submit to the Department its  
11 written decision together with the record of the local System  
12 review board. The Department shall promptly issue a copy of the  
13 Board's decision to all affected parties. The Board's decision  
14 shall be binding on all parties.

15 (Source: P.A. 98-973, eff. 8-15-14.)

16 (210 ILCS 50/3.50)

17 Sec. 3.50. Emergency Medical Services personnel licensure  
18 levels.

19 (a) "Emergency Medical Technician" or "EMT" means a person  
20 who has successfully completed a course in basic life support  
21 as approved by the Department, is currently licensed by the  
22 Department in accordance with standards prescribed by this Act  
23 and rules adopted by the Department pursuant to this Act, and  
24 practices within an EMS System. A valid Emergency Medical  
25 Technician-Basic (EMT-B) license issued under this Act shall

1 continue to be valid and shall be recognized as an Emergency  
2 Medical Technician (EMT) license until the Emergency Medical  
3 Technician-Basic (EMT-B) license expires.

4 (b) "Emergency Medical Technician-Intermediate" or "EMT-I"  
5 means a person who has successfully completed a course in  
6 intermediate life support as approved by the Department, is  
7 currently licensed by the Department in accordance with  
8 standards prescribed by this Act and rules adopted by the  
9 Department pursuant to this Act, and practices within an  
10 Intermediate or Advanced Life Support EMS System.

11 (b-5) "Advanced Emergency Medical Technician" or "A-EMT"  
12 means a person who has successfully completed a course in basic  
13 and limited advanced emergency medical care as approved by the  
14 Department, is currently licensed by the Department in  
15 accordance with standards prescribed by this Act and rules  
16 adopted by the Department pursuant to this Act, and practices  
17 within an Intermediate or Advanced Life Support EMS System.

18 (c) "Paramedic (EMT-P)" means a person who has successfully  
19 completed a course in advanced life support care as approved by  
20 the Department, is licensed by the Department in accordance  
21 with standards prescribed by this Act and rules adopted by the  
22 Department pursuant to this Act, and practices within an  
23 Advanced Life Support EMS System. A valid Emergency Medical  
24 Technician-Paramedic (EMT-P) license issued under this Act  
25 shall continue to be valid and shall be recognized as a  
26 Paramedic license until the Emergency Medical



1 Technician-Paramedic (EMT-P) license expires.

2 (c-5) "Emergency Medical Responder" or "EMR (First  
3 Responder)" means a person who has successfully completed a  
4 course in emergency medical response as approved by the  
5 Department and provides emergency medical response services  
6 prior to the arrival of an ambulance or specialized emergency  
7 medical services vehicle, in accordance with the level of care  
8 established by the National EMS Educational Standards  
9 Emergency Medical Responder course as modified by the  
10 Department. An Emergency Medical Responder who provides  
11 services as part of an EMS System response plan shall comply  
12 with the applicable sections of the Program Plan, as approved  
13 by the Department, of that EMS System. The Department shall  
14 have the authority to adopt rules governing the curriculum,  
15 practice, and necessary equipment applicable to Emergency  
16 Medical Responders.

17 On the effective date of this amendatory Act of the 98th  
18 General Assembly, a person who is licensed by the Department as  
19 a First Responder and has completed a Department-approved  
20 course in first responder defibrillator training based on, or  
21 equivalent to, the National EMS Educational Standards or other  
22 standards previously recognized by the Department shall be  
23 eligible for licensure as an Emergency Medical Responder upon  
24 meeting the licensure requirements and submitting an  
25 application to the Department. A valid First Responder license  
26 issued under this Act shall continue to be valid and shall be

1 recognized as an Emergency Medical Responder license until the  
2 First Responder license expires.

3 (c-10) All EMS Systems and licensees shall be fully  
4 compliant with the National EMS Education Standards, as  
5 modified by the Department in administrative rules, within 24  
6 months after the adoption of the administrative rules.

7 (d) The Department shall have the authority and  
8 responsibility to:

9 (1) Prescribe education and training requirements,  
10 which includes training in the use of epinephrine, for all  
11 levels of EMS personnel except for EMRs, based on the  
12 National EMS Educational Standards and any modifications  
13 to those curricula specified by the Department through  
14 rules adopted pursuant to this Act.

15 (2) Prescribe licensure testing requirements for all  
16 levels of EMS personnel, which shall include a requirement  
17 that all phases of instruction, training, and field  
18 experience be completed before taking the appropriate  
19 licensure examination. Candidates may elect to take the  
20 appropriate National Registry examination in lieu of the  
21 Department's examination, but are responsible for making  
22 their own arrangements for taking the National Registry  
23 examination. In prescribing licensure testing requirements  
24 for honorably discharged members of the armed forces of the  
25 United States under this paragraph (2), the Department  
26 shall ensure that a candidate's military emergency medical

1 training, emergency medical curriculum completed, and  
2 clinical experience, as described in paragraph (2.5), are  
3 recognized.

4 (2.5) Review applications for EMS personnel licensure  
5 from honorably discharged members of the armed forces of  
6 the United States with military emergency medical  
7 training. Applications shall be filed with the Department  
8 within one year after military discharge and shall contain:  
9 (i) proof of successful completion of military emergency  
10 medical training; (ii) a detailed description of the  
11 emergency medical curriculum completed; and (iii) a  
12 detailed description of the applicant's clinical  
13 experience. The Department may request additional and  
14 clarifying information. The Department shall evaluate the  
15 application, including the applicant's training and  
16 experience, consistent with the standards set forth under  
17 subsections (a), (b), (c), and (d) of Section 3.10. If the  
18 application clearly demonstrates that the training and  
19 experience meets such standards, the Department shall  
20 offer the applicant the opportunity to successfully  
21 complete a Department-approved EMS personnel examination  
22 for the level of license for which the applicant is  
23 qualified. Upon passage of an examination, the Department  
24 shall issue a license, which shall be subject to all  
25 provisions of this Act that are otherwise applicable to the  
26 level of EMS personnel license issued.

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

4           (4) Prescribe annual continuing education and  
5 relicensure requirements for all EMS personnel licensure  
6 levels.

7           (5) Relicense individuals as an EMD, EMR, EMT, EMT-I,  
8 A-EMT, or Paramedic every 4 years, based on their  
9 compliance with continuing education and relicensure  
10 requirements as required by the Department pursuant to this  
11 Act. Every 4 years, a Paramedic shall have 100 hours of  
12 approved continuing education, an EMT-I and an advanced EMT  
13 shall have 80 hours of approved continuing education, and  
14 an EMT shall have 60 hours of approved continuing  
15 education. An Illinois licensed EMR, EMD, EMT, EMT-I,  
16 A-EMT, Paramedic, ECRN, PHPA, or PHRN whose license has  
17 been expired for less than 36 months may apply for  
18 reinstatement by the Department. Reinstatement shall  
19 require that the applicant (i) submit satisfactory proof of  
20 completion of continuing medical education and clinical  
21 requirements to be prescribed by the Department in an  
22 administrative rule; (ii) submit a positive recommendation  
23 from an Illinois EMS Medical Director attesting to the  
24 applicant's qualifications for retesting; and (iii) pass a  
25 Department approved test for the level of EMS personnel  
26 license sought to be reinstated.

1           (6) Grant inactive status to any EMR, EMD, EMT, EMT-I,  
2           A-EMT, Paramedic, ECRN, PHPA, or PHRN who qualifies, based  
3           on standards and procedures established by the Department  
4           in rules adopted pursuant to this Act.

5           (7) Charge a fee for EMS personnel examination,  
6           licensure, and license renewal.

7           (8) Suspend, revoke, or refuse to issue or renew the  
8           license of any licensee, after an opportunity for an  
9           impartial hearing before a neutral administrative law  
10          judge appointed by the Director, where the preponderance of  
11          the evidence shows one or more of the following:

12                   (A) The licensee has not met continuing education  
13                   or relicensure requirements as prescribed by the  
14                   Department;

15                   (B) The licensee has failed to maintain  
16                   proficiency in the level of skills for which he or she  
17                   is licensed;

18                   (C) The licensee, during the provision of medical  
19                   services, engaged in dishonorable, unethical, or  
20                   unprofessional conduct of a character likely to  
21                   deceive, defraud, or harm the public;

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

26                   (E) The licensee is physically impaired to the

1 extent that he or she cannot physically perform the  
2 skills and functions for which he or she is licensed,  
3 as verified by a physician, unless the person is on  
4 inactive status pursuant to Department regulations;

5 (F) The licensee is mentally impaired to the extent  
6 that he or she cannot exercise the appropriate  
7 judgment, skill and safety for performing the  
8 functions for which he or she is licensed, as verified  
9 by a physician, unless the person is on inactive status  
10 pursuant to Department regulations;

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

13 (H) The licensee has been convicted (or entered a  
14 plea of guilty or nolo-contendere) by a court of  
15 competent jurisdiction of a Class X, Class 1, or Class  
16 2 felony in this State or an out-of-state equivalent  
17 offense.

18 (9) Prescribe education and training requirements in  
19 the administration and use of opioid antagonists for all  
20 levels of EMS personnel based on the National EMS  
21 Educational Standards and any modifications to those  
22 curricula specified by the Department through rules  
23 adopted pursuant to this Act.

24 (d-5) An EMR, EMD, EMT, EMT-I, A-EMT, Paramedic, ECRN,  
25 PHPA, or PHRN who is a member of the Illinois National Guard or  
26 an Illinois State Trooper or who exclusively serves as a

1 volunteer for units of local government with a population base  
2 of less than 5,000 or as a volunteer for a not-for-profit  
3 organization that serves a service area with a population base  
4 of less than 5,000 may submit an application to the Department  
5 for a waiver of the fees described under paragraph (7) of  
6 subsection (d) of this Section on a form prescribed by the  
7 Department.

8 The education requirements prescribed by the Department  
9 under this Section must allow for the suspension of those  
10 requirements in the case of a member of the armed services or  
11 reserve forces of the United States or a member of the Illinois  
12 National Guard who is on active duty pursuant to an executive  
13 order of the President of the United States, an act of the  
14 Congress of the United States, or an order of the Governor at  
15 the time that the member would otherwise be required to fulfill  
16 a particular education requirement. Such a person must fulfill  
17 the education requirement within 6 months after his or her  
18 release from active duty.

19 (e) In the event that any rule of the Department or an EMS  
20 Medical Director that requires testing for drug use as a  
21 condition of the applicable EMS personnel license conflicts  
22 with or duplicates a provision of a collective bargaining  
23 agreement that requires testing for drug use, that rule shall  
24 not apply to any person covered by the collective bargaining  
25 agreement.

26 (Source: P.A. 98-53, eff. 1-1-14; 98-463, eff. 8-16-13; 98-973,

1 eff. 8-15-14; 99-480, eff. 9-9-15.)

2 (210 ILCS 50/3.65)

3 Sec. 3.65. EMS Lead Instructor.

4 (a) "EMS Lead Instructor" means a person who has  
5 successfully completed a course of education as approved by the  
6 Department, and who is currently approved by the Department to  
7 coordinate or teach education, training and continuing  
8 education courses, in accordance with standards prescribed by  
9 this Act and rules adopted by the Department pursuant to this  
10 Act.

11 (b) The Department shall have the authority and  
12 responsibility to:

13 (1) Prescribe education requirements for EMS Lead  
14 Instructor candidates through rules adopted pursuant to  
15 this Act.

16 (2) Prescribe testing requirements for EMS Lead  
17 Instructor candidates through rules adopted pursuant to  
18 this Act.

19 (3) Charge each candidate for EMS Lead Instructor a fee  
20 to be submitted with an application for an examination, an  
21 application for licensure, and an application for  
22 relicensure.

23 (4) Approve individuals as EMS Lead Instructors who  
24 have met the Department's education and testing  
25 requirements.



1           (5) Require that all education, training and  
2 continuing education courses for EMT, EMT-I, A-EMT,  
3 Paramedic, PHRN, ECRN, PHPA, EMR, and Emergency Medical  
4 Dispatcher be coordinated by at least one approved EMS Lead  
5 Instructor. A program which includes education, training  
6 or continuing education for more than one type of personnel  
7 may use one EMS Lead Instructor to coordinate the program,  
8 and a single EMS Lead Instructor may simultaneously  
9 coordinate more than one program or course.

10           (6) Provide standards and procedures for awarding EMS  
11 Lead Instructor approval to persons previously approved by  
12 the Department to coordinate such courses, based on  
13 qualifications prescribed by the Department through rules  
14 adopted pursuant to this Act.

15           (7) Suspend, revoke, or refuse to issue or renew the  
16 approval of an EMS Lead Instructor, after an opportunity  
17 for a hearing, when findings show one or more of the  
18 following:

19                   (A) The EMS Lead Instructor has failed to conduct a  
20 course in accordance with the curriculum prescribed by  
21 this Act and rules adopted by the Department pursuant  
22 to this Act; or

23                   (B) The EMS Lead Instructor has failed to comply  
24 with protocols prescribed by the Department through  
25 rules adopted pursuant to this Act.

26       (Source: P.A. 98-973, eff. 8-15-14.)

1 (210 ILCS 50/3.80)

2 Sec. 3.80. Pre-Hospital Registered Nurse, Pre-Hospital  
3 Physician Assistant, and Emergency Communications Registered  
4 Nurse.

5 (a) "Emergency Communications Registered Nurse" or "ECRN"  
6 means a registered professional nurse licensed under the Nurse  
7 Practice Act who has successfully completed supplemental  
8 education in accordance with rules adopted by the Department,  
9 and who is approved by an EMS Medical Director to monitor  
10 telecommunications from and give voice orders to EMS System  
11 personnel, under the authority of the EMS Medical Director and  
12 in accordance with System protocols. For out-of-state  
13 facilities that have Illinois recognition under the EMS, trauma  
14 or pediatric programs, the professional shall have an  
15 unencumbered registered nurse license in the state in which he  
16 or she practices. In this Section, the term "license" is used  
17 to reflect a change in terminology from "certification" to  
18 "license" only.

19 (a-5) "Pre-Hospital Physician Assistant" or "PHPA" means a  
20 physician assistant licensed under the Physician Assistant  
21 Practice Act of 1987 who has successfully completed  
22 supplemental education in accordance with rules adopted by the  
23 Department pursuant to this Act, and who has a collaboration  
24 agreement with an EMS Medical Director to practice within an  
25 Illinois EMS System as emergency medical services personnel for

1 pre-hospital and inter-hospital emergency care and  
2 non-emergency medical transports. For out-of-state facilities  
3 that have Illinois recognition under the EMS, trauma or  
4 pediatric programs, the professional shall have an  
5 unencumbered physician assistant license in the state in which  
6 he or she practices.

7 (b) "Pre-Hospital Registered Nurse", "PHRN", or  
8 "Pre-Hospital RN" means a registered professional nurse  
9 licensed under the Nurse Practice Act who has successfully  
10 completed supplemental education in accordance with rules  
11 adopted by the Department pursuant to this Act, and who is  
12 approved by an EMS Medical Director to practice within an  
13 Illinois EMS System as emergency medical services personnel for  
14 pre-hospital and inter-hospital emergency care and  
15 non-emergency medical transports. For out-of-state facilities  
16 that have Illinois recognition under the EMS, trauma or  
17 pediatric programs, the professional shall have an  
18 unencumbered registered nurse license in the state in which he  
19 or she practices. In this Section, the term "license" is used  
20 to reflect a change in terminology from "certification" to  
21 "license" only.

22 (c) The Department shall have the authority and  
23 responsibility to:

24 (1) Prescribe education and continuing education  
25 requirements for Pre-Hospital Registered Nurse,  
26 Pre-Hospital Physician Assistant, and ECRN candidates

1 through rules adopted pursuant to this Act:

2 (A) Education for a Pre-Hospital Registered Nurse  
3 or a Pre-Hospital Physician Assistant shall include  
4 extrication, telecommunications, and pre-hospital  
5 cardiac, medical, and trauma care;

6 (B) Education for ECRN shall include  
7 telecommunications, System standing medical orders and  
8 the procedures and protocols established by the EMS  
9 Medical Director;

10 (C) A Pre-Hospital Registered Nurse candidate who  
11 is fulfilling clinical training and in-field  
12 supervised experience requirements may perform  
13 prescribed procedures under the direct supervision of  
14 a physician licensed to practice medicine in all of its  
15 branches, a qualified registered professional nurse or  
16 a qualified EMT, only when authorized by the EMS  
17 Medical Director;

18 (D) An EMS Medical Director may impose in-field  
19 supervised field experience requirements on System  
20 ECRNs as part of their training or continuing  
21 education, in which they perform prescribed procedures  
22 under the direct supervision of a physician licensed to  
23 practice medicine in all of its branches, a qualified  
24 registered professional nurse, or qualified EMS  
25 personnel, only when authorized by the EMS Medical  
26 Director;

1           (2) Require EMS Medical Directors to reapprove  
2 Pre-Hospital Registered Nurses, Pre-Hospital Physician  
3 Assistants, and ECRNs every 4 years, based on compliance  
4 with continuing education requirements prescribed by the  
5 Department through rules adopted pursuant to this Act;

6           (3) Allow EMS Medical Directors to grant inactive  
7 status to any Pre-Hospital Registered Nurse, Pre-Hospital  
8 Physician Assistants, or ECRN who qualifies, based on  
9 standards and procedures established by the Department in  
10 rules adopted pursuant to this Act;

11           (4) Require a Pre-Hospital Registered Nurse or a  
12 Pre-Hospital Physician Assistant to honor Do Not  
13 Resuscitate (DNR) orders and powers of attorney for health  
14 care only in accordance with rules adopted by the  
15 Department pursuant to this Act and protocols of the EMS  
16 System in which he or she practices;

17           (5) Charge each Pre-Hospital Registered Nurse,   
18 Pre-Hospital Physician Assistant, ~~applicant~~ and ECRN  
19 applicant a fee for licensure and relicensure.

20           (d) The Department shall have the authority to suspend,  
21 revoke, or refuse to issue or renew a Department-issued PHRN,   
22 PHPA, or ECRN license when, after notice and the opportunity  
23 for a hearing, the Department demonstrates that the licensee  
24 has violated this Act, violated the rules adopted by the  
25 Department, or failed to comply with the applicable standards  
26 of care.

1 (Source: P.A. 98-973, eff. 8-15-14.)

2 (210 ILCS 50/3.165)

3 Sec. 3.165. Misrepresentation.

4 (a) No person shall hold himself or herself out to be or  
5 engage in the practice of an EMS Medical Director, EMS  
6 Administrative Director, EMS System Coordinator, EMR, EMD,  
7 EMT, EMT-I, A-EMT, Paramedic, ECRN, PHRN, PHPA, TNS, or LI  
8 without being licensed, certified, approved or otherwise  
9 authorized pursuant to this Act.

10 (b) A hospital or other entity which employs or utilizes an  
11 EMR, EMD, EMT, EMT-I, A-EMT, or Paramedic in a manner which is  
12 outside the scope of his or her license shall not use the words  
13 "emergency medical responder", "EMR", "emergency medical  
14 technician", "EMT", "emergency medical  
15 technician-intermediate", "EMT-I", "advanced emergency medical  
16 technician", "A-EMT", or "Paramedic" in that person's job  
17 description or title, or in any other manner hold that person  
18 out to be so licensed.

19 (c) No provider or participant within an EMS System shall  
20 hold itself out as providing a type or level of service that  
21 has not been approved by that System's EMS Medical Director.

22 (Source: P.A. 98-973, eff. 8-15-14.)

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law.