



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0628

Introduced 2/8/2021, by Rep. C.D. Davidsmeyer

SYNOPSIS AS INTRODUCED:

210 ILCS 50/3.85

Amends the Emergency Medical Services (EMS) Systems Act. Provides that a Vehicle Service Provider that serves a rural or semi-rural population of 10,000 or fewer inhabitants and exclusively uses volunteers, paid-on-call, or a combination thereof to provide patient care may apply for alternate rural staffing authorization from the Department of Public Health to authorize the ambulance, Non-Transport Vehicle, Special-Use Vehicle, or Limited Operation Vehicle to be staffed by one EMT licensed at or above the level at which the vehicle is licensed, plus one Emergency Medical Responder when 2 licensed Emergency Services personnel are not available to respond. Provides that an alternate rural staffing authorization shall not expire. Effective immediately.

LRB102 12721 CPF 18060 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
5 Act is amended by changing Section 3.85 as follows:

6 (210 ILCS 50/3.85)

7 Sec. 3.85. Vehicle Service Providers.

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

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

1 (2) "Specialized Emergency Medical Services Vehicle"
2 or "SEMSV" means a vehicle or conveyance, other than those
3 owned or operated by the federal government, that is
4 primarily intended for use in transporting the sick or
5 injured by means of air, water, or ground transportation,
6 that is not an ambulance as defined in this Act. The term
7 includes watercraft, aircraft and special purpose ground
8 transport vehicles or conveyances not intended for use on
9 public roads.

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

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

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

26 (C) "Reserve Ambulance" means a vehicle that meets

1 all criteria set forth in this Section and all
2 Department rules, except for the required inventory of
3 medical supplies and durable medical equipment, which
4 may be rapidly transferred from a fully functional
5 ambulance to a reserve ambulance without the use of
6 tools or special mechanical expertise.

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

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

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

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

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

26 (B) Equipment requirements;

1 (C) Staffing requirements; and

2 (D) License renewal at intervals determined by the
3 Department, which shall be not less than every 4
4 years.

5 The Department's standards and requirements with
6 respect to vehicle staffing must allow for an alternative
7 rural staffing model for those vehicle service providers
8 that serve a rural or semi-rural population of 10,000 or
9 fewer inhabitants and exclusively uses volunteers,
10 paid-on-call, or a combination thereof.

11 A Vehicle Service Provider that serves a rural or
12 semi-rural population of 10,000 or fewer inhabitants and
13 exclusively uses volunteers, paid-on-call, or a
14 combination thereof to provide patient care may apply for
15 alternate rural staffing authorization from the Department
16 to authorize the ambulance, Non-Transport Vehicle,
17 Special-Use Vehicle, or Limited Operation Vehicle to be
18 staffed by one EMT licensed at or above the level at which
19 the vehicle is licensed, plus one Emergency Medical
20 Responder when 2 licensed Emergency Services personnel are
21 not available to respond; once granted, an alternate rural
22 staffing authorization shall not expire.

23 (4) License all Vehicle Service Providers that have
24 met the Department's requirements for licensure, unless
25 such Provider is owned or licensed by the federal
26 government. All Provider licenses issued by the Department

1 shall specify the level and type of each vehicle covered
2 by the license (BLS, ILS, ALS, ambulance, SEMSV, limited
3 operation vehicle, special use vehicle, reserve
4 ambulance).

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

7 (6) Suspend, revoke, refuse to issue or refuse to
8 renew the license of any Vehicle Service Provider, or that
9 portion of a license pertaining to a specific vehicle
10 operated by the Provider, after an opportunity for a
11 hearing, when findings show that the Provider or one or
12 more of its vehicles has failed to comply with the
13 standards and requirements of this Act or rules adopted by
14 the Department pursuant to this Act.

15 (7) Issue an Emergency Suspension Order for any
16 Provider or vehicle licensed under this Act, when the
17 Director or his designee has determined that an immediate
18 and serious danger to the public health, safety and
19 welfare exists. Suspension or revocation proceedings which
20 offer an opportunity for hearing shall be promptly
21 initiated after the Emergency Suspension Order has been
22 issued.

23 (8) Exempt any licensed vehicle from subsequent
24 vehicle design standards or specifications required by the
25 Department, as long as said vehicle is continuously in
26 compliance with the vehicle design standards and

1 specifications originally applicable to that vehicle, or
2 until said vehicle's title of ownership is transferred.

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

10 (10) Prohibit any Vehicle Service Provider from
11 advertising, identifying its vehicles, or disseminating
12 information in a false or misleading manner concerning the
13 Provider's type and level of vehicles, location, primary
14 service area, response times, level of personnel,
15 licensure status or System participation.

16 (10.5) Prohibit any Vehicle Service Provider, whether
17 municipal, private, or hospital-owned, from advertising
18 itself as a critical care transport provider unless it
19 participates in a Department-approved EMS System critical
20 care transport plan.

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

26 (Source: P.A. 97-333, eff. 8-12-11; 97-1014, eff. 1-1-13;

1 98-452, eff. 1-1-14.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.