

[As Amended by Senate Committee of the Whole]

As Amended by Senate Committee

[As Amended by House Committee of the Whole]

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Session of 2011

HOUSE BILL No. 2119

By Committee on Local Government

1-27

1 AN ACT concerning emergency medical services; relating to ~~[political~~
2 ~~subdivisions; relating to]~~ accident response service fees; amending
3 ~~K.S.A. 80-1557 and repealing the existing section]; relating to~~
4 ~~marking of vehicles [emergency; relating to medical and other~~
5 ~~services emergency and trauma]; amending K.S.A. 8-305 [, 65-6102,~~
6 ~~65-6110, 65-6126, 65-6132 and 65-6133 and K.S.A. 2010 Supp. 65-~~
7 ~~6112, 65-6120, 65-6121, 65-6123, 65-6129 and 65-6144 and K.S.A.~~
8 ~~2010 Supp. 75-5664 and 75-5665] and repealing the existing section]~~
9 ~~[sections].~~

10
11 *Be it enacted by the Legislature of the State of Kansas:*

12 Section 1. K.S.A. 80-1557 is hereby amended to read as follows: 80-
13 1557. (a) As used in this section:

14 (1) "Rescue service" means a service which provides emergency care
15 by qualified personnel through a township or fire district fire department.

16 (2) "Emergency care" means the services provided after the onset of a
17 medical condition manifesting itself by acute symptoms of sufficient
18 severity such that the absence of immediate medical attention could
19 reasonably be expected to: (A) Place the patient's health in serious
20 jeopardy; (B) seriously impair bodily functions; or (C) result in serious
21 dysfunction of any bodily organ or part.

22 (3) "Qualified personnel" means any individual who holds a
23 certificate as an attendant as defined in K.S.A. 65-6112, and amendments
24 thereto.

25 (4) "Township" means any township which has established a fire
26 department pursuant to K.S.A. 80-1901 et seq., and amendments thereto.

27 (5) "Fire district" means any fire district which has established a fire
28 department pursuant to K.S.A. 80-1540 et seq., and amendments thereto.

29 (b) The township board or governing body of the fire district may
30 authorize the township or fire district fire department to provide rescue

1 service as a township or fire district function, within or without the
2 township or fire district, or may contract with any person or governmental
3 entity for the furnishing of rescue service and upon such terms and
4 conditions, and for such compensation as may be agreed upon which shall
5 be payable from the township general fund or the fire fund or the fire
6 district fund.

7 (e) ~~The township board or governing body of the fire district may~~
8 ~~establish charges to persons receiving rescue service inside or outside of~~
9 ~~such township or fire district. Rescue service shall not include an accident~~
10 ~~response service fee. As used in this subsection, the term "accident~~
11 ~~response service fee" means any fee imposed on the driver or owner of a~~
12 ~~motor vehicle, an insurance company or any other person, for the response~~
13 ~~to or investigation of a motor vehicle accident, but does not include the~~
14 ~~usual and customary charges for providing ambulance and emergency~~
15 ~~services when immediate action is required to save life, prevent suffering~~
16 ~~or disability or to protect and save property. The charges so made and~~
17 ~~received shall be deposited in the general funds of the township or fire~~
18 ~~district, and the same may be used in addition to funds received under the~~
19 ~~tax levies authorized by K.S.A. 80-1546 and 80-1903, and amendments~~
20 ~~thereto.~~

21 (d) ~~Qualified personnel providing rescue service shall be~~
22 ~~compensated in the same manner as other fire department employees and~~
23 ~~volunteers as provided by K.S.A. 80-1544 and 80-1904, and amendments~~
24 ~~thereto.~~

25 Sec. 2.—K.S.A.80-1557 is hereby repealed.

26 [New] Section 1. (a) As used in this section:

27 (1) "Municipality" means a city, county, township, fire district or
28 any other political and taxing subdivisions in this state.

29 (2) "Accident response service fee" means any fee imposed on the
30 driver or owner of a motor vehicle, an insurance company or any
31 other person, for the response to or investigation of a motor vehicle
32 accident, but does not include the usual and customary charges for
33 providing ambulance and emergency services when immediate action
34 is required to save life, prevent suffering or disability or to protect and
35 save property.

36 (3) "Emergency services" includes the police, fire *the actual costs*
37 *of police, fire, technical rescue situations, including, but not limited to,*
38 *vehicle extrication, trench rescue, high-angle rescue, confined-space*
39 *rescue and swift-water rescue* and emergency medical service
40 personnel and equipment deemed appropriate by the municipality to
41 address reasonably anticipated needs including, but not limited to,
42 unknown number of injured persons and possible environmental and
43 health threats *involving hazardous material.*

1 (b) No municipality shall charge an accident response fee to
2 persons receiving emergency services inside or outside of such
3 municipality, except for actual costs of *[providing such emergency*
4 *service in response to]* a motor vehicle accident ~~involving hazardous~~
5 ~~materials or requiring extraordinary emergency services.~~

6 [Sec. 2. K.S.A. 8-305 is hereby amended to read as follows: 8-305.
7 All motor vehicles owned or leased by any political subdivision of the
8 state of Kansas shall bear the name of the political subdivision owning
9 or leasing such vehicle plainly printed on both sides thereof. This act
10 shall not apply to the following:

11 (a) Municipal fire apparatus, police patrols and ambulances;
12 (b) passenger vehicles used by plain clothes police officers, *county*
13 *or district attorney investigators* or community corrections personnel
14 working in the employ of any political subdivision; and

15 (c) motor vehicles owned or leased by any municipal university.]

16 [Sec. 3. K.S.A. 65-6102 is hereby amended to read as follows: 65-
17 6102. (a) There is hereby established the emergency medical services
18 board. The office of the emergency medical services board shall be
19 located in the city of Topeka, Kansas.

20 (b) The emergency medical services board shall be composed of ~~13~~
21 15 members to be appointed as follows:

22 (1) ~~Nine~~ Eleven members shall be appointed by the governor. Of
23 such members:

24 (A) ~~One~~ Three shall be a member of the Kansas medical society
25 physicians who is are actively involved in emergency medical services;

26 (B) two shall be county commissioners of counties making a levy
27 for ambulance service, at least one of whom shall be from a county
28 having a population of less than 15,000;

29 (C) one shall be an instructor-coordinator;

30 (D) one shall be a hospital administrator actively involved in
31 emergency medical services;

32 (E) one shall be a member of a firefighting unit which provides
33 emergency medical service; and

34 (F) three shall be attendants who are actively involved in
35 emergency medical service. At least two classifications of attendants
36 shall be represented. At least one of such members shall be from a
37 volunteer emergency medical service; and

38 (2) four members shall be appointed as follows:

39 (A) One shall be a member of the Kansas senate to be appointed by
40 the president of the senate;

41 (B) one shall be a member of the Kansas senate to be appointed by
42 the minority leader of the senate;

43 (C) one shall be a member of the Kansas house of representatives to

1 *be appointed by the speaker of the house of representatives; and*

2 *(D) one shall be a member of the Kansas house of representatives*
3 *to be appointed by the minority leader of the house of representatives.*

4 *All members of the board shall be residents of the state of Kansas.*
5 *Appointments to the board shall be made with due consideration that*
6 *representation of the various geographical areas of the state is ensured.*
7 *The governor may remove any member of the board upon*
8 *recommendation of the board. Any person appointed to a position on the*
9 *board shall forfeit such position upon vacating the office or position*
10 *which qualified such person to be appointed as a member of the board.*

11 *(c) Of the members first appointed to the board, four shall be*
12 *appointed for terms of one year, three for terms of two years, three for*
13 *terms of three years and three for terms of four years. Of the two*
14 *additional physician members appointed by the governor after July 1,*
15 *2011, one shall be appointed for a term of three years and one shall be*
16 *appointed for a term of four years. Thereafter, members shall be*
17 *appointed for terms of four years and until their successors are*
18 *appointed and qualified. In the case of a vacancy in the membership of*
19 *the board, the vacancy shall be filled for the unexpired term.*

20 *(d) The board shall meet at least six times annually and at least*
21 *once each quarter and at the call of the chairperson or at the request of*
22 *the administrator of the emergency medical services board or of any six*
23 *members of the board. At the first meeting of the board after January 1*
24 *each year, the members shall elect a chairperson and a vice-chairperson*
25 *who shall serve for a term of one year. The vice-chairperson shall*
26 *exercise all of the powers of the chairperson in the absence of the*
27 *chairperson. If a vacancy occurs in the office of the chairperson or vice-*
28 *chairperson, the board shall fill such vacancy by election of one of its*
29 *members to serve the unexpired term of such office. Members of the*
30 *board attending meetings of the board or attending a subcommittee*
31 *meeting thereof authorized by the board shall be paid compensation,*
32 *subsistence allowances, mileage and other expenses as provided in*
33 *K.S.A. 75-3223, and amendments thereto.*

34 *(e) Except as otherwise provided by law, all vouchers for*
35 *expenditures and all payrolls of the emergency medical services board*
36 *shall be approved by the emergency medical services board or a person*
37 *designated by the board.*

38 *Sec. 4. K.S.A. 65-6110 is hereby amended to read as follows: 65-*
39 *6110. (a) The board shall adopt any rules and regulations necessary for*
40 *the regulation of ambulance services. Such rules and regulations shall*
41 *include: (1) A classification of the different types of ambulance services;*
42 *(2) requirements as to equipment necessary for ambulances and rescue*
43 *vehicles; (3) qualifications and training of attendants, instructor-*

1 *coordinators and training officers; (4) requirements and fees for the*
2 *licensure, temporary licensure, and renewal of licensure for ambulances*
3 *and rescue vehicles; (5) records and equipment to be maintained by*
4 *operators, instructor-coordinators, training officers, providers of*
5 *training and attendants; and (6) requirements for a quality assurance and*
6 *improvement program for ambulance services; (7) staffing requirements*
7 *for attendant or medical personnel for ambulance services and vehicles;*
8 *and (8) such other matters as the board deems necessary to implement*
9 *and administer the provisions of this act.*

10 *(b) The provisions of this act shall not apply to rescue vehicles*
11 *operated by a fire department.*

12 *Sec. 5. K.S.A. 2010 Supp. 65-6112 is hereby amended to read as*
13 *follows: 65-6112. As used in this act:*

14 *(a) "Administrator" means the executive director of the emergency*
15 *medical services board.*

16 *(b) "Advanced emergency medical technician" means a person*
17 *who holds an advanced emergency medical technician certificate issued*
18 *pursuant to this act.*

19 *(c) "Advanced registered nurse practitioner" means an advanced*
20 *registered nurse practitioner as defined in K.S.A. 65-1113, and*
21 *amendments thereto.*

22 *(d) "Ambulance" means any privately or publicly owned motor*
23 *vehicle, airplane or helicopter designed, constructed, prepared, staffed*
24 *and equipped for use in transporting and providing emergency care for*
25 *individuals who are ill or injured.*

26 *(e) "Ambulance service" means any organization operated for the*
27 *purpose of transporting sick or injured persons to or from a place where*
28 *medical care is furnished, whether or not such persons may be in need*
29 *of emergency or medical care in transit.*

30 *(f) "Attendant" means a first responder, an emergency medical*
31 *responder, emergency medical technician, emergency medical*
32 *technician-intermediate, emergency medical technician-defibrillator,*
33 *emergency medical technician-intermediate/defibrillator, advanced*
34 *emergency medical technician, mobile intensive care technician or*
35 *paramedic certified pursuant to this act.*

36 *(g) "Board" means the emergency medical services board*
37 *established pursuant to K.S.A. 65-6102, and amendments thereto.*

38 *(h) "Emergency medical service" means the effective and*
39 *coordinated delivery of such care as may be required by an emergency*
40 *which includes the care and transportation of individuals by ambulance*
41 *services and the performance of authorized emergency care by a*
42 *physician, advanced registered nurse practitioner, professional nurse, a*
43 *licensed physician assistant or attendant.*

1 (i) "Emergency medical technician" means a person who holds an
2 emergency medical technician certificate issued pursuant to this act.

3 (j) "Emergency medical technician-defibrillator" means a person
4 who holds an emergency medical technician-defibrillator certificate
5 issued pursuant to this act.

6 (k) "Emergency medical technician-intermediate" means a person
7 who holds an emergency medical technician-intermediate certificate
8 issued pursuant to this act.

9 (l) "Emergency medical technician-intermediate/defibrillator"
10 means a person who holds both an emergency medical technician-
11 intermediate and emergency medical technician defibrillator certificate
12 issued pursuant to this act.

13 (m) "Emergency medical responder" means a person who holds an
14 emergency medical responder certificate issued pursuant to this act.

15 (n) "First responder" means a person who holds a first responder
16 certificate issued pursuant to this act.

17 (o) "Hospital" means a hospital as defined by K.S.A. 65-425, and
18 amendments thereto.

19 (p) "Instructor-coordinator" means a person who is certified under
20 this act to teach initial courses of certification of instruction and
21 continuing education classes.

22 (q) "Medical ~~adviser~~ director" means a physician.

23 (r) "Medical protocols" mean written guidelines which authorize
24 attendants to perform certain medical procedures prior to contacting a
25 physician, physician assistant authorized by a physician, advanced
26 registered nurse practitioner authorized by a physician or professional
27 nurse authorized by a physician. The medical protocols shall be
28 approved by a county medical society or the medical staff of a hospital to
29 which the ambulance service primarily transports patients, or if neither
30 of the above are able or available to approve the medical protocols, then
31 the medical protocols shall be submitted to the medical advisory council
32 for approval.

33 (s) "Mobile intensive care technician" means a person who holds a
34 mobile intensive care technician certificate issued pursuant to this act.

35 (t) "Municipality" means any city, county, township, fire district or
36 ambulance service district.

37 (u) "Nonemergency transportation" means the care and transport
38 of a sick or injured person under a foreseen combination of
39 circumstances calling for continuing care of such person. As used in
40 this subsection, transportation includes performance of the authorized
41 level of services of the attendant whether within or outside the vehicle as
42 part of such transportation services.

43 (v) "Operator" means a person or municipality who has a permit to

1 *operate an ambulance service in the state of Kansas.*

2 *(w) "Paramedic" means a person who holds a paramedic*
3 *certificate issued pursuant to this act.*

4 *(x) "Person" means an individual, a partnership, an association, a*
5 *joint-stock company or a corporation.*

6 *(y) "Physician" means a person licensed by the state board of*
7 *healing arts to practice medicine and surgery.*

8 *(z) "Physician assistant" means a person who is licensed under the*
9 *physician assistant licensure act and who is acting under the direction of*
10 *a responsible physician.*

11 *(aa) "Professional nurse" means a licensed professional nurse as*
12 *defined by K.S.A. 65-1113, and amendments thereto.*

13 *(bb) "Provider of training" means a corporation, partnership,*
14 *accredited postsecondary education institution, ambulance service, fire*
15 *department, hospital or municipality that conducts training programs*
16 *that include, but are not limited to, initial courses of instruction and*
17 *continuing education for attendants, instructor-coordinators or training*
18 *officers.*

19 *(cc) "Responsible physician" means responsible physician as such*
20 *term is defined under K.S.A. 65-28a02, and amendments thereto.*

21 *(dd) "Training officer" means a person who is certified pursuant to*
22 *this act to teach, coordinate or both, initial courses of instruction for first*
23 *responders or emergency medical responders and continuing education*
24 *as prescribed by the board.*

25 *Sec. 6. K.S.A. 2010 Supp. 65-6120 is hereby amended to read as*
26 *follows: 65-6120. (a) Notwithstanding any other provision of law to the*
27 *contrary, an emergency medical technician-intermediate may:*

28 *(1) Perform any of the activities identified by K.S.A. 65-6121, and*
29 *amendments thereto;*

30 *(2) when approved by medical protocols ~~and~~ or where voice contact*
31 *by radio or telephone is monitored by a physician, physician assistant*
32 *where authorized by a physician, advanced registered nurse practitioner*
33 *where authorized by a physician or licensed professional nurse where*
34 *authorized by a physician, and direct communication is maintained,*
35 *upon order of such person, may perform veni-puncture for the purpose*
36 *of blood sampling collection and initiation and maintenance of*
37 *intravenous infusion of saline solutions, dextrose and water solutions or*
38 *ringers lactate IV solutions, endotracheal intubation and administration*
39 *of nebulized albuterol;*

40 *(3) perform, during an emergency, those activities specified in*
41 *subsection (a)(2) before contacting the persons identified in subsection*
42 *(a)(2) when specifically authorized to perform such activities by medical*
43 *protocols; or*

1 ***(4) perform, during nonemergency transportation, those activities***
2 ***specified in this section when specifically authorized to perform such***
3 ***activities by medical protocols.***

4 ***(b) An individual who holds a valid certificate as an emergency***
5 ***medical technician-intermediate once successfully completing the board***
6 ***prescribed transition course, and validation of cognitive and***
7 ***psychomotor competency as determined by rules and regulations of the***
8 ***board, may apply to transition to become an advanced emergency medical***
9 ***technician. Alternatively, upon application for renewal, such individual***
10 ***shall be deemed to hold a certificate as an advanced emergency medical***
11 ***technician under this act, provided such individual has completed all***
12 ***continuing education hour requirements inclusive of the successful***
13 ***completion of a transition course and such individual shall not be***
14 ***required to file an original application for certification as an advanced***
15 ***emergency medical technician under this act.***

16 ***(c) "Renewal" as used in subsection (b), refers to the first or second***
17 ***opportunity after December 31, 2011, that an emergency medical***
18 ***technician-intermediate has to apply for renewal of a certificate***
19 ***following the effective date of this act.***

20 ***(d) Emergency medical technician-intermediates who fail to meet***
21 ***the transition requirements as specified*** ~~will be required, at a minimum,~~
22 ~~to gain the continuing education applicable to emergency medical~~
23 ~~technician as defined by rules and regulations of the board. Failure to do~~
24 ~~so will result in loss of certification.~~ ***may complete either the board***
25 ***prescribed emergency medical technician transition course or emergency***
26 ***medical responder transition course, provide validation of cognitive and***
27 ***psychomotor competency and all continuing education hour requirements***
28 ***inclusive of the successful completion of a transition course as determined***
29 ***by rules and regulations of the board. Upon completion, such emergency***
30 ***medical technician-intermediate may apply to transition to become an***
31 ***emergency medical technician or an emergency medical responder,***
32 ***depending on the transition course that was successfully completed.***
33 ***Alternatively, upon application for renewal of an emergency medical***
34 ***technician-intermediate certificate, the applicant shall be renewed as an***
35 ***emergency medical technician or an emergency medical responder,***
36 ***depending on the transition course that was successfully completed. Such***
37 ***individual shall not be required to file an original application for***
38 ***certification as an emergency medical technician or emergency medical***
39 ***responder.***

40 ***(e) Failure to successfully complete either an advanced emergency***
41 ***medical technician transition course, an emergency medical technician***
42 ***transition course or emergency medical responder transition course will***
43 ***result in loss of certification.***

1 ~~(e)~~ (f) *Upon transition, notwithstanding any other provision of law*
2 *to the contrary, an advanced emergency medical technician may:*

3 (1) *Perform any of the activities identified by K.S.A. 65-6121, and*
4 *amendments thereto; and*

5 (2) *any of the following interventions, by use of the devices,*
6 *medications and equipment, or any combination thereof, as specifically*
7 *identified in rules and regulations, after successfully completing an*
8 *approved course of instruction, local specialized device training and*
9 *competency validation and when authorized by medical protocols, or*
10 *upon order when direct communication is maintained by radio,*
11 *telephone or video conference with a physician, physician assistant*
12 *where authorized by a physician, an advanced registered nurse*
13 *practitioner where authorized by a physician, or licensed professional*
14 *nurse where authorized by a physician upon order of such a person: (A)*
15 *Continuous positive airway pressure devices; (B) advanced airway*
16 *management; (C) referral of patient of alternate medical care site based*
17 *on assessment; (D) transportation of a patient with a capped arterial*
18 *line; (E) veni-puncture for obtaining blood sample; (F) initiation and*
19 *maintenance of intravenous infusion or saline lock; (G) initiation of*
20 *intraosseous infusion; (H) nebulized therapy; (I) manual defibrillation*
21 *and cardioversion; (J) cardiac monitoring; (K) medication administration*
22 ~~via~~ *ECG interpretation; (L) administration of generic or trade name*
23 *medications by one or more of the following methods: (i) Aerosolization;*
24 *(ii) nebulization; (iii) intravenous; (iv) intranasal; (v) rectal; (vi)*
25 *subcutaneous; (vii) intraosseous; (viii) intramuscular; or (ix)*
26 *sublingual.*

27 ~~(f)~~ (g) *An individual who holds a valid certificate as both an*
28 *emergency medical technician-intermediate and as an emergency*
29 *medical technician-defibrillator once successfully completing the board*
30 *prescribed transition course, and validation of cognitive and*
31 *psychomotor competency as determined by rules and regulations of the*
32 *board, may apply to transition to an advanced emergency medical*
33 *technician. Alternatively, upon application for renewal, such individual*
34 *shall be deemed to hold a certificate as an advanced emergency medical*
35 *technician under this act, provided such individual has completed all*
36 *continuing education hour requirements inclusive of successful completion*
37 *of a transition course, and such individual shall not be required to file an*
38 *original application for certification as an advanced emergency medical*
39 *technician under this act.*

40 ~~(g)~~ (h) *"Renewal" as used in subsection (f), refers to the first or*
41 *second opportunity after December 31, 2011, that an emergency medical*
42 *technician-intermediate and emergency medical technician-defibrillator*
43 *has to apply for renewal of a certificate following the effective date of*

1 this act.

2 ~~(h) (i) Emergency medical technician-intermediate and emergency~~
 3 ~~medical technician-defibrillator who fail to meet the transition~~
 4 ~~requirements as specified will be required, at a minimum, to gain the~~
 5 ~~continuing education applicable to emergency medical technician as~~
 6 ~~defined by rules and regulations of the board. Failure to do so will result in~~
 7 ~~loss of certification.~~ *An individual who holds both an emergency medical*
 8 *technician-intermediate certificate and an emergency medical technician-*
 9 *defibrillator certificate, who fails to meet the transition requirements as*
 10 *specified may complete either the board prescribed emergency medical*
 11 *technician transition course or emergency medical responder transition*
 12 *course, and provide validation of cognitive and psychomotor competency*
 13 *and all continuing education hour requirements inclusive of successful*
 14 *completion of a transition course as determined by rules and regulations*
 15 *of the board. Upon completion, such individual may apply to transition to*
 16 *become an emergency medical technician or emergency medical*
 17 *responder, depending on the transition course that was successfully*
 18 *completed. Alternatively, upon application for renewal of an emergency*
 19 *medical technician-intermediate certificate and an emergency medical*
 20 *technician-defibrillator certificate, the applicant shall be renewed as an*
 21 *emergency medical technician or an emergency medical responder,*
 22 *depending on the transition course that was successfully completed. Such*
 23 *individual shall not be required to file an original application for*
 24 *certification as an emergency medical technician or emergency medical*
 25 *responder.*

26 *(j) Failure to successfully complete either the advanced emergency*
 27 *medical technician transition requirements, an emergency medical*
 28 *technician transition course or the emergency medical responder*
 29 *transition course will result in loss of certification.*

30 **Sec. 7. K.S.A. 2010 Supp. 65-6121 is hereby amended to read as**
 31 **follows: 65-6121. (a) Notwithstanding any other provision of law to the**
 32 **contrary, an emergency medical technician may perform any of the**
 33 **following activities:**

- 34 **(1) Patient assessment and vital signs;**
 35 **(2) airway maintenance including the use of:**
 36 **(A) Oropharyngeal and nasopharyngeal airways;**
 37 **(B) esophageal obturator airways with or without gastric suction**
 38 **device;**
 39 **(C) multi-lumen airway; and**
 40 **(D) oxygen demand valves.**
 41 **(3) Oxygen therapy;**
 42 **(4) oropharyngeal suctioning;**
 43 **(5) cardiopulmonary resuscitation procedures;**

- 1 (6) *control accessible bleeding;*
- 2 (7) *apply pneumatic anti-shock garment;*
- 3 (8) *manage outpatient medical emergencies;*
- 4 (9) *extricate patients and utilize lifting and moving techniques;*
- 5 (10) *manage musculoskeletal and soft tissue injuries including*
6 *dressing and bandaging wounds or the splinting of fractures,*
7 *dislocations, sprains or strains;*
- 8 (11) *use of backboards to immobilize the spine;*
- 9 (12) *administer activated charcoal and glucose;*
- 10 (13) *monitor peripheral intravenous line delivering intravenous*
11 *fluids during interfacility transport with the following restrictions:*
- 12 (A) *The physician approves the transfer by an emergency medical*
13 *technician;*
- 14 (B) *no medications or nutrients have been added to the intravenous*
15 *fluids; and*
- 16 (C) *the emergency medical technician may monitor, maintain and*
17 *shut off the flow of intravenous fluid;*
- 18 (14) *use automated external defibrillators;*
- 19 (15) *administer epinephrine auto-injectors provided that:*
- 20 (A) *The emergency medical technician successfully completes a*
21 *course of instruction approved by the board in the administration of*
22 *epinephrine; and*
- 23 (B) *the emergency medical technician serves with an ambulance*
24 *service or a first response organization that provides emergency medical*
25 *services; and*
- 26 (C) *the emergency medical technician is acting pursuant to medical*
27 *protocols;*
- 28 (16) *perform, during nonemergency transportation, those activities*
29 *specified in this section when specifically authorized to perform such*
30 *activities by medical protocols; or*
- 31 (17) *when authorized by medical protocol, assist the patient in the*
32 *administration of the following medications which have been prescribed*
33 *for that patient: Auto-injection epinephrine, sublingual nitroglycerin*
34 *and inhalers for asthma and emphysema.*
- 35 (b) *An individual who holds a valid certificate as an emergency*
36 *medical technician at the current basic level once successfully*
37 *completing the board prescribed transition course, and validation of*
38 *cognitive and psychomotor competency as determined by rules and*
39 *regulations of the board, may apply to transition to become an emergency*
40 *medical technician. Alternatively, upon application for renewal, such*
41 *individual shall be deemed to hold a certificate as an emergency medical*
42 *technician under this act, provided such individual has completed all*
43 *continuing education hour requirements inclusive of successful completion*

1 *of a transition course, and such individual shall not be required to file an*
2 *original application for certification as an emergency medical*
3 *technician under this act.*

4 *(c) "Renewal" as used in subsection (b); refers to the first*
5 *opportunity after December 31, 2011, that an emergency medical*
6 *technician has to apply for renewal of a certificate following the*
7 *effective date of this act.*

8 *(d) Emergency medical technicians who fail to meet the transition*
9 *requirements as specified will be required, at a minimum, to gain the*
10 *continuing education applicable to emergency medical responder as*
11 *defined by rules and regulations of the board. Failure to do so will result in*
12 *loss of certification. may successfully complete the board prescribed*
13 *emergency medical responder transition course, provide validation of*
14 *cognitive and psychomotor competency and all continuing education hour*
15 *requirements inclusive of the successful completion of a transition course*
16 *as determined by rules and regulations of the board. Alternatively, upon*
17 *application for renewal of an emergency medical technician certificate,*
18 *the applicant shall be deemed to hold a certificate as an emergency*
19 *medical responder under this act, and such individual shall not be*
20 *required to file an original application for certification as an emergency*
21 *medical responder.*

22 *(e) Failure to successfully complete either an emergency medical*
23 *technician transition course or emergency medical responder transition*
24 *course will result in loss of certification.*

25 *(e) (f) Upon transition, notwithstanding any other provision of law*
26 *to the contrary, an emergency medical technician may perform any*
27 *activities identified in K.S.A. 65-6144, and amendments thereto, and any*
28 *of the following interventions, by use of the devices, medications and*
29 *equipment, or any combination thereof, after successfully completing an*
30 *approved course of instruction, local specialized device training and*
31 *competency validation and when authorized by medical protocols, or*
32 *upon order when direct communication is maintained by radio,*
33 *telephone or video conference is monitored by a physician, physician*
34 *assistant when authorized by a physician, an advanced registered nurse*
35 *practitioner when authorized by a physician or a licensed professional*
36 *nurse when authorized by a physician, upon order of such person:*

37 *(1) Airway maintenance including use of:*

38 *(A) Single lumen airways as approved by the board;*

39 *(B) multilumen airways;*

40 *(C) ventilator devices;*

41 *(D) forceps removal of airway obstruction;*

42 *(E) CO2 monitoring;*

43 *(F) airway suctioning;*

- 1 **(2) apply pneumatic anti-shock garment;**
- 2 **(3) assist with childbirth;**
- 3 **(4) monitoring urinary catheter;**
- 4 **(5) capillary blood sampling;**
- 5 **(6) cardiac monitoring;**
- 6 **(7) administration of patient assisted medications as approved by**
7 **the board;**
- 8 **(8) administration of medications as approved by the board by**
9 **appropriate routes; and**
- 10 **(9) monitor, maintain or discontinue flow of IV line if a physician**
11 **approves transfer by an emergency medical technician.**

12 **Sec. 8. K.S.A. 2010 Supp. 65-6123 is hereby amended to read as**
13 **follows: 65-6123. (a) Notwithstanding any other provision of law to the**
14 **contrary, an emergency medical technician-defibrillator may:**

15 **(1) Perform any of the activities identified in K.S.A. 65-6121, and**
16 **amendments thereto;**

17 **(2) when approved by medical protocols and/or where voice contact**
18 **by radio or telephone is monitored by a physician, physician assistant**
19 **where authorized by a physician, advanced registered nurse practitioner**
20 **where authorized by a physician, or licensed professional nurse where**
21 **authorized by a physician, and direct communication is maintained,**
22 **upon order of such person, may perform electrocardiographic**
23 **monitoring and defibrillation;**

24 **(3) perform, during an emergency, those activities specified in**
25 **subsection (b) before contacting the persons identified in subsection (b)**
26 **when specifically authorized to perform such activities by medical**
27 **protocols; or**

28 **(4) perform, during nonemergency transportation, those activities**
29 **specified in this section when specifically authorized to perform such**
30 **activities by medical protocols.**

31 **(b) An individual who holds a valid certificate as an emergency**
32 **medical technician-defibrillator once successfully completing an**
33 **emergency medical technician-intermediate, initial course of instruction**
34 **and the board prescribed transition course, and validation of cognitive**
35 **and psychomotor competency as determined by rules and regulations of**
36 **the board, may apply to transition to become an advanced emergency**
37 **medical technician. Alternatively, upon application for renewal, such**
38 **individual shall be deemed to hold a certificate as an advanced**
39 **emergency medical technician under this act, provided such individual**
40 **has completed all continuing education hour requirements inclusive of**
41 **successful completion of a transition course, and such individual shall**
42 **not be required to file an original application for certification as an**
43 **advanced emergency medical technician under this act.**

1 (c) **"Renewal"** as used in subsection (b), refers to the second
2 opportunity after December 31, 2011, that an attendant has to apply for
3 renewal of a certificate following the effective date of this act.

4 (d) **EMT-D attendants who fail to meet the transition requirements**
5 **as specified** will be required, at a minimum, to gain the continuing
6 education applicable to emergency medical technician as defined by rules
7 and regulations of the board. Failure to do so will result in loss of
8 certification. ~~may complete either the board prescribed emergency medical~~
9 ~~technician transition course or emergency medical responder transition~~
10 ~~course, provide validation of cognitive and psychomotor competency~~
11 ~~provided such individual has completed all continuing education hour~~
12 ~~requirements inclusive of the successful completion of a transition course~~
13 ~~as determined by rules and regulations of the board. Upon completion,~~
14 ~~such emergency medical technician-defibrillator may apply to transition~~
15 ~~to become an emergency medical technician or an emergency medical~~
16 ~~responder, depending on the transition course that was successfully~~
17 ~~completed. Alternatively, upon application for renewal of an emergency~~
18 ~~medical technician-defibrillator certificate, the applicant shall be renewed~~
19 ~~as an emergency medical technician or an emergency medical responder,~~
20 ~~depending on the transition course that was successfully completed. Such~~
21 ~~individual shall not be required to file an original application for~~
22 ~~certification as an emergency medical technician or emergency medical~~
23 ~~responder.~~

24 (e) Failure to complete either the advanced emergency medical
25 technician transition requirements, an emergency medical technician
26 transition course or an emergency medical responder transition course
27 will result in loss of certification.

28 **Sec. 9. K.S.A. 65-6126 is hereby amended to read as follows: 65-**
29 **6126. Each emergency medical service shall have a medical**
30 ~~adviser~~**director appointed by the operator of the service to review, and**
31 **implement medical protocols, approve and monitor the activities and**
32 **education of the attendants. The board may approve an alternative**
33 **procedure for medical oversight if no medical adviserdirector is**
34 **available.**

35 **Sec. 10. K.S.A. 2010 Supp. 65-6129 is hereby amended to read as**
36 **follows: 65-6129. (a) Application for an attendant's certificate shall be**
37 **made to the board. The board shall not grant an attendant's certificate**
38 **unless the applicant meets the following requirements:**

39 (1) (A) **Has successfully completed coursework required by the**
40 **rules and regulations adopted by the board; or**

41 (B) **has successfully completed coursework in another jurisdiction**
42 **that is substantially equivalent to that required by the rules and**
43 **regulations adopted by the board; and**

1 (2) (A) *has passed the examination required by the rules and*
2 *regulations adopted by the board; or*

3 (B) *has passed the certification or licensing examination in another*
4 *jurisdiction that has been approved by the board-; and*

5 (3) *has paid a fee required by the rules and regulations adopted by*
6 *the board.*

7 (b) (1) *The board shall not grant a temporary attendant's certificate*
8 *unless the applicant meets the following requirements:*

9 (A) *If the applicant is certified or licensed as an attendant in*
10 *another jurisdiction, but the applicant's coursework is determined not to*
11 *be substantially equivalent to that required by the board, such temporary*
12 *certificate shall be valid for one year from the date of issuance or until*
13 *the applicant has completed the required coursework, whichever occurs*
14 *first; or*

15 (B) *if the applicant has completed the required coursework, has*
16 *taken the required examination, but has not received the results of the*
17 *examination, such temporary certificate shall be valid for 120 days from*
18 *the date of the examination.*

19 (2) *An applicant who has been granted a temporary certificate shall*
20 *be under the direct supervision of a physician, a physician's assistant, a*
21 *professional nurse or an attendant holding a certificate at the same level*
22 *or higher than that of the applicant.*

23 (c) *The board shall not grant an initial emergency medical*
24 *technician-intermediate certificate, advanced emergency medical*
25 *technician certificate, mobile intensive care technician certificate or*
26 *paramedic certificate as a result of successful course completion in the*
27 *state of Kansas, unless the applicant for such an initial certificate is*
28 *certified as an emergency medical technician.*

29 (d) *An attendant's certificate shall expire on the date prescribed by*
30 *the board. An attendant's certificate may be renewed for a period of two*
31 *years upon payment of a fee as prescribed by rule and regulation of the*
32 *board and upon presentation of satisfactory proof that the attendant has*
33 *successfully completed continuing education as prescribed by the board.*

34 (e) *All fees received pursuant to the provisions of this section shall*
35 *be remitted to the state treasurer in accordance with the provisions of*
36 *K.S.A. 75-4215, and amendments thereto. Upon receipt of each such*
37 *remittance, the state treasurer shall deposit the entire amount in the*
38 *state treasury to the credit of the emergency medical services operating*
39 *fund established by K.S.A. 65-6151, and amendments thereto.*

40 (f) *If a person who was previously certified as an attendant applies*
41 *for an attendant's certificate after the certificate's expiration, the board*
42 *may grant a certificate without the person completing an initial course*
43 *of instruction or passing a certification examination if the person has*

1 *completed education requirements and has paid a fee as specified in*
2 *rules and regulations adopted by the board.*

3 *(g) The board shall adopt, through rules and regulations, a formal*
4 *list of graduated sanctions for violations of article 61 of chapter 65 of*
5 *the Kansas Statutes Annotated, and amendments thereto, which shall*
6 *specify the number and severity of violations for the imposition of each*
7 *level of sanction.*

8 *Sec. 11. K.S.A. 65-6132 is hereby amended to read as follows: 65-*
9 *6132. (a) An operator's permit may be denied, revoked, limited, modified*
10 *or suspended by the board upon proof that such operator or any agent or*
11 *employee thereof:*

12 *(1) Has been guilty of misrepresentation in obtaining the permit or*
13 *in the operation of the ambulance service;*

14 *(2) has engaged or attempted to engage in, or represented*
15 *themselves as entitled to perform, any ambulance service not authorized*
16 *in the permit;*

17 *(3) has demonstrated incompetence as defined by rules and*
18 *regulations adopted by the board or has shown themselves otherwise*
19 *unable to provide adequate ambulance service;*

20 *(4) has failed to keep and maintain the records required by the*
21 *provisions of this act, or the rules and regulations promulgated*
22 ~~*thereunder*~~ *adopted by the board, or has failed to make reports when and*
23 *as required;*

24 *(5) has knowingly operated faulty or unsafe equipment; or*

25 *(6) has violated or aided and abetted in the violation of any*
26 *provision of this act or the rules and regulations promulgated*
27 ~~*thereunder*~~ *adopted by the board; or*

28 *(7) has engaged in unprofessional conduct as defined by rules and*
29 *regulations adopted by the board.*

30 *(b) The board shall not limit, modify, revoke or suspend any*
31 *operator's permit pursuant to this section without first conducting a*
32 *hearing in accordance with the provisions of the administrative*
33 *procedure act.*

34 *Sec. 12. K.S.A. 65-6133 is hereby amended to read as follows: 65-*
35 *6133. (a) An attendant's, or instructor-coordinator's or training officer's*
36 *certificate may be denied, revoked, limited, modified or suspended by the*
37 *board or the board may refuse to renew such certificate upon proof that*
38 *such individual:*

39 *(1) Has made intentional misrepresentations in obtaining a*
40 *certificate or renewing a certificate;*

41 *(2) has performed or attempted to perform activities not authorized*
42 *by statute at the level of certification held by the individual;*

43 *(3) has demonstrated incompetence as defined by rules and*

1 *regulations adopted by the board or has provided inadequate patient*
2 *care as determined by the board;*

3 *(4) has violated or aided and abetted in the violation of any*
4 *provision of this act or the rules and regulations promulgated*
5 *thereunder;*

6 *(5) has been convicted of a felony and, after investigation by the*
7 *board, it is determined that such person has not been sufficiently*
8 *rehabilitated to warrant the public trust;*

9 *(6) has demonstrated an inability to perform authorized activities*
10 *with reasonable skill and safety by reason of illness, alcoholism,*
11 *excessive use of drugs, controlled substances or any physical or mental*
12 *condition; ~~or~~*

13 *(7) has engaged in unprofessional conduct, as defined by rules and*
14 *regulations adopted by the board.; or*

15 *(8) has had a certificate, license or permit to practice emergency*
16 *medical services as an attendant denied, revoked, limited or suspended or*
17 *has been publicly or privately censured, by a licensing or other regulatory*
18 *authority of another state, agency of the United States government,*
19 *territory of the United States or other country or has had other*
20 *disciplinary action taken against the applicant or holder of a permit,*
21 *license or certificate by a licensing or other regulatory authority of*
22 *another state, agency of the United States government, territory of the*
23 *United States or other country. A certified copy of the record or order of*
24 *public or private censure, denial, suspension, limitation, revocation or*
25 *other disciplinary action of the licensing or other regulatory authority of*
26 *another state, agency of the United States government, territory of the*
27 *United States or other country shall constitute prima facie evidence of*
28 *such a fact for purposes of this paragraph.*

29 *(b) The board may limit, modify, revoke or suspend an attendant's*
30 *or instructor-coordinator's certificate or the board may refuse to renew*
31 *such certificate in accordance with the provisions of the Kansas*
32 *administrative procedure act.*

33 *Sec. 13. K.S.A. 2010 Supp. 65-6144 is hereby amended to read as*
34 *follows: 65-6144. (a) A first responder may perform any of the following*
35 *activities:*

36 *(1) Initial scene management including, but not limited to, gaining*
37 *access to the individual in need of emergency care, extricating, lifting*
38 *and moving the individual;*

39 *(2) cardiopulmonary resuscitation and airway management;*

40 *(3) control of bleeding;*

41 *(4) extremity splinting excluding traction splinting;*

42 *(5) stabilization of the condition of the individual in need of*
43 *emergency care;*

- 1 (6) oxygen therapy;
- 2 (7) use of oropharyngeal airways;
- 3 (8) use of bag valve masks;
- 4 (9) use automated external defibrillators; and
- 5 (10) other techniques of preliminary care a first responder is
- 6 trained to provide as approved by the board.

7 (b) An individual who holds a valid certificate as a first responder,
8 once completing the board prescribed transition course, and validation
9 of cognitive and psychomotor competency as determined by rules and
10 regulations of the board, may apply to transition to become an emergency
11 medical responder. Alternatively, upon application for renewal of such
12 certificate, such individual shall be deemed to hold a certificate as an
13 emergency medical responder under this act, provided such individual
14 has completed all continuing education hour requirements inclusive of a
15 transition course and such individual shall not be required to file an
16 original application for certification as an emergency medical responder
17 under this act.

18 (c) "Renewal" as used in subsection (b), refers to the first
19 opportunity after December 31, 2011, that an attendant has to apply for
20 renewal of a certificate following the effective date of this act.

21 (d) First responder attendants who fail to meet the transition
22 requirements as specified will forfeit their certification.

23 (e) Upon transition, notwithstanding any other provision of law to
24 the contrary, an emergency medical responder may perform any of the
25 following interventions, by use of the devices, medications and
26 equipment, or any combination thereof, after successfully completing an
27 approved course of instruction, local specialized device training and
28 competency validation and when authorized by medical protocols, or
29 upon order when direct communication is maintained by radio,
30 telephone or video conference is monitored by a physician, physician
31 assistant when authorized by a physician, an advanced registered nurse
32 practitioner when authorized by a physician or a licensed professional
33 nurse when authorized by a physician, upon order of such person: (1)
34 Emergency vehicle operations; (2) initial scene management; (3) patient
35 assessment and stabilization; (4) cardiopulmonary resuscitation and
36 airway management; (5) control of bleeding; (6) extremity splinting; (7)
37 spinal immobilization; (8) oxygen therapy; (9) use of bag-valve-mask;
38 (10) use of automated external defibrillator; (11) nebulizer therapy; (12)
39 intramuscular injections with auto-injector; (13) administration of oral
40 glucose; (14) administration of aspirin; (15) recognize and comply with
41 advanced directives; (16) insertion and maintenance of oral and nasal
42 pharyngeal airways; (17) use of blood glucose monitoring; and (18)
43 other techniques and devices of preliminary care an emergency medical

1 *responder is trained to provide as approved by the board.]*

2 *[Sec. 14. K.S.A. 2010 Supp. 75-5664 is hereby amended to read as*
3 *follows: 75-5664. (a) There is hereby established an advisory committee*
4 *on trauma. The advisory committee on trauma shall be advisory to the*
5 *secretary of health and environment and shall be within the division of*
6 *health of the department of health and environment as a part thereof.*

7 *(b) On July 1, 2001, the advisory committee on trauma in existence*
8 *immediately prior to July 1, 2001, is hereby abolished and a new advisory*
9 *committee on trauma is created in accordance with this section. The terms*
10 *of all members of the advisory committee on trauma in existence prior to*
11 *July 1, 2001, are hereby terminated. On and after July 1, 2001, The*
12 *advisory committee on trauma shall be composed of 24 members*
13 *representing both rural and urban areas of the state appointed as*
14 *follows:*

15 *(1) Two members shall be persons licensed to practice medicine and*
16 *surgery appointed by the governor. At least 30 days prior to the*
17 *expiration of terms described in this section, for each member to be*
18 *appointed under this section, the Kansas medical society shall submit to*
19 *the governor a list of three names of persons of recognized ability and*
20 *qualification. The governor shall consider such list of persons in*
21 *making appointments to the board under this paragraph.*

22 *(2) One member shall be licensed to practice osteopathic medicine*
23 *appointed by the governor. At least 30 days prior to the expiration of the*
24 *term of the member appointed under this section, the Kansas association*
25 *of osteopathic medicine shall submit to the governor a list of three*
26 *persons of recognized ability and qualification. The governor shall*
27 *consider such list of persons in making appointments to the board under*
28 *this paragraph.*

29 *(3) Three members shall be representatives of hospitals appointed*
30 *by the governor. At least 30 days before the expiration of terms described*
31 *in this section, for each member to be appointed under this section, the*
32 *Kansas hospital association shall submit to the governor a list of three*
33 *names of persons of recognized ability and qualification. The governor*
34 *shall consider such list of persons in making appointments to the*
35 *board under this paragraph.*

36 *(4) Two members shall be licensed professional nurses specializing*
37 *in trauma care or emergency nursing appointed by the governor. At least*
38 *30 days before the expiration of terms described in this section, for each*
39 *member to be appointed under this section, the Kansas state nurses*
40 *association shall submit to the governor a list of three names of persons*
41 *of recognized ability and qualification. The governor shall consider such*
42 *list of persons in making appointments to the board under this*
43 *paragraph.*

1 (5) *Two members shall be attendants as defined in K.S.A. 65-6112,*
2 *and amendments thereto, who are on the roster of an ambulance service*
3 *permitted by the board of emergency medical services. At least 30 days*
4 *prior to the expiration of one of these positions, the Kansas emergency*
5 *medical services association shall submit to the governor a list of three*
6 *persons of recognized ability and qualification. The governor shall*
7 *consider such list of persons in making this appointment to the board.*
8 *For the other member appointed under this section, at least 30 days*
9 *prior to the expiration of the term of such member, the Kansas*
10 *emergency medical technician association shall submit a list of three*
11 *persons of recognized ability and qualification. The governor shall*
12 *consider such list of persons in making appointments to the board under*
13 *this paragraph.*

14 (6) *Two members shall be administrators of ambulance services,*
15 *one rural and one urban, appointed by the governor. At least 30 days*
16 *prior to the expiration of the terms of such members, the Kansas*
17 *emergency medical services association and Kansas emergency medical*
18 *technician association in consultation shall submit to the governor a list*
19 *of four persons of recognized ability and qualification. The governor*
20 *shall consider such list of persons in making this appointment to the*
21 *board under this paragraph.*

22 (7) *Six members shall be representatives of regional trauma*
23 *councils, one per council, appointed by the governor. At least 30 days*
24 *prior to the expiration of one of these positions, the relevant regional*
25 *trauma council shall submit to the governor a list of three persons of*
26 *recognized ability and qualification. The governor shall consider such*
27 ~~lists~~*list of persons in making these appointments to the board.*

28 (8) *The secretary of health and environment or the secretary's*
29 *designee of an appropriately qualified person shall be an ex officio*
30 *representative of the department of health and environment.*

31 (9) *The chairperson of the board of emergency medical services or*
32 *the chairperson's designee shall be an ex officio member.*

33 (10) *Four legislators selected as follows shall be members: The*
34 *chairperson and ranking minority member or their designees of the*
35 *committee on health and human services of the house of representatives,*
36 *and the chairperson and ranking minority member or their designees*
37 *from the committee on public health and welfare of the senate shall be*
38 *members.*

39 (c) *All members shall be residents of the state of Kansas. Particular*
40 *attention shall be given so that rural and urban interests and geography*
41 *are balanced in representation. Organizations that submit lists of names*
42 *to be considered for appointment by the governor under this section*
43 *shall insure that names of people who reside in both rural and urban*

1 *areas of the state are among those submitted. At least one person from*
2 *each congressional district shall be among the members. Of the*
3 *members appointed under paragraphs (1) through (7) of subsection (b),*
4 *six shall be appointed to initial terms of two years; six shall be appointed*
5 *to initial terms of three years; and six shall be appointed to initial terms*
6 *of four years. Thereafter members shall serve terms of four years and*
7 *until a successor is appointed and qualified. In the case of a vacancy in*
8 *the membership of the advisory committee, the vacancy shall be filled for*
9 *the unexpired term in like manner as that provided in subsection (b).*

10 *(d) The advisory committee shall meet quarterly and at the call of*
11 *the chairperson or at the request of a majority of the members. At the*
12 *first meeting of the advisory committee after July 1 each year, the*
13 *members shall elect a chairperson and vice-chairperson who shall serve*
14 *for terms of one year. The vice-chairperson shall exercise all of the*
15 *powers of the chairperson in the absence of the chairperson. ~~The~~*
16 *~~chairperson and vice-chairperson serving on the effective date of this act~~*
17 *~~shall be among the members appointed to the advisory committee under~~*
18 *~~subsection (b) and shall continue to serve as chairperson and vice-~~*
19 *~~chairperson of the advisory committee until the first meeting of the~~*
20 *~~advisory committee after July 1, 2002.~~*

21 *(e) The advisory committee shall be advisory to the secretary of*
22 *health and environment on all matters relating to the implementation*
23 *and administration of this act.*

24 *(f) All members of the advisory committee, when acting in their*
25 *official capacity under this act, shall be considered peer review officers*
26 *for all purposes of K.S.A. 65-4915, and amendments thereto.*

27 ~~(g)~~ *(g) Members of the advisory committee attending meetings of the*
28 *advisory committee or attending a subcommittee of the advisory*
29 *committee or other authorized meeting of the advisory committee shall*
30 *not be paid compensation but shall be paid amounts provided in*
31 *subsection (e) of K.S.A. 75-3223, and amendments thereto.*

32 *Sec. 15. K.S.A. 2010 Supp. 75-5665 is hereby amended to read as*
33 *follows: 75-5665. The secretary of health and environment, after*
34 *consultation with and consideration of recommendations from the*
35 *advisory committee, shall:*

36 *(a) Develop rules and regulations necessary to carry out the*
37 *provisions of this act, including fixing, charging and collecting fees*
38 *from trauma facilities to recover all or part of the expenses incurred in*
39 *the designation of trauma facilities pursuant to subsection (f) of this*
40 *section;*

41 *(b) develop a statewide trauma system plan including the*
42 *establishment of regional trauma councils, using the 19982001 Kansas*
43 *EMS-trauma systems plan study as a guide and not more restrictive than*

1 *state law. The secretary shall ensure that each council consist of at least*
2 *six members. Members of the councils shall consist of persons chosen*
3 *for their expertise in and commitment to emergency medical and trauma*
4 *services. All members of regional trauma councils, when acting in their*
5 *official capacity under this act, shall be considered peer review officers*
6 *for all purposes of K.S.A. 65-4915, and amendments thereto. Such*
7 *members shall be chosen from the region and include prehospital*
8 *personnel, physicians, nurses and hospital personnel involved with the*
9 *emergency medical and trauma services and a representative of a county*
10 *health department. The plan should:*

- 11 (1) *Maximize local and regional control over decisions relating to*
12 *trauma care;*
- 13 (2) *minimize bureaucracy;*
- 14 (3) *adequately protect the confidentiality of proprietary and*
15 *personal health information;*
- 16 (4) *promote cost effectiveness;*
- 17 (5) *encourage participation by groups affected by the system;*
- 18 (6) *emphasize medical direction and involvement at all levels of the*
19 *system;*
- 20 (7) *rely on accurate data as the basis for system planning and*
21 *development; and*
- 22 (8) *facilitate education of health care providers in trauma care;*
- 23 (c) *plan, develop and administer a trauma registry to collect and*
24 *analyze data on incidence, severity and causes of trauma and other*
25 *pertinent information which may be used to support the secretary's*
26 *decision-making and identify needs for improved trauma care;*
- 27 (d) *provide all technical assistance to the regional councils as*
28 *necessary to implement the provisions of this act;*
- 29 (e) *collect data elements for the trauma registry that are consistent*
30 *with the recommendations of the American college of surgeons*
31 *committee on trauma and centers for disease control;*
- 32 (f) *designate trauma facilities by level of trauma care capabilities*
33 *after considering the American college of surgeons committee on*
34 *trauma standards and other states' standards except that trauma level*
35 *designations shall not be based on criteria that place practice limitations*
36 *on registered nurse anesthetists which are not required by state law;*
- 37 (g) *develop a phased-in implementation schedule for each*
38 *component of the trauma system, including the trauma registry, which*
39 *considers the additional burden placed on the emergency medical and*
40 *trauma providers;*
- 41 (h) *develop standard reports to be utilized by the regional trauma*
42 *councils and those who report data to the registry in performing their*
43 *functions;*

1 (i) *assess the fiscal impact on all components of the trauma system,*
2 *and thereafter recommend other funding sources for the trauma system*
3 *and trauma registry;*

4 (j) *prepare and submit an annual budget in accordance with the*
5 *provisions of this act. Such budget shall include costs for the provision*
6 *of technical assistance to the regional trauma councils and the cost of*
7 *developing and maintaining the trauma registry and analyzing and*
8 *reporting on the data collected; and*

9 (k) *enter into contracts as deemed necessary to carry out the duties*
10 *and functions of the secretary under this act.]*

11 [~~Sec. 3.~~ [16.] K.S.A. 8-305 ~~is~~], 65-6102, 65-6110, 65-6126, 65-6132
12 *and 65-6133 and K.S.A. 2010 Supp. 65-6112, 65-6120, 65-6121, 65-6123,*
13 *65-6129 and 65-6144 and K.S.A. 2010 Supp. 75-5664 and 75-5665 are]*
14 **hereby repealed.]**

15 Sec. ~~3.~~ ~~2.~~ ~~14.~~ [17.] This act shall take effect and be in force from and
16 after its publication in the statute book.

17