



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4991

Introduced 2/18/2020, by Rep. Dan Brady

SYNOPSIS AS INTRODUCED:

210 ILCS 50/3.50
210 ILCS 50/3.85

Amends the Emergency Medical Services (EMS) Systems Act. Requires the Department of Public Health to create standards and requirements with respect to vehicle staffing models that include an ambulance driver who drives an ambulance with a licensed EMT, EMT-I, A-EMT, Paramedic, or PHRN, as appropriate, in the patient compartment providing care to the patient (rather than a vehicle staffing model to allow for an alternative rural staffing model for those vehicle service providers that serve specified rural or semi-rural populations). Defines "ambulance driver".

LRB101 19148 CPF 68611 b

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 3.50 and 3.85 as follows:

6 (210 ILCS 50/3.50)

7 Sec. 3.50. Emergency Medical Services personnel licensure
8 levels.

9 (a) "Emergency Medical Technician" or "EMT" means a person
10 who has successfully completed a course in basic life support
11 as approved by the Department, is currently licensed by the
12 Department in accordance with standards prescribed by this Act
13 and rules adopted by the Department pursuant to this Act, and
14 practices within an EMS System. A valid Emergency Medical
15 Technician-Basic (EMT-B) license issued under this Act shall
16 continue to be valid and shall be recognized as an Emergency
17 Medical Technician (EMT) license until the Emergency Medical
18 Technician-Basic (EMT-B) license expires.

19 (a-5) "Ambulance driver" means a person who has a valid
20 driver's license and cardiopulmonary resuscitation (CPR)
21 license and has successfully completed an emergency vehicle
22 operating course approved by the Department.

23 (b) "Emergency Medical Technician-Intermediate" or "EMT-I"

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

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

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

24 (c-5) "Emergency Medical Responder" or "EMR (First
25 Responder)" means a person who has successfully completed a
26 course in emergency medical response as approved by the

1 Department and provides emergency medical response services
2 prior to the arrival of an ambulance or specialized emergency
3 medical services vehicle, in accordance with the level of care
4 established by the National EMS Educational Standards
5 Emergency Medical Responder course as modified by the
6 Department. An Emergency Medical Responder who provides
7 services as part of an EMS System response plan shall comply
8 with the applicable sections of the Program Plan, as approved
9 by the Department, of that EMS System. The Department shall
10 have the authority to adopt rules governing the curriculum,
11 practice, and necessary equipment applicable to Emergency
12 Medical Responders.

13 On August 15, 2014 (the effective date of Public Act
14 98-973), a person who is licensed by the Department as a First
15 Responder and has completed a Department-approved course in
16 first responder defibrillator training based on, or equivalent
17 to, the National EMS Educational Standards or other standards
18 previously recognized by the Department shall be eligible for
19 licensure as an Emergency Medical Responder upon meeting the
20 licensure requirements and submitting an application to the
21 Department. A valid First Responder license issued under this
22 Act shall continue to be valid and shall be recognized as an
23 Emergency Medical Responder license until the First Responder
24 license expires.

25 (c-10) All EMS Systems and licensees shall be fully
26 compliant with the National EMS Education Standards, as

1 modified by the Department in administrative rules, within 24
2 months after the adoption of the administrative rules.

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

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

11 (2) Prescribe licensure testing requirements for all
12 levels of EMS personnel, which shall include a requirement
13 that all phases of instruction, training, and field
14 experience be completed before taking the appropriate
15 licensure examination. Candidates may elect to take the
16 appropriate National Registry examination in lieu of the
17 Department's examination, but are responsible for making
18 their own arrangements for taking the National Registry
19 examination. In prescribing licensure testing requirements
20 for honorably discharged members of the armed forces of the
21 United States under this paragraph (2), the Department
22 shall ensure that a candidate's military emergency medical
23 training, emergency medical curriculum completed, and
24 clinical experience, as described in paragraph (2.5), are
25 recognized.

26 (2.5) Review applications for EMS personnel licensure

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

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

26 (4) Prescribe annual continuing education and

1 relicensure requirements for all EMS personnel licensure
2 levels.

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

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

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

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

8 (A) The licensee has not met continuing education
9 or relicensure requirements as prescribed by the
10 Department;

11 (B) The licensee has failed to maintain
12 proficiency in the level of skills for which he or she
13 is licensed;

14 (C) The licensee, during the provision of medical
15 services, engaged in dishonorable, unethical, or
16 unprofessional conduct of a character likely to
17 deceive, defraud, or harm the public;

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

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

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

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

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

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

20 (d-5) An EMR, EMD, EMT, EMT-I, A-EMT, Paramedic, ECRN,
21 PHAPRN, PHPA, or PHRN who is a member of the Illinois National
22 Guard or an Illinois State Trooper or who exclusively serves as
23 a volunteer for units of local government with a population
24 base of less than 5,000 or as a volunteer for a not-for-profit
25 organization that serves a service area with a population base
26 of less than 5,000 may submit an application to the Department

1 for a waiver of the fees described under paragraph (7) of
2 subsection (d) of this Section on a form prescribed by the
3 Department.

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

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

22 (f) At the time of applying for or renewing his or her
23 license, an applicant for a license or license renewal may
24 submit an email address to the Department. The Department shall
25 keep the email address on file as a form of contact for the
26 individual. The Department shall send license renewal notices

1 electronically and by mail to a licensee ~~all licensees~~ who
2 provides ~~provide~~ the Department with his or her email address.
3 The notices shall be sent at least 60 days prior to the
4 expiration date of the license.

5 (Source: P.A. 100-1082, eff. 8-24-19; 101-81, eff. 7-12-19;
6 101-153, eff. 1-1-20; revised 12-3-19.)

7 (210 ILCS 50/3.85)

8 Sec. 3.85. Vehicle Service Providers.

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

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

24 (2) "Specialized Emergency Medical Services Vehicle"
25 or "SEMSV" means a vehicle or conveyance, other than those

1 owned or operated by the federal government, that is
2 primarily intended for use in transporting the sick or
3 injured by means of air, water, or ground transportation,
4 that is not an ambulance as defined in this Act. The term
5 includes watercraft, aircraft and special purpose ground
6 transport vehicles or conveyances not intended for use on
7 public roads.

8 (3) An ambulance or SEMSV may also be designated as a
9 Limited Operation Vehicle or Special-Use Vehicle:

10 (A) "Limited Operation Vehicle" means a vehicle
11 which is licensed by the Department to provide basic,
12 intermediate or advanced life support emergency or
13 non-emergency medical services that are exclusively
14 limited to specific events or locales.

15 (B) "Special-Use Vehicle" means any publicly or
16 privately owned vehicle that is specifically designed,
17 constructed or modified and equipped, and is intended
18 to be used for, and is maintained or operated solely
19 for the emergency or non-emergency transportation of a
20 specific medical class or category of persons who are
21 sick, injured, wounded or otherwise incapacitated or
22 helpless (e.g. high-risk obstetrical patients,
23 neonatal patients).

24 (C) "Reserve Ambulance" means a vehicle that meets
25 all criteria set forth in this Section and all
26 Department rules, except for the required inventory of

1 medical supplies and durable medical equipment, which
2 may be rapidly transferred from a fully functional
3 ambulance to a reserve ambulance without the use of
4 tools or special mechanical expertise.

5 (b) The Department shall have the authority and
6 responsibility to:

7 (1) Require all Vehicle Service Providers, both
8 publicly and privately owned, to function within an EMS
9 System.

10 (2) Require a Vehicle Service Provider utilizing
11 ambulances to have a primary affiliation with an EMS System
12 within the EMS Region in which its Primary Service Area is
13 located, which is the geographic areas in which the
14 provider renders the majority of its emergency responses.
15 This requirement shall not apply to Vehicle Service
16 Providers which exclusively utilize Limited Operation
17 Vehicles.

18 (3) Establish licensing standards and requirements for
19 Vehicle Service Providers, through rules adopted pursuant
20 to this Act, including but not limited to:

21 (A) Vehicle design, specification, operation and
22 maintenance standards, including standards for the use
23 of reserve ambulances;

24 (B) Equipment requirements;

25 (C) Staffing requirements; and

26 (D) License renewal at intervals determined by the

1 Department, which shall be not less than every 4 years.

2 The Department's standards and requirements with
3 respect to vehicle staffing must allow for ~~an alternative~~
4 rural staffing models that include an ambulance driver who
5 drives an ambulance with a licensed EMT, EMT-I, A-EMT,
6 Paramedic, or PHRN, as appropriate, in the patient
7 compartment providing care to the patient ~~model for those~~
8 ~~vehicle service providers that serve a rural or semi rural~~
9 ~~population of 10,000 or fewer inhabitants and exclusively~~
10 ~~uses volunteers, paid on call, or a combination thereof.~~

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

19 (5) Annually inspect all licensed vehicles operated by
20 Vehicle Service Providers.

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

1 standards and requirements of this Act or rules adopted by
2 the Department pursuant to this Act.

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

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

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

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

1 service area, response times, level of personnel,
2 licensure status or System participation.

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

8 (11) Charge each Vehicle Service Provider a fee per
9 transport vehicle, due annually at time of inspection. The
10 fee per transport vehicle shall be set by administrative
11 rule by the Department and shall not exceed 100 vehicles
12 per provider.

13 (Source: P.A. 97-333, eff. 8-12-11; 97-1014, eff. 1-1-13;
14 98-452, eff. 1-1-14.)