

House Engrossed Senate Bill

State of Arizona
Senate
Forty-fifth Legislature
First Regular Session
2001

CHAPTER 157

SENATE BILL 1319

AN ACT

AMENDING SECTIONS 36-2205 AND 36-2232, ARIZONA REVISED STATUTES; RELATING TO
EMERGENCY MEDICAL SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-2205, Arizona Revised Statutes, is amended to
3 read:

4 36-2205. Permitted treatment and medication; certification
5 requirement; protocols

6 A. The director, in consultation with the medical director of
7 emergency medical services, the emergency medical services council and the
8 medical direction commission, shall establish protocols, which may include
9 training criteria, governing the medical treatments, procedures, medications
10 and techniques which may be administered or performed by each class of
11 emergency medical technician. These protocols shall consider the differences
12 in treatments and procedures for regional, urban, rural and wilderness areas
13 and shall require that intermediate emergency medical technicians, emergency
14 paramedics and basic emergency medical technicians certified to perform
15 advanced procedures render these treatments, procedures, medications or
16 techniques only under the direction of a physician.

17 B. Certified emergency medical technicians, as defined in section
18 36-2201, shall complete training certified by the director on the nature of
19 sudden infant death syndrome in order to be certified by the director under
20 this section.

21 C. The protocols adopted by the director pursuant to this section are
22 exempt from the provisions of title 41, chapter 6.

23 D. Notwithstanding the provisions of subsection C of this section, a
24 person may petition the director, pursuant to section 41-1033, to amend a
25 protocol adopted by the director.

26 E. In consultation with the medical director of emergency medical
27 services, the emergency medical services council and the medical direction
28 commission, the director of the department of health services may SHALL
29 establish protocols for emergency medical providers to refer, advise or
30 transport patients A PATIENT by the most appropriate means to the most
31 appropriate provider of medical services based on the patient's
32 condition. The protocols shall consider the differences in treatments and
33 procedures for regional, urban, rural and wilderness areas and shall require
34 that intermediate emergency medical technicians, emergency paramedics and
35 basic emergency medical technicians certified to perform advanced procedures
36 render these treatments, procedures, medications or techniques only under the
37 direction of a physician.

38 F. THE PROTOCOLS ESTABLISHED PURSUANT TO SUBSECTION E OF THIS SECTION
39 SHALL INCLUDE TRIAGE AND TREATMENT PROTOCOLS THAT ALLOW ALL CLASSES OF
40 EMERGENCY MEDICAL TECHNICIANS RESPONDING TO A PERSON WHO HAS ACCESSED 9-1-1,
41 OR A SIMILAR PUBLIC DISPATCH NUMBER, FOR A CONDITION THAT DOES NOT POSE AN
42 IMMEDIATE THREAT TO LIFE OR LIMB TO:

43 1. REFER, ADVISE OR TRANSPORT A PATIENT TO THE MOST APPROPRIATE HEALTH
44 CARE INSTITUTION AS DEFINED BY SECTION 36-401, SUBSECTION A, PARAGRAPH 22
45 BASED ON THE PATIENT'S CONDITION, TAKING INTO CONSIDERATION FACTORS INCLUDING

1 PATIENT CHOICE, THE PATIENT'S HEALTH CARE PROVIDER, SPECIALIZED HEALTH CARE
2 FACILITIES AND LOCAL PROTOCOLS.

3 2. PROVIDE A LIST OF ALTERNATIVE SITES AVAILABLE TO DELIVER CARE.

4 Sec. 2. Section 36-2232, Arizona Revised Statutes, is amended to read:
5 36-2232. Director; powers and duties; regulation of ambulance
6 services; inspections

7 A. The director shall adopt rules to regulate the operation of
8 ambulances and ambulance services in this state. Each rule shall identify all
9 sections and subsections of this chapter under which the rule was formulated.
10 The rules shall provide for the department to do the following:

11 1. Determine, fix, alter and regulate just, reasonable and sufficient
12 rates and charges for the provision of ambulances, including rates and
13 charges for advanced life support service, basic life support service,
14 patient loaded mileage, standby waiting, subscription service contracts and
15 other contracts for services related to the provision of ambulances. The
16 director may establish a rate and charge structure as defined by federal
17 medicare guidelines for ambulance services. The director shall inform all
18 ambulance services of the procedures and methodology used to determine
19 ambulance rates or charges.

20 2. Regulate operating and response times of ambulances to meet the
21 needs of the public and to insure adequate service. The rules adopted by the
22 director for certificated ambulance service response times shall include
23 uniform standards for urban, suburban, rural and wilderness geographic areas
24 within the certificate of necessity based on, but not limited to, population
25 density, geographic and medical considerations.

26 3. Determine, fix, alter and regulate bases of operation. The
27 director may issue a certificate of necessity to more than one ambulance
28 service within any base of operation. For purposes of this paragraph, "base
29 of operation" means a service area granted under a certificate of necessity.

30 4. Issue, amend, transfer, suspend or revoke certificates of necessity
31 under terms and conditions consistent with this article.

32 5. Prescribe a uniform system of accounts to be used by ambulance
33 services and which conforms to standard accounting forms and principles for
34 the ambulance industry.

35 6. Require the filing of an annual financial report and other data.
36 These rules shall require an ambulance service to file the report with the
37 department not later than one hundred eighty days after the completion of its
38 annual accounting period.

39 7. Regulate ambulance services in all matters affecting services to
40 the public to the end that the provisions of this article may be fully
41 carried out.

42 8. Prescribe bonding requirements, if any, for ambulance services
43 granted authority to provide any type of subscription service.

44 9. Offer technical assistance to ambulance services to maximize a
45 healthy and viable business climate for the provision of ambulances.

1 10. Offer technical assistance to ambulance services in order to obtain
2 or to amend a certificate of necessity.

3 11. Inspect, at a maximum of twelve month intervals, each ambulance
4 registered pursuant to section 36-2212 to assure that the vehicle is
5 operational and safe and that all required medical equipment is operational.
6 At the request of the provider, the inspection may be performed by a facility
7 approved by the director. If a provider requests that the inspection be
8 performed by a facility approved by the director, the provider shall pay the
9 cost of the inspection.

10 B. The director may require any ambulance service offering
11 subscription service contracts to obtain a bond in an amount determined by
12 the director, which amount shall be based upon the number of subscription
13 service contract holders, and to file such bond with the director for the
14 protection of all subscription service contract holders in this state who are
15 covered under that subscription contract.

16 C. An ambulance service shall:

17 1. Maintain, establish, add, move or delete suboperation stations
18 within its base of operation to assure that the ambulance service meets the
19 established response times or those approved by the director in a political
20 subdivision contract.

21 2. Determine the operating hours of its suboperation stations to
22 provide for coverage of its base of operation.

23 3. Provide the department with a list of suboperation station
24 locations.

25 4. Notify the department at least thirty days before the ambulance
26 service makes a change in the number or location of its suboperation
27 stations.

28 D. At any time the director or the director's agents may:

29 1. Inquire into the operation of an ambulance service including a
30 person operating an ambulance which has not been issued a certificate of
31 registration or a person who does not have or is operating outside of a
32 certificate of necessity.

33 2. Conduct on-site inspections of facilities, communications
34 equipment, vehicles, procedures, materials and equipment.

35 3. Review the qualifications of ambulance attendants.

36 E. If all ambulance services that have been granted authority to
37 operate within the same service area or that have overlapping certificates
38 of necessity apply for uniform rates and charges, the director may establish
39 uniform rates and charges for the service area.

40 F. IN CONSULTATION WITH THE MEDICAL DIRECTOR OF EMERGENCY MEDICAL
41 SERVICES, THE EMERGENCY MEDICAL SERVICES COUNCIL AND THE MEDICAL DIRECTION
42 COMMISSION, THE DIRECTOR OF THE DEPARTMENT OF HEALTH SERVICES SHALL ESTABLISH
43 PROTOCOLS FOR AMBULANCE SERVICES TO REFER, ADVISE OR TRANSPORT A PATIENT BY
44 THE MOST APPROPRIATE MEANS TO THE MOST APPROPRIATE PROVIDER OF MEDICAL
45 SERVICES BASED ON THE PATIENT'S CONDITION. THE PROTOCOLS SHALL INCLUDE

1 TRIAGE AND TREATMENT PROTOCOLS THAT ALLOW ALL CLASSES OF EMERGENCY MEDICAL
2 TECHNICIANS RESPONDING TO A PERSON WHO HAS ACCESSED 9-1-1, OR A SIMILAR
3 PUBLIC DISPATCH NUMBER, FOR A CONDITION THAT DOES NOT POSE AN IMMEDIATE
4 THREAT TO LIFE OR LIMB TO:

5 1. REFER, ADVISE OR TRANSPORT A PATIENT TO THE MOST APPROPRIATE HEALTH
6 CARE INSTITUTION AS DEFINED BY SECTION 36-401, SUBSECTION A, PARAGRAPH 22
7 BASED ON THE PATIENT'S CONDITION, TAKING INTO CONSIDERATION FACTORS INCLUDING
8 PATIENT CHOICE, THE PATIENT'S HEALTH CARE PROVIDER, SPECIALIZED HEALTH CARE
9 FACILITIES AND LOCAL PROTOCOLS.

10 2. PROVIDE A LIST OF ALTERNATIVE SITES AVAILABLE TO DELIVER CARE.

11 Sec. 3. Exemption from rule making

12 The department of health services is exempt from the rule making
13 requirements of title 41, chapter 6, Arizona Revised Statutes, for the
14 purpose of adopting and revising rules established pursuant to sections
15 36-2205 and 36-2232, Arizona Revised Statutes, as amended by this act and
16 section 36-2202, Arizona Revised Statutes, to implement the provisions of
17 this act.

18 Sec. 4. Adoption of protocols

19 The director of the department of health services shall establish the
20 protocols prescribed in sections 36-2205 and 36-2232, Arizona Revised
21 Statutes, as amended by this act, on or before ninety days after the
22 effective date of this act.

APPROVED BY THE GOVERNOR APRIL 19, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 20, 2001.

Passed the House April 09, 2001,

by the following vote: 58 Ayes,

0 Nays, 2 Not Voting



Speaker of the House



Chief Clerk of the House

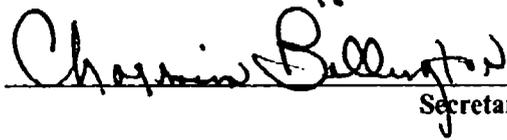
Passed the Senate March 15, 2001,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting



President of the Senate



Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

~~This Bill was received by the Governor this
_____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary to the Governor~~

~~Approved this _____ day of~~

~~_____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Governor of Arizona~~

S.B. 1319

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

~~This Bill was received by the Secretary of State
this _____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary of State~~

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 16, 20 01

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

Robert S. Smith
President of the Senate

Charmin Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

16 day of April, 20 01,

at 2:59 o'clock P M.

Sandra Ramirez
Secretary to the Governor

APPROVED THIS 19 day of

August, 20 01,

at 2:21 o'clock P M.

Janice Lee Sullivan
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 20 day of April, 20 01,

at 12:55 o'clock P M.

Betsy Boyless
Secretary of State

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