



Rep. Donald L. Moffitt

Filed: 3/19/2010

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LRB096 16642 KTG 39337 a

1 AMENDMENT TO HOUSE BILL 5183

2 AMENDMENT NO. _____. Amend House Bill 5183 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Emergency Medical Services (EMS) Systems
5 Act is amended by changing Sections 3.10, 3.20, 3.50, 3.60,
6 3.65, 3.70, 3.75, 3.80, 3.85, 3.86, 3.130, 3.160, 3.175, and
7 3.220 as follows:

8 (210 ILCS 50/3.10)

9 Sec. 3.10. Scope of Services.

10 (a) "Advanced Life Support (ALS) Services" means an
11 advanced level of pre-hospital and inter-hospital emergency
12 care and non-emergency medical services that includes basic
13 life support care, cardiac monitoring, cardiac defibrillation,
14 electrocardiography, intravenous therapy, administration of
15 medications, drugs and solutions, use of adjunctive medical
16 devices, trauma care, and other authorized techniques and

1 procedures, as outlined in the Advanced Life Support national
2 curriculum of the United States Department of Transportation
3 and any modifications to that curriculum specified in rules
4 adopted by the Department pursuant to this Act.

5 That care shall be initiated as authorized by the EMS
6 Medical Director in a Department approved advanced life support
7 EMS System, under the written or verbal direction of a
8 physician licensed to practice medicine in all of its branches
9 or under the verbal direction of an Emergency Communications
10 Registered Nurse.

11 (b) "Intermediate Life Support (ILS) Services" means an
12 intermediate level of pre-hospital and inter-hospital
13 emergency care and non-emergency medical services that
14 includes basic life support care plus intravenous cannulation
15 and fluid therapy, invasive airway management, trauma care, and
16 other authorized techniques and procedures, as outlined in the
17 Intermediate Life Support national curriculum of the United
18 States Department of Transportation and any modifications to
19 that curriculum specified in rules adopted by the Department
20 pursuant to this Act.

21 That care shall be initiated as authorized by the EMS
22 Medical Director in a Department approved intermediate or
23 advanced life support EMS System, under the written or verbal
24 direction of a physician licensed to practice medicine in all
25 of its branches or under the verbal direction of an Emergency
26 Communications Registered Nurse.

1 (c) "Basic Life Support (BLS) Services" means a basic level
2 of pre-hospital and inter-hospital emergency care and
3 non-emergency medical services that includes airway
4 management, cardiopulmonary resuscitation (CPR), control of
5 shock and bleeding and splinting of fractures, as outlined in
6 the Basic Life Support national curriculum of the United States
7 Department of Transportation and any modifications to that
8 curriculum specified in rules adopted by the Department
9 pursuant to this Act.

10 That care shall be initiated, where authorized by the EMS
11 Medical Director in a Department approved EMS System, under the
12 written or verbal direction of a physician licensed to practice
13 medicine in all of its branches or under the verbal direction
14 of an Emergency Communications Registered Nurse.

15 (d) "First Response Services" means a preliminary level of
16 pre-hospital emergency care that includes cardiopulmonary
17 resuscitation (CPR), monitoring vital signs and control of
18 bleeding, as outlined in the First Responder curriculum of the
19 United States Department of Transportation and any
20 modifications to that curriculum specified in rules adopted by
21 the Department pursuant to this Act.

22 (e) "Pre-hospital care" means those emergency medical
23 services rendered to emergency patients for analytic,
24 resuscitative, stabilizing, or preventive purposes, precedent
25 to and during transportation of such patients to hospitals.

26 (f) "Inter-hospital care" means those emergency medical

1 services rendered to emergency patients for analytic,
2 resuscitative, stabilizing, or preventive purposes, during
3 transportation of such patients from one hospital to another
4 hospital.

5 (f-5) "Critical care transport" means the pre-hospital or
6 inter-hospital transportation of a critically injured or ill
7 patient by a vehicle service provider, including the provision
8 of medically necessary supplies and services, at a level of
9 service beyond the scope of the EMT-paramedic. When medically
10 indicated for a patient, as determined by a physician licensed
11 to practice medicine in all of its branches, an advanced
12 practice nurse, or a physician's assistant, in compliance with
13 subsections (b) and (c) of Section 3.155 of this Act, critical
14 care transport may be provided by:

15 (1) Department-approved critical care transport
16 providers, not owned or operated by a hospital, utilizing
17 EMT-paramedics with additional training, nurses, or other
18 qualified health professionals; or

19 (2) Hospitals, when utilizing any vehicle service
20 provider or any hospital-owned or operated vehicle service
21 provider. Nothing in this amendatory Act of the 96th
22 General Assembly requires a hospital to use, or to be, a
23 Department-approved critical care transport provider when
24 transporting patients, including those critically injured
25 or ill. Nothing in this Act shall restrict or prohibit a
26 hospital from providing, or arranging for, the medically

1 appropriate transport of any patient, as determined by a
2 physician licensed to practice in all of its branches, an
3 advanced practice nurse, or a physician's assistant.

4 (g) "Non-emergency medical services" means medical care or
5 monitoring rendered to patients whose conditions do not meet
6 this Act's definition of emergency, before or during
7 transportation of such patients to or from health care
8 facilities visited for the purpose of obtaining medical or
9 health care services which are not emergency in nature, using a
10 vehicle regulated by this Act.

11 (g-5) The Department shall have the authority to promulgate
12 minimum standards for critical care transport providers
13 through rules adopted pursuant to this Act. All critical care
14 transport providers must function within a Department-approved
15 EMS System. Nothing in Department rules shall restrict a
16 hospital's ability to furnish personnel, equipment, and
17 medical supplies to any vehicle service provider, including a
18 critical care transport provider. Minimum critical care
19 transport provider standards shall include, but are not limited
20 to:

21 (1) Personnel staffing and licensure.

22 (2) Education, certification, and experience.

23 (3) Medical equipment and supplies.

24 (4) Vehicular standards.

25 (5) Treatment and transport protocols.

26 (6) Quality assurance and data collection.

1 (h) The provisions of this Act shall not apply to the use
2 of an ambulance or SEMSV, unless and until emergency or
3 non-emergency medical services are needed during the use of the
4 ambulance or SEMSV.

5 (Source: P.A. 94-568, eff. 1-1-06.)

6 (210 ILCS 50/3.20)

7 Sec. 3.20. Emergency Medical Services (EMS) Systems.

8 (a) "Emergency Medical Services (EMS) System" means an
9 organization of hospitals, vehicle service providers and
10 personnel approved by the Department in a specific geographic
11 area, which coordinates and provides pre-hospital and
12 inter-hospital emergency care and non-emergency medical
13 transports at a BLS, ILS and/or ALS level pursuant to a System
14 program plan submitted to and approved by the Department, and
15 pursuant to the EMS Region Plan adopted for the EMS Region in
16 which the System is located.

17 (b) One hospital in each System program plan must be
18 designated as the Resource Hospital. All other hospitals which
19 are located within the geographic boundaries of a System and
20 which have standby, basic or comprehensive level emergency
21 departments must function in that EMS System as either an
22 Associate Hospital or Participating Hospital and follow all
23 System policies specified in the System Program Plan, including
24 but not limited to the replacement of drugs and equipment used
25 by providers who have delivered patients to their emergency

1 departments. All hospitals and vehicle service providers
2 participating in an EMS System must specify their level of
3 participation in the System Program Plan.

4 (c) The Department shall have the authority and
5 responsibility to:

6 (1) Approve BLS, ILS and ALS level EMS Systems which
7 meet minimum standards and criteria established in rules
8 adopted by the Department pursuant to this Act, including
9 the submission of a Program Plan for Department approval.
10 Beginning September 1, 1997, the Department shall approve
11 the development of a new EMS System only when a local or
12 regional need for establishing such System has been
13 verified by the Department ~~identified~~. This shall not be
14 construed as a needs assessment for health planning or
15 other purposes outside of this Act. Following Department
16 approval, EMS Systems must be fully operational within one
17 year from the date of approval.

18 (2) Monitor EMS Systems, based on minimum standards for
19 continuing operation as prescribed in rules adopted by the
20 Department pursuant to this Act, which shall include
21 requirements for submitting Program Plan amendments to the
22 Department for approval.

23 (3) Renew EMS System approvals every 4 years, after an
24 inspection, based on compliance with the standards for
25 continuing operation prescribed in rules adopted by the
26 Department pursuant to this Act.

1 (4) Suspend, revoke, or refuse to renew approval of any
2 EMS System, after providing an opportunity for a hearing,
3 when findings show that it does not meet the minimum
4 standards for continuing operation as prescribed by the
5 Department, or is found to be in violation of its
6 previously approved Program Plan.

7 (5) Require each EMS System to adopt written protocols
8 for the bypassing of or diversion to any hospital, trauma
9 center or regional trauma center, which provide that a
10 person shall not be transported to a facility other than
11 the nearest hospital, regional trauma center or trauma
12 center unless the medical benefits to the patient
13 reasonably expected from the provision of appropriate
14 medical treatment at a more distant facility outweigh the
15 increased risks to the patient from transport to the more
16 distant facility, or the transport is in accordance with
17 the System's protocols for patient choice or refusal.

18 (6) Require that the EMS Medical Director of an ILS or
19 ALS level EMS System be a physician licensed to practice
20 medicine in all of its branches in Illinois, and certified
21 by the American Board of Emergency Medicine or the American
22 Board of Osteopathic Emergency Medicine, and that the EMS
23 Medical Director of a BLS level EMS System be a physician
24 licensed to practice medicine in all of its branches in
25 Illinois, with regular and frequent involvement in
26 pre-hospital emergency medical services. In addition, all

1 EMS Medical Directors shall:

2 (A) Have experience on an EMS vehicle at the
3 highest level available within the System, or make
4 provision to gain such experience within 12 months
5 prior to the date responsibility for the System is
6 assumed or within 90 days after assuming the position;

7 (B) Be thoroughly knowledgeable of all skills
8 included in the scope of practices of all levels of EMS
9 personnel within the System;

10 (C) Have or make provision to gain experience
11 instructing students at a level similar to that of the
12 levels of EMS personnel within the System; and

13 (D) For ILS and ALS EMS Medical Directors,
14 successfully complete a Department-approved EMS
15 Medical Director's Course.

16 (7) Prescribe statewide EMS data elements to be
17 collected and documented by providers in all EMS Systems
18 for all emergency and non-emergency medical services, with
19 a one-year phase-in for commencing collection of such data
20 elements.

21 (8) Define, through rules adopted pursuant to this Act,
22 the terms "Resource Hospital", "Associate Hospital",
23 "Participating Hospital", "Basic Emergency Department",
24 "Standby Emergency Department", "Comprehensive Emergency
25 Department", "EMS Medical Director", "EMS Administrative
26 Director", and "EMS System Coordinator".

1 (A) Upon the effective date of this amendatory Act
2 of 1995, all existing Project Medical Directors shall
3 be considered EMS Medical Directors, and all persons
4 serving in such capacities on the effective date of
5 this amendatory Act of 1995 shall be exempt from the
6 requirements of paragraph (7) of this subsection;

7 (B) Upon the effective date of this amendatory Act
8 of 1995, all existing EMS System Project Directors
9 shall be considered EMS Administrative Directors.

10 (9) Investigate the circumstances that caused a
11 hospital in an EMS system to go on bypass status to
12 determine whether that hospital's decision to go on bypass
13 status was reasonable. The Department may impose
14 sanctions, as set forth in Section 3.140 of the Act, upon a
15 Department determination that the hospital unreasonably
16 went on bypass status in violation of the Act.

17 (10) Evaluate the capacity and performance of any
18 freestanding emergency center established under Section
19 32.5 of this Act in meeting emergency medical service needs
20 of the public, including compliance with applicable
21 emergency medical standards and assurance of the
22 availability of and immediate access to the highest quality
23 of medical care possible.

24 (Source: P.A. 95-584, eff. 8-31-07.)

25 (210 ILCS 50/3.50)

1 Sec. 3.50. Emergency Medical Technician (EMT) Licensure.

2 (a) "Emergency Medical Technician-Basic" or "EMT-B" means
3 a person who has successfully completed a course of instruction
4 in basic life support as prescribed by the Department, is
5 currently licensed by the Department in accordance with
6 standards prescribed by this Act and rules adopted by the
7 Department pursuant to this Act, and practices within an EMS
8 System.

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

16 (c) "Emergency Medical Technician-Paramedic" or "EMT-P"
17 means a person who has successfully completed a course of
18 instruction in advanced life support care as prescribed by the
19 Department, is licensed by the Department in accordance with
20 standards prescribed by this Act and rules adopted by the
21 Department pursuant to this Act, and practices within an
22 Advanced Life Support EMS System.

23 (d) The Department shall have the authority and
24 responsibility to:

25 (1) Prescribe education and training requirements,
26 which includes training in the use of epinephrine, for all

1 levels of EMT, based on the respective national curricula
2 of the United States Department of Transportation and any
3 modifications to such curricula specified by the
4 Department through rules adopted pursuant to this Act.

5 (2) Prescribe licensure testing requirements for all
6 levels of EMT, which shall include a requirement that all
7 phases of instruction, training, and field experience be
8 completed before taking the EMT licensure examination.
9 Candidates may elect to take the National Registry of
10 Emergency Medical Technicians examination in lieu of the
11 Department's examination, but are responsible for making
12 their own arrangements for taking the National Registry
13 examination.

14 (2.5) Review applications for EMT licensure from
15 honorably discharged members of the armed forces of the
16 United States with military emergency medical training.
17 Applications shall be filed with the Department within one
18 year after military discharge and shall contain: (i) proof
19 of successful completion of military emergency medical
20 training; (ii) a detailed description of the emergency
21 medical curriculum completed; and (iii) a detailed
22 description of the applicant's clinical experience. The
23 Department may request additional and clarifying
24 information. The Department shall evaluate the
25 application, including the applicant's training and
26 experience, consistent with the standards set forth under

1 subsections (a), (b), (c), and (d) of Section 3.10. If the
2 application clearly demonstrates that the training and
3 experience meets such standards, the Department shall
4 offer the applicant the opportunity to successfully
5 complete a Department-approved EMT examination for which
6 the applicant is qualified. Upon passage of an examination,
7 the Department shall issue a license, which shall be
8 subject to all provisions of this Act that are otherwise
9 applicable to the class of EMT license issued.

10 (3) License individuals as an EMT-B, EMT-I, or EMT-P
11 who have met the Department's education, training and
12 examination ~~testing~~ requirements.

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

15 (5) Relicense individuals as an EMT-B, EMT-I, or EMT-P
16 every 4 years, based on their compliance with continuing
17 education and relicensure requirements.

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

21 (7) Charge a fee for EMT examination, licensure, and
22 license renewal ~~each candidate for EMT a fee to be~~
23 ~~submitted with an application for a licensure examination.~~

24 (8) Suspend, revoke, or refuse to issue or renew the
25 license of any licensee ~~an EMT~~, after an opportunity for an
26 impartial hearing, where the preponderance of the evidence

1 shows one or more of the following ~~a hearing, when findings~~
2 ~~show one or more of the following:~~

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

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

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

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

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

22 (F) The licensee ~~EMT~~ is mentally impaired to the
23 extent that he or she cannot exercise the appropriate
24 judgment, skill and safety for performing the
25 functions for which he or she is licensed, as verified
26 by a physician, unless the person is on inactive status

1 pursuant to Department regulations; ~~or~~

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

4 -

5 (H) The licensee has been convicted (or entered a
6 plea of guilty or nolo-contendere) by a lawful court of
7 a felony offense, which, upon conviction, subjects the
8 convicted licensee to a minimum imprisonment of 2 years
9 or more.

10 (9) An EMT who exclusively serves as a volunteer for
11 units of local government with a population base of less
12 than 5,000 may submit an application to the Department for
13 a waiver of these fees on a form prescribed by the
14 Department.

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

26 (e) In the event that any rule of the Department or an EMS

1 Medical Director that requires testing for drug use as a
2 condition for EMT licensure conflicts with or duplicates a
3 provision of a collective bargaining agreement that requires
4 testing for drug use, that rule shall not apply to any person
5 covered by the collective bargaining agreement.

6 (Source: P.A. 96-540, eff. 8-17-09.)

7 (210 ILCS 50/3.60)

8 Sec. 3.60. First Responder.

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

20 Persons who have already completed a course of instruction
21 in emergency first response based on or equivalent to the
22 national curriculum of the United States Department of
23 Transportation, or as otherwise previously recognized by the
24 Department, shall be considered First Responders on the
25 effective date of this amendatory Act of 1995.

1 (b) The Department shall have the authority and
2 responsibility to:

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

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

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

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

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

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

23 (7) Charge each First Responder applicant a fee for
24 testing, initial licensure, and license renewal. A First
25 Responder who exclusively serves as a volunteer for units
26 of local government with a population base of less than

1 5,000 may submit an application to the Department for a
2 waiver of these fees on a form prescribed by the
3 Department.

4 (Source: P.A. 89-177, eff. 7-19-95.)

5 (210 ILCS 50/3.65)

6 Sec. 3.65. EMS Lead Instructor.

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

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

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

19 (2) Prescribe testing requirements for EMS Lead
20 Instructor candidates through rules adopted pursuant to
21 this Act.

22 (3) Charge each candidate for EMS Lead Instructor a fee
23 to be submitted with an application for an examination, an
24 application for certification, and an application for
25 license renewal.

1 (4) Approve individuals as EMS Lead Instructors who
2 have met the Department's education and testing
3 requirements.

4 (5) Require that all education, training and
5 continuing education courses for EMT-B, EMT-I, EMT-P,
6 Pre-Hospital RN, ECRN, First Responder and Emergency
7 Medical Dispatcher be coordinated by at least one approved
8 EMS Lead Instructor. A program which includes education,
9 training or continuing education for more than one type of
10 personnel may use one EMS Lead Instructor to coordinate the
11 program, and a single EMS Lead Instructor may
12 simultaneously coordinate more than one program or course.

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

18 (7) Suspend or revoke the approval of an EMS Lead
19 Instructor, after an opportunity for a hearing, when
20 findings show one or more of the following:

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

25 (B) The EMS Lead Instructor has failed to comply
26 with protocols prescribed by the Department through

1 rules adopted pursuant to this Act.

2 (Source: P.A. 89-177, eff. 7-19-95.)

3 (210 ILCS 50/3.70)

4 Sec. 3.70. Emergency Medical Dispatcher.

5 (a) "Emergency Medical Dispatcher" means a person who has
6 successfully completed a training course in emergency medical
7 dispatching meeting or exceeding the national curriculum of the
8 United States Department of Transportation in accordance with
9 rules adopted by the Department pursuant to this Act, who
10 accepts calls from the public for emergency medical services
11 and dispatches designated emergency medical services personnel
12 and vehicles. The Emergency Medical Dispatcher must use the
13 Department-approved emergency medical dispatch priority
14 reference system (EMDPRS) protocol selected for use by its
15 agency and approved by its EMS medical director. This protocol
16 must be used by an emergency medical dispatcher in an emergency
17 medical dispatch agency to dispatch aid to medical emergencies
18 which includes systematized caller interrogation questions;
19 systematized prearrival support instructions; and systematized
20 coding protocols that match the dispatcher's evaluation of the
21 injury or illness severity with the vehicle response mode and
22 vehicle response configuration and includes an appropriate
23 training curriculum and testing process consistent with the
24 specific EMDPRS protocol used by the emergency medical dispatch
25 agency. Prearrival support instructions shall be provided in a

1 non-discriminatory manner and shall be provided in accordance
2 with the EMDPRS established by the EMS medical director of the
3 EMS system in which the EMD operates. If the dispatcher
4 operates under the authority of an Emergency Telephone System
5 Board established under the Emergency Telephone System Act, the
6 protocols shall be established by such Board in consultation
7 with the EMS Medical Director. Persons who have already
8 completed a course of instruction in emergency medical dispatch
9 based on, equivalent to or exceeding the national curriculum of
10 the United States Department of Transportation, or as otherwise
11 approved by the Department, shall be considered Emergency
12 Medical Dispatchers on the effective date of this amendatory
13 Act.

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

16 (1) Require certification and recertification of a
17 person who meets the training and other requirements as an
18 emergency medical dispatcher pursuant to this Act.

19 (2) Require certification and recertification of a
20 person, organization, or government agency that operates
21 an emergency medical dispatch agency that meets the minimum
22 standards prescribed by the Department for an emergency
23 medical dispatch agency pursuant to this Act.

24 (3) Prescribe minimum education and continuing
25 education requirements for the Emergency Medical
26 Dispatcher, which meet the national curriculum of the

1 United States Department of Transportation, through rules
2 adopted pursuant to this Act.

3 (4) Require each EMS Medical Director to report to the
4 Department whenever an action has taken place that may
5 require the revocation or suspension of a certificate
6 issued by the Department.

7 (5) Require each EMD to provide prearrival
8 instructions in compliance with protocols selected and
9 approved by the system's EMS medical director and approved
10 by the Department.

11
12 (6) Require the Emergency Medical Dispatcher to keep
13 the Department currently informed as to the entity or
14 agency that employs or supervises his activities as an
15 Emergency Medical Dispatcher.

16 (7) Establish an annual recertification requirement
17 that requires at least 12 hours of medical
18 dispatch-specific continuing education each year.

19 (8) Approve all EMDPRS protocols used by emergency
20 medical dispatch agencies to assure compliance with
21 national standards.

22 (9) Require that Department-approved emergency medical
23 dispatch training programs are conducted in accordance
24 with national standards.

25 (10) Require that the emergency medical dispatch
26 agency be operated in accordance with national standards,

1 including, but not limited to, (i) the use on every request
2 for medical assistance of an emergency medical dispatch
3 priority reference system (EMDPRS) in accordance with
4 Department-approved policies and procedures and (ii) under
5 the approval and supervision of the EMS medical director,
6 the establishment of a continuous quality improvement
7 program.

8 (11) Require that a person may not represent himself or
9 herself, nor may an agency or business represent an agent
10 or employee of that agency or business, as an emergency
11 medical dispatcher unless certified by the Department as an
12 emergency medical dispatcher.

13 (12) Require that a person, organization, or
14 government agency not represent itself as an emergency
15 medical dispatch agency unless the person, organization,
16 or government agency is certified by the Department as an
17 emergency medical dispatch agency.

18 (13) Require that a person, organization, or
19 government agency may not offer or conduct a training
20 course that is represented as a course for an emergency
21 medical dispatcher unless the person, organization, or
22 agency is approved by the Department to offer or conduct
23 that course.

24 (14) Require that Department-approved emergency
25 medical dispatcher training programs are conducted by
26 instructors licensed by the Department who:

1 (i) are, at a minimum, certified as emergency
2 medical dispatchers;

3 (ii) have completed a Department-approved course
4 on methods of instruction;

5 (iii) have previous experience in a medical
6 dispatch agency; and

7 (iv) have demonstrated experience as an EMS
8 instructor.

9 (15) Establish criteria for modifying or waiving
10 Emergency Medical Dispatcher requirements based on (i) the
11 scope and frequency of dispatch activities and the
12 dispatcher's access to training or (ii) whether the
13 previously-attended dispatcher training program merits
14 automatic recertification for the dispatcher.

15 (16) Charge each Emergency Medical Dispatcher
16 applicant a fee for licensure and license renewal.

17 (Source: P.A. 92-506, eff. 1-1-02.)

18 (210 ILCS 50/3.75)

19 Sec. 3.75. Trauma Nurse Specialist (TNS) Certification.

20 (a) "Trauma Nurse Specialist" or "TNS" means a registered
21 professional nurse who has successfully completed education
22 and testing requirements as prescribed by the Department, and
23 is certified by the Department in accordance with rules adopted
24 by the Department pursuant to this Act.

25 (b) The Department shall have the authority and

1 responsibility to:

2 (1) Establish criteria for TNS training sites, through
3 rules adopted pursuant to this Act;

4 (2) Prescribe education and testing requirements for
5 TNS candidates, which shall include an opportunity for
6 certification based on examination only, through rules
7 adopted pursuant to this Act;

8 (3) Charge each candidate for TNS certification a fee
9 to be submitted with an application for a certification
10 examination, an application for certification, and an
11 application for recertification;

12 (4) Certify an individual as a TNS who has met the
13 Department's education and testing requirements;

14 (5) Prescribe recertification requirements through
15 rules adopted to this Act;

16 (6) Recertify an individual as a TNS every 4 years,
17 based on compliance with recertification requirements;

18 (7) Grant inactive status to any TNS who qualifies,
19 based on standards and procedures established by the
20 Department in rules adopted pursuant to this Act; and

21 (8) Suspend, revoke or deny renewal of the
22 certification of a TNS, after an opportunity for hearing by
23 the Department, if findings show that the TNS has failed to
24 maintain proficiency in the level of skills for which the
25 TNS is certified or has failed to comply with
26 recertification requirements.

1 (Source: P.A. 89-177, eff. 7-19-95.)

2 (210 ILCS 50/3.80)

3 Sec. 3.80. Pre-Hospital RN and Emergency Communications
4 Registered 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.

13 Upon the effective date of this amendatory Act of 1995, all
14 existing Registered Professional Nurse/MICNs shall be
15 considered ECRNs.

16 (b) "Pre-Hospital Registered Nurse" or "Pre-Hospital RN"
17 means a registered professional nurse licensed under the Nurse
18 Practice Act who has successfully completed supplemental
19 education in accordance with rules adopted by the Department
20 pursuant to this Act, and who is approved by an EMS Medical
21 Director to practice within an EMS System as emergency medical
22 services personnel for pre-hospital and inter-hospital
23 emergency care and non-emergency medical transports.

24 Upon the effective date of this amendatory Act of 1995, all
25 existing Registered Professional Nurse/Field RNs shall be

1 considered Pre-Hospital RNs.

2 (c) The Department shall have the authority and
3 responsibility to:

4 (1) Prescribe education and continuing education
5 requirements for Pre-Hospital RN and ECRN candidates
6 through rules adopted pursuant to this Act:

7 (A) Education for Pre-Hospital RN shall include
8 extrication, telecommunications, and pre-hospital
9 cardiac and trauma care;

10 (B) Education for ECRN shall include
11 telecommunications, System standing medical orders and
12 the procedures and protocols established by the EMS
13 Medical Director;

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

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

1 registered professional nurse or qualified EMT, only
2 when authorized by the EMS Medical Director;

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

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

12 (4) Require a Pre-Hospital RN 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 RN applicant and ECRN
18 applicant a fee for certification, licensure, and license
19 renewal.

20 (Source: P.A. 95-639, eff. 10-5-07.)

21 (210 ILCS 50/3.85)

22 Sec. 3.85. Vehicle Service Providers.

23 (a) "Vehicle Service Provider" means an entity licensed by
24 the Department to provide emergency or non-emergency medical
25 services in compliance with this Act, the rules promulgated by

1 the Department pursuant to this Act, and an operational plan
2 approved by its EMS System(s), utilizing at least ambulances or
3 specialized emergency medical service vehicles (SEMSV).

4 (1) "Ambulance" means any publicly or privately owned
5 on-road vehicle that is specifically designed, constructed
6 or modified and equipped, and is intended to be used for,
7 and is maintained or operated for the emergency
8 transportation of persons who are sick, injured, wounded or
9 otherwise incapacitated or helpless, or the non-emergency
10 medical transportation of persons who require the presence
11 of medical personnel to monitor the individual's condition
12 or medical apparatus being used on such individuals.

13 (2) "Specialized Emergency Medical Services Vehicle"
14 or "SEMSV" means a vehicle or conveyance, other than those
15 owned or operated by the federal government, that is
16 primarily intended for use in transporting the sick or
17 injured by means of air, water, or ground transportation,
18 that is not an ambulance as defined in this Act. The term
19 includes watercraft, aircraft and special purpose ground
20 transport vehicles or conveyances not intended for use on
21 public roads.

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

24 (A) "Limited Operation Vehicle" means a vehicle
25 which is licensed by the Department to provide basic,
26 intermediate or advanced life support emergency or

1 non-emergency medical services that are exclusively
2 limited to specific events or locales.

3 (B) "Special-Use Vehicle" means any publicly or
4 privately owned vehicle that is specifically designed,
5 constructed or modified and equipped, and is intended
6 to be used for, and is maintained or operated solely
7 for the emergency or non-emergency transportation of a
8 specific medical class or category of persons who are
9 sick, injured, wounded or otherwise incapacitated or
10 helpless (e.g. high-risk obstetrical patients,
11 neonatal patients).

12 (C) "Reserve Ambulance" means a vehicle that meets
13 all criteria set forth in this Section and all
14 Department rules, except for the required inventory of
15 medical supplies and durable medical equipment, which
16 may be rapidly transferred from a fully functional
17 ambulance to a reserve ambulance without the use of
18 tools or special mechanical expertise.

19 (b) The Department shall have the authority and
20 responsibility to:

21 (1) Require all Vehicle Service Providers, both
22 publicly and privately owned, to function within an EMS
23 System;

24 (2) Require a Vehicle Service Provider utilizing
25 ambulances to have a primary affiliation with an EMS System
26 within the EMS Region in which its Primary Service Area is

1 located, which is the geographic areas in which the
2 provider renders the majority of its emergency responses.
3 This requirement shall not apply to Vehicle Service
4 Providers which exclusively utilize Limited Operation
5 Vehicles;

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

9 (A) Vehicle design, specification, operation and
10 maintenance standards, including standards for the use
11 of reserve ambulances;

12 (B) Equipment requirements;

13 (C) Staffing requirements; and

14 (D) Annual license renewal.

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

23 (5) Annually inspect all licensed Vehicle Service
24 Providers, and relicense such Providers that have met the
25 Department's requirements for license renewal;

26 (6) Suspend, revoke, refuse to issue or refuse to renew

1 the license of any Vehicle Service Provider, or that
2 portion of a license pertaining to a specific vehicle
3 operated by the Provider, after an opportunity for a
4 hearing, when findings show that the Provider or one or
5 more of its vehicles has failed to comply with the
6 standards and requirements of this Act or rules adopted by
7 the Department pursuant to this Act;

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

15 (8) Exempt any licensed vehicle from subsequent
16 vehicle design standards or specifications required by the
17 Department, as long as said vehicle is continuously in
18 compliance with the vehicle design standards and
19 specifications originally applicable to that vehicle, or
20 until said vehicle's title of ownership is transferred;

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

1 the Department;

2 (10) Prohibit any Vehicle Service Provider from
3 advertising, identifying its vehicles, or disseminating
4 information in a false or misleading manner concerning the
5 Provider's type and level of vehicles, location, primary
6 service area, response times, level of personnel,
7 licensure status or System participation; ~~and~~

8 (10.5) Prohibit any Vehicle Service Provider, whether
9 municipal, private, or hospital-owned, from advertising
10 itself as a critical care transport provider unless it
11 participates in a Department-approved EMS System critical
12 care transport plan; and

13 (11) Charge each Vehicle Service Provider a fee per
14 transport vehicle, to be submitted with each application
15 for licensure and license renewal. The fee per transport
16 vehicle shall be set by administrative rule by the
17 Department and shall not exceed 100 vehicles per provider ~~7~~
18 ~~which shall not exceed \$25.00 per vehicle, up to \$500.00~~
19 ~~per Provider.~~

20 (Source: P.A. 89-177, eff. 7-19-95.)

21 (210 ILCS 50/3.86)

22 Sec. 3.86. Stretcher van providers.

23 (a) In this Section, "stretcher van provider" means an
24 entity licensed by the Department to provide non-emergency
25 transportation of passengers on a stretcher in compliance with

1 this Act or the rules adopted by the Department pursuant to
2 this Act, utilizing stretcher vans.

3 (b) The Department has the authority and responsibility to
4 do the following:

5 (1) Require all stretcher van providers, both publicly
6 and privately owned, to be licensed by the Department.

7 (2) Establish licensing and safety standards and
8 requirements for stretcher van providers, through rules
9 adopted pursuant to this Act, including but not limited to:

10 (A) Vehicle design, specification, operation, and
11 maintenance standards.

12 (B) Safety equipment requirements and standards.

13 (C) Staffing requirements.

14 (D) Annual license renewal.

15 (3) License all stretcher van providers that have met
16 the Department's requirements for licensure.

17 (4) Annually inspect all licensed stretcher van
18 providers, and relicense providers that have met the
19 Department's requirements for license renewal.

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

1 Department pursuant to this Act.

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

10 (7) Prohibit any stretcher van 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, response
14 times, level of personnel, licensure status, or EMS System
15 participation.

16 (8) Charge each stretcher van provider a fee, to be
17 submitted with each application for licensure and license
18 renewal, ~~which shall not exceed \$25 per vehicle, up to \$500~~
19 ~~per provider.~~

20 (c) A stretcher van provider may provide transport of a
21 passenger on a stretcher, provided the passenger meets all of
22 the following requirements:

23 (1) He or she needs no medical equipment, except
24 self-administered medications.

25 (2) He or she needs no medical monitoring or medical
26 observation.

1 (3) He or she needs routine transportation to or from a
2 medical appointment or service if the passenger is
3 convalescent or otherwise bed-confined and does not
4 require medical monitoring, aid, care, or treatment during
5 transport.

6 (d) A stretcher van provider may not transport a passenger
7 who meets any of the following conditions:

8 (1) He or she is currently admitted to a hospital or is
9 being transported to a hospital for admission or emergency
10 treatment.

11 (2) He or she is acutely ill, wounded, or medically
12 unstable as determined by a licensed physician.

13 (3) He or she is experiencing an emergency medical
14 condition, an acute medical condition, an exacerbation of a
15 chronic medical condition, or a sudden illness or injury.

16 (4) He or she was administered a medication that might
17 prevent the passenger from caring for himself or herself.

18 (5) He or she was moved from one environment where
19 24-hour medical monitoring or medical observation will
20 take place by certified or licensed nursing personnel to
21 another such environment. Such environments shall include,
22 but not be limited to, hospitals licensed under the
23 Hospital Licensing Act or operated under the University of
24 Illinois Hospital Act, and nursing facilities licensed
25 under the Nursing Home Care Act.

26 (e) The Stretcher Van Licensure Fund is created as a

1 special fund within the State treasury. All fees received by
2 the Department in connection with the licensure of stretcher
3 van providers under this Section shall be deposited into the
4 fund. Moneys in the fund shall be subject to appropriation to
5 the Department for use in implementing this Section.

6 (Source: P.A. 96-702, eff. 8-25-09.)

7 (210 ILCS 50/3.130)

8 Sec. 3.130. Facility, system, and equipment violations
9 ~~Violations~~; Plans of Correction. Except for emergency
10 suspension orders, or actions initiated pursuant to Sections
11 3.117(a), 3.117(b), and 3.90(b)(10) of this Act, prior to
12 initiating an action for suspension, revocation, denial,
13 nonrenewal, or imposition of a fine pursuant to this Act, the
14 Department shall:

15 (a) Issue a Notice of Violation which specifies the
16 Department's allegations of noncompliance and requests a plan
17 of correction to be submitted within 10 days after receipt of
18 the Notice of Violation;

19 (b) Review and approve or reject the plan of correction. If
20 the Department rejects the plan of correction, it shall send
21 notice of the rejection and the reason for the rejection. The
22 party shall have 10 days after receipt of the notice of
23 rejection in which to submit a modified plan;

24 (c) Impose a plan of correction if a modified plan is not
25 submitted in a timely manner or if the modified plan is

1 rejected by the Department;

2 (d) Issue a Notice of Intent to fine, suspend, revoke,
3 nonrenew or deny if the party has failed to comply with the
4 imposed plan of correction, and provide the party with an
5 opportunity to request an administrative hearing. The Notice of
6 Intent shall be effected by certified mail or by personal
7 service, shall set forth the particular reasons for the
8 proposed action, and shall provide the party with 15 days in
9 which to request a hearing.

10 (Source: P.A. 96-514, eff. 1-1-10.)

11 (210 ILCS 50/3.160)

12 Sec. 3.160. Employer Responsibility.

13 (a) (Blank) ~~No employer shall employ or permit any employee~~
14 ~~to perform any services for which a license, certificate or~~
15 ~~other authorization is required by this Act, or by rules~~
16 ~~adopted pursuant to this Act, unless and until the person so~~
17 ~~employed possesses all licenses, certificates or~~
18 ~~authorizations that are so required.~~

19 (a-5) No employer shall permit any employee to perform any
20 services for which a license, certificate, or other
21 authorization is required under this Act, unless the employer
22 first makes a good faith attempt to verify that the employee
23 possesses all necessary and valid licenses, certificates, and
24 authorizations required under this Act.

25 (b) Any person or entity that employs or supervises a

1 person's activities as a First Responder or Emergency Medical
2 Dispatcher shall cooperate with the Department's efforts to
3 monitor and enforce compliance by those individuals with the
4 requirements of this Act.

5 (Source: P.A. 89-177, eff. 7-19-95.)

6 (210 ILCS 50/3.175)

7 Sec. 3.175. Criminal Penalties. Any person who violates
8 Sections 3.155(d) or (f), 3.160, 3.165 or 3.170 of this Act or
9 any rule promulgated thereto, is guilty of a Class B €
10 misdemeanor.

11 (Source: P.A. 89-177, eff. 7-19-95.)

12 (210 ILCS 50/3.220)

13 Sec. 3.220. EMS Assistance Fund.

14 (a) There is hereby created an "EMS Assistance Fund" within
15 the State treasury, for the purpose of receiving fines and fees
16 collected by the Illinois Department of Health pursuant to this
17 Act.

18 (b) (Blank) ~~EMT licensure examination fees collected shall~~
19 ~~be distributed by the Department to the Resource Hospital of~~
20 ~~the EMS System in which the EMT candidate was educated, to be~~
21 ~~used for educational and related expenses incurred by the~~
22 ~~System's hospitals, as identified in the EMS System Program~~
23 ~~Plan.~~

24 (b-5) All licensing, testing, and certification fees

1 authorized by this Act, excluding ambulance licensure fees,
2 within this fund shall be used by the Department for
3 administration, oversight, and enforcement of activities
4 authorized under this Act.

5 (c) All other moneys within this fund shall be distributed
6 by the Department to the EMS Regions for disbursement in
7 accordance with protocols established in the EMS Region Plans,
8 for the purposes of organization, development and improvement
9 of Emergency Medical Services Systems, including but not
10 limited to training of personnel and acquisition, modification
11 and maintenance of necessary supplies, equipment and vehicles.

12 (d) All fees and fines collected pursuant to this Act shall
13 be deposited into the EMS Assistance Fund, except that all fees
14 collected under Section 3.86 in connection with the licensure
15 of stretcher van providers shall be deposited into the
16 Stretcher Van Licensure Fund.

17 (Source: P.A. 96-702, eff. 8-25-09.)

18 Section 99. Effective date. This Act takes effect January
19 1, 2011."