

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

400I0314

HOUSE BILL NO. 1018

Introduced by: The Committee on Health and Human Services at the request of the
Department of Health

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to advanced life support
2 personnel.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 36-4B-1 be amended to read as follows:

5 36-4B-1. Terms used in this chapter mean:

- 6 (1) "Advanced life support," a level of prehospital and interhospital emergency care
7 consisting of basic life support procedures and definitive therapy including the use of
8 invasive procedures and may include the use of drugs and manual defibrillation;
- 9 (2) "Advanced life support personnel," any person other than a physician who has
10 completed a department and board approved program and is licensed as an emergency
11 medical ~~technician-intermediate~~ technician-intermediate/85; emergency medical
12 ~~technician-special—skills~~ technician-intermediate/99; or emergency medical
13 technician-paramedic as set forth in this chapter, or its equivalent;
- 14 (3) "Board," the South Dakota Board of Medical and Osteopathic Examiners;
- 15 (4) "Department," the South Dakota State Department of Health;



- 1 (5) "Direct medical control," communications between field personnel and a physician
2 during an emergency run;
- 3 (6) "Emergency medical services," health care provided to the patient at the scene, during
4 transportation to a medical facility, between medical facilities and upon entry at the
5 medical facility;
- 6 (7) "Emergency medical technician-basic," any person trained in emergency medical care
7 in accordance with standards prescribed by rules and regulations promulgated
8 pursuant to § 34-11-6, who provides emergency medical services, including
9 automated external defibrillation under indirect medical control, in accordance with
10 ~~his~~ the person's level of training;
- 11 (8) "Emergency medical ~~technician-intermediate~~ technician-intermediate/85," any person
12 who has successfully completed a department and board approved program of
13 instruction in basic life support and advanced life support skills in shock and fluid
14 therapy, placement of esophageal airways, and other advanced life support skills
15 approved by board action, and who is licensed by the board to perform such skills,
16 including automated external defibrillation;
- 17 (9) "Emergency medical technician-paramedic," any person who has successfully
18 completed a program of study approved by the department and the board and is
19 licensed as an emergency medical technician-paramedic, which includes all training
20 and skills set forth herein for emergency medical ~~technician-intermediate~~
21 technician-intermediate/85 and emergency medical ~~technician-special—skills~~
22 technician-intermediate/99, and other advanced skills programs approved by board
23 action, and who is licensed by the board to perform such intermediate, special, and
24 advanced skills;

- 1 (10) "Emergency medical ~~technician-special skills~~ technician-intermediate/99," any person
2 who has successfully completed a department and board approved program of
3 instruction in all areas of emergency medical ~~technician-intermediate~~
4 technician-intermediate/85 curriculum plus other specific areas of emergency medical
5 care in the following areas: manual and automated external defibrillation, telemetered
6 electrocardiography, administration of cardiac drugs, administration of specific
7 medications and solutions, use of adjunctive breathing devices, advanced trauma care,
8 tracheotomy suction, esophageal airways and endotracheal intubation, intraosseous
9 infusion, or other special skills programs approved by board action, and who is
10 licensed by the board to perform intermediate skills plus such special skills;
- 11 (11) "Emergency medical technician-student status," any person who has received
12 authorization for student status by the board and who has been accepted into an
13 advanced life support training program to perform, under direct supervision, those
14 activities and services currently being studied;
- 15 (12) "Good faith," honesty, in fact, in the conduct, or transaction concerned;
- 16 (13) "Gross negligence," the intentional failure to perform a manifest duty in reckless
17 disregard of the consequences as affecting the life or health of another;
- 18 (14) "Hour of advanced life support studies," fifty minutes of training;
- 19 (15) "Indirect medical control," the establishment and implementation of system policies
20 and procedures, such as medical treatment protocols, quality assurance programs and
21 case reviews by a physician licensed in South Dakota;
- 22 (16) "Local government," any county, municipality, township, or village in this state;
- 23 (17) "Medical community," the physicians and medical resources located and available
24 within a geographic area;

1 (18) "Medical emergency," an event affecting an individual in such a manner that a need
2 for immediate medical care is created;

3 (19) "Patient," an individual who, as a result of illness or injury needs immediate medical
4 attention, whose physical or mental condition is such that the individual is in imminent
5 danger of loss of life or significant health impairment, or who may be otherwise
6 incapacitated or helpless as a result of a physical or mental condition; and

7 (20) "Prehospital care," those emergency medical services rendered to emergency patients
8 in an out-of-hospital setting, administered for analytic, stabilizing, or preventive
9 purposes, precedent to and during transportation of such patients to emergency
10 treatment facilities.

11 Section 2. That § 36-4B-3 be amended to read as follows:

12 36-4B-3. It is a Class 2 misdemeanor for any person not licensed under this chapter to hold
13 herself or himself out or practice as an emergency medical technician-intermediate, special skills,
14 or paramedic technician-intermediate/85, emergency medical technician-intermediate/99, or an
15 emergency medical technician-paramedic. Each violation is ~~considered~~ a separate offense.

16 Section 3. That § 36-4B-4 be amended to read as follows:

17 36-4B-4. Nothing in this chapter limits the activities and services of advanced life support
18 personnel in pursuing an approved advanced life support traineeship providing that person has
19 student status as required in § 36-4B-6. Any activity and service performed by any advanced life
20 support student shall be directly supervised by a person currently licensed in South Dakota
21 pursuant to chapter 36-4B or in another state at the same level for which the student is in training
22 or higher. A registered nurse, ~~physician's~~ physician assistant, medical doctor, or doctor of
23 osteopathy may act as the direct supervisor if ~~he~~ the person is currently licensed in this state or
24 in another state to perform the activity or service ~~he~~ the person is supervising.

1 Section 4. That § 36-4B-16 be amended to read as follows:

2 36-4B-16. An emergency medical ~~technician-special skills~~ technician-intermediate/99 may
3 perform basic life support techniques and while under proper medical supervision intermediate
4 skills, special skills techniques, and other advanced life support skills for which they are licensed
5 by the board.

6 Section 5. That § 36-4B-16.1 be amended to read as follows:

7 36-4B-16.1. An emergency medical ~~technician-intermediate~~ technician-intermediate/85 may
8 perform basic life support techniques as set forth in chapter 34-11 and while under proper
9 medical supervision advanced life support techniques listed in § 36-4B-1 and other advanced life
10 support skills for which they are licensed by the board.

11 Section 6. That § 36-4B-18 be amended to read as follows:

12 36-4B-18. In addition to tasks listed in §§ 36-4B-16 and 36-4B-17, an emergency medical
13 ~~technician-intermediate~~ technician-intermediate/85, emergency medical ~~technician-special skills~~
14 technician-intermediate/99, or an emergency medical technician-paramedic may be permitted to
15 perform, under direct or indirect medical control, such other tasks approved by the board, and
16 for which adequate training and proficiency can be demonstrated.

17 Section 7. That § 36-4B-26 be amended to read as follows:

18 36-4B-26. A person holding an advanced life support personnel license under the provisions
19 of this chapter shall renew the license annually on or before the fifteenth day of July. A person
20 licensed as an emergency medical ~~technician-intermediate~~ technician-intermediate/85, an
21 emergency medical ~~technician-special skills~~ technician-intermediate/99, or an emergency medical
22 technician-paramedic shall renew ~~his~~ the license upon a form ~~which shall be~~ furnished to ~~him~~ the
23 person by the board.

24 Section 8. That § 36-4B-27 be amended to read as follows:

1 36-4B-27. A request for emergency medical technician-paramedic or emergency medical
2 ~~technician-special skills~~ technician-intermediate/99 license renewal shall be accompanied annually
3 by the prescribed fee and accompanied in odd numbered years by satisfactory evidence of sixty
4 hours of advanced life support studies during the preceding two years. A request for emergency
5 medical ~~technician-intermediate~~ technician-intermediate/85 license renewal shall be accompanied
6 annually by the prescribed fee and accompanied in odd numbered years by satisfactory evidence
7 of forty hours of advanced life support studies during the preceding two years. The request shall
8 also be accompanied by a letter from the supervising physician and the employer of the advanced
9 life support personnel. If the advanced life support personnel is terminated the reasons shall be
10 submitted to the board, in writing, by both the ambulance service and supervising physician,
11 within seventy-two hours of termination of any such working contract.