

2020 Regular Session

HOUSE BILL NO. 164

BY REPRESENTATIVE DAVIS

HEALTH/EMERG MED SERVICE: Provides relative to emergency medical services protocols in certain life-threatening situations

1 AN ACT

2 To amend and reenact R.S. 40:1133.14(B)(introductory paragraph) and (2), (C), and (E),  
3 1135.3(C)(1)(c), and 1135.8(C)(4)(f), relative to emergency medical services; to  
4 provide for duties of emergency medical personnel in certain situations in which the  
5 life of a patient is threatened; to provide for protocols for rendering emergency  
6 medical services in such situations; to provide for approval of such protocols by  
7 emergency medical services medical directors; to provide relative to requirements  
8 for licensure as an ambulance provider; to provide relative to requirements for  
9 licensure as an air ambulance service; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 40:1133.14(B)(introductory paragraph) and (2), (C), and (E),  
12 1135.3(C)(1)(c), and 1135.8(C)(4)(f) are hereby amended and reenacted to read as follows:

13 §1133.14. Duties of emergency medical personnel

14 \* \* \*

15 B. An emergency medical services practitioner student may, while he is  
16 enrolled in good standing in a ~~state-approved~~ state-approved clinical or field  
17 internship program under the direct supervision of a physician, registered nurse,  
18 paramedic, or other preceptor recognized by the bureau:

19 \* \* \*

20 (2) Administer automated cardiac defibrillation in accordance with rules and  
21 regulations promulgated by the bureau in accordance with the Administrative

1 Procedure Act and a protocol that shall be approved by the local parish medical  
2 society, ~~or its~~ a designee of the local parish medical society, ~~and the local physician~~  
3 or the EMS medical director.

4 C. In a case of a life-threatening situation as determined by a licensed  
5 emergency medical services practitioner, when voice contact with a physician is  
6 delayed, or not possible, or when the delay in treatment could endanger the life of  
7 the patient, such a person may render services; in accordance with one of the  
8 following protocols until voice communication can be established at the earliest  
9 possible time:

10 (1) A protocol approved by the EMS medical director who is a  
11 board-certified or board-eligible emergency medicine physician.

12 (2) A ~~a~~ protocol ~~that shall be~~ established by the emergency medical services  
13 committee or the executive committee of the parish or component medical society,  
14 or its designee, ~~until voice communication can be established at the earliest possible~~  
15 ~~time.~~

16 \* \* \*

17 E. In the event that there is no organized or functional local parish medical  
18 society in a parish of the state, the ~~provisions of~~ functions provided for in Paragraph  
19 (C)(2) of this Section which require the approval of an emergency medical service  
20 ~~protocol by the local parish medical society or its designee~~ may be performed by a  
21 the EMS medical director, parish or multi parish medical society which is adjacent  
22 ~~or contiguous to the parish without an organized or functional local parish medical~~  
23 ~~society. In the absence of such adjacent or contiguous parish or multi parish medical~~  
24 ~~society, the district medical society shall approve an emergency medical service~~  
25 ~~protocol for the parish without an organized or functional local parish medical~~  
26 ~~society.~~

27 \* \* \*

28 §1135.3. Ambulance providers; licensure

29 \* \* \*

1 C. An applicant seeking licensure as an ambulance provider shall:

2 (1) Submit a completed application to the department on such forms and  
3 including such information and supporting documentation as required by the  
4 department. Such information shall include:

5 \* \* \*

6 (c) All medical protocols signed by the ~~physician~~EMS medical  
7 director ~~with their prescribed approvals~~ or by the parish or component medical  
8 society.

9 \* \* \*

10 §1135.8. Air ambulance services; licensure

11 \* \* \*

12 C. An applicant seeking licensure as an air ambulance service shall:

13 \* \* \*

14 (4) Submit to and successfully complete an inspection by the department to  
15 include the following:

16 \* \* \*

17 (f) A review of medical protocols signed by the ~~physician~~ EMS medical  
18 director of the air ambulance service, ~~accompanied by the necessary approvals of or~~  
19 the president or designee of the parish or component medical society in the service's  
20 parish of domicile.

21 \* \* \*

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 164 Engrossed                      2020 Regular Session                      Davis

**Abstract:** Provides relative to emergency medical services in certain life-threatening situations, protocols for rendering such services, and for the role of EMS medical directors.

Present law provides that in a case of a life-threatening situation as determined by a licensed emergency medical services (EMS) practitioner, when voice contact with a physician is delayed or not possible, or when the delay in treatment could endanger the life of the patient,

the practitioner may render services in accordance with a protocol established by the EMS committee or executive committee of the parish or component medical society, or its designee, until voice communication can be established at the earliest possible time.

Proposed law retains present law and adds thereto an authorization for licensed EMS practitioners to render services in such situations in accordance with a protocol approved by the EMS medical director who is a board-certified or board-eligible emergency medicine physician until voice communication can be established at the earliest possible time.

Proposed law amends present law relative to EMS practitioner students administering automated cardiac defibrillation under certain conditions to provide that protocols for this activity shall be approved by the local parish medical society or its designee or the EMS medical director.

Proposed law amends present law to stipulate that if a parish has no organized or functional local medical society, the requirements of present law and proposed law for approval of an EMS protocol may be satisfied by the EMS medical director.

Proposed law amends present law relative to licensure of ambulance providers to provide that applicants for such licensure shall include with their applications all medical protocols signed by the EMS medical director or by the parish or component medical society.

Proposed law amends present law relative to licensure of air ambulance services to provide that applicants for such licensure shall submit to and successfully complete an inspection that includes a review of medical protocols signed by the EMS medical director of the air ambulance service or the president or designee of the parish or component medical society in the service's parish of domicile.

(Amends R.S. 40:1133.14(B)(intro. para.) and (2), (C), and (E), 1135.3(C)(1)(c), and 1135.8(C)(4)(f))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Amend present law relative to EMS practitioner students administering automated cardiac defibrillation under certain conditions to provide that protocols for this activity shall be approved by the local parish medical society or its designee or the EMS medical director.
2. Revise present law and proposed law to stipulate that if a parish has no organized or functional local medical society, the requirements of present law and proposed law for approval of an EMS protocol may be satisfied by the EMS medical director.
3. Amend present law relative to licensure of ambulance providers to provide that applicants for such licensure shall include with their applications all medical protocols signed by the EMS medical director or by the parish or component medical society.
4. Amend present law relative to licensure of air ambulance services to provide that applicants for such licensure shall submit to and successfully complete an inspection that includes a review of medical protocols signed by the EMS medical director of the air ambulance service or the president or designee of the parish or component medical society in the service's parish of domicile.
5. Make technical changes.