

RÉSUMÉ DIGEST

ACT 644 (HB 505)

2022 Regular Session

Jefferson

New law provides that for purposes of existing law and new law relative to emergency medical services, R.S. 40:1131 et seq., "certified ambulance operator" means an individual who is certified by the Bureau of Emergency Medical Services (Bureau of EMS) of the La. Department of Health (LDH) as a certified ambulance operator. Stipulates that the term shall not include any individual employed by a fire department of any municipality, parish, or fire protection district or any volunteer firefighter of the state of La.

New law requires that each applicant for certification as an ambulance operator be at least 18 years of age and submit all of the following to the Bureau of EMS:

- (1) A copy of the applicant's valid, unrestricted driver's license at the appropriate level required by law.
- (2) A copy of a current and valid defensive driving certificate issued by the National Safety Council or its equivalent as determined by LDH.
- (3) A copy of a current and valid American Heart Association Health Care Provider credential, American Red Cross Professional Rescuer credential, or an equivalent cardio-pulmonary resuscitation certification approved by LDH.
- (4) A copy of the applicant's current official driving record from the La. Department of Public Safety and Corrections.

New law authorizes the Bureau of EMS to assess a fee of \$10 for ambulance operator certification. Provides that the certification shall expire one year after it is issued and shall not be renewable.

New law authorizes certified ambulance operators to perform any of the following functions:

- (1) Operate an ambulance in compliance with federal, state, and local law.
- (2) Assist with the handling and movement of a sick, injured, or disabled individual if a licensed emergency medical services practitioner, registered nurse, physician assistant, or physician directly supervises the operator.

New law prohibits an ambulance operator from administering care procedures that a licensed emergency medical services practitioner is authorized to administer unless he is trained and certified or licensed to do so.

New law stipulates that no licensed emergency medical services practitioner shall be required to hold a certification as an ambulance operator in order to operate an ambulance.

New law authorizes the La. Emergency Medical Services Certification Commission to discipline any certified ambulance operator for any of the following causes by directing the Bureau of EMS to deny, withhold, revoke, restrict, probate, or suspend a certification to operate as an ambulance operator; imposing fines and assessing costs; or otherwise sanctioning the ambulance operator:

- (1) Fraud or any misstatement of fact in the procurement of any certification or in any other statement or representation to the Bureau of EMS or its representatives.
- (2) Conviction of a crime or offense which reflects the inability of the individual to carry out his duties with due regard for the health and safety of clients or patients.
- (3) Entering a plea of guilty or nolo contendere to a criminal charge regardless of final disposition of the criminal proceeding, including but not limited to expungement or nonadjudication.
- (4) Is unfit or incompetent by reason of negligence, habit, or other cause.

- (5) Is mentally incompetent.
- (6) Is habitually intemperate in the use of or abuses alcohol or habit-forming drugs.
- (7) Is guilty of aiding or abetting another person in violating any provision of existing law or new law.
- (8) Continuing or recurring practices which fail to meet the standards of ambulance operators in this state.
- (9) Endeavors to deceive or defraud the public.
- (10) Is guilty of moral turpitude.
- (11) Has violated any rules and regulations of the commission or the Bureau of EMS or any provision of existing law or new law.
- (12) Intentional falsification of any document related to the procurement of any certification or license.
- (13) Operating any vehicle in violation of state or local traffic laws.
- (14) Revocation, suspension, or any restriction of the ambulance operator's driver's license.
- (15) Failure to maintain all current ambulance operator training standards as required by the Bureau of EMS.
- (16) Has had a certification or license to practice as an ambulance operator denied, revoked, suspended, or otherwise restricted in La. or any other U.S. state or territory.

Existing law, R.S. 40:1133.13, provides civil immunity in connection with certain emergency medical services. New law retains existing law and extends its immunity provisions to certified ambulance operators.

Existing law, R.S. 40:1203.1 et seq., prohibits licensed healthcare facilities and providers from hiring certain nonlicensed persons when the results of a criminal history check reveal that the person has been convicted of any criminal offense enumerated in existing law. New law retains existing law and adds certified ambulance operators to the list of nonlicensed persons to whom the prohibition on hiring based on criminal history shall apply.

New law defines the terms "advanced life support" and "basic life support" for purposes of existing law and new law. Requires that advanced life support ambulances be staffed by not less than two people, at least one of whom shall be licensed, at a minimum, to the level of advanced emergency medical technician.

Effective August 1, 2022.

(Amends R.S. 40:1131(intro. para.), 1133.2(A)(1) and (B)(intro. para.), 1133.4(A)(4), 1133.5(2), 1133.8(D) and (E), 1133.10(intro. para.), 1133.13(A)(1), and 1203.1(intro. para.) and (5); Adds R.S. 40:1131(24)-(26), 1133.2(B)(5), 1133.5(11) and (12), 1133.10(9), 1133.17, 1133.18, and 1135.1(A)(2)(e) and (8))