

DRAFT 1
SUBSTITUTE FOR
SENATE BILL NO. 460

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 20904 and 20910 (MCL 333.20904 and 333.20910),
section 20904 as amended by 2000 PA 375 and section 20910 as
amended by 2006 PA 582.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 20904. (1) "Education program sponsor" means a person,
2 other than an individual, that meets the standards of the
3 department to conduct training at the following levels:
4 (a) Medical first responder.
5 (b) Emergency medical technician.
6 (c) Emergency medical technician specialist.



1 (d) Paramedic.

2 (e) Emergency medical services instructor-coordinator.

3 (2) "Emergency" means a condition or situation in which an
4 individual declares a need for immediate medical attention for any
5 individual, or where that need is declared by emergency medical
6 services personnel or a public safety official.

7 **(3) "Emergency medical services coordination committee" means**
8 **the state emergency medical services coordination committee created**
9 **in section 20915.**

10 (4) ~~(3)~~—"Emergency medical services instructor-coordinator"
11 means an individual licensed under this part to conduct and
12 instruct emergency medical services education programs.

13 (5) ~~(4)~~—"Emergency medical services" means the emergency
14 medical services personnel, ambulances, nontransport prehospital
15 life support vehicles, aircraft transport vehicles, medical first
16 response vehicles, and equipment required for transport or
17 treatment of an individual requiring medical first response life
18 support, basic life support, limited advanced life support, or
19 advanced life support.

20 (6) ~~(5)~~—"Emergency medical services personnel" means a medical
21 first responder, emergency medical technician, emergency medical
22 technician specialist, paramedic, or emergency medical services
23 instructor-coordinator.

24 (7) ~~(6)~~—"Emergency medical services system" means a
25 comprehensive and integrated arrangement of the personnel,
26 facilities, equipment, services, communications, medical control,
27 and organizations necessary to provide emergency medical services
28 and trauma care within a particular geographic region.

29 (8) ~~(7)~~—"Emergency medical technician" means an individual who



1 is licensed by the department to provide basic life support.

2 (9) ~~(8)~~ "Emergency medical technician specialist" means an
3 individual who is licensed by the department to provide limited
4 advanced life support.

5 (10) ~~(9)~~ "Emergency patient" means an individual with a
6 physical or mental condition that manifests itself by acute
7 symptoms of sufficient severity, including, but not limited to,
8 pain such that a prudent layperson, possessing average knowledge of
9 health and medicine, could reasonably expect to result in 1 or all
10 of the following:

11 (a) Placing the health of the individual or, in the case of a
12 pregnant woman, the health of the patient or the unborn child, or
13 both, in serious jeopardy.

14 (b) Serious impairment of bodily function.

15 (c) Serious dysfunction of a body organ or part.

16 (11) ~~(10)~~ "Examination" means a written and practical
17 evaluation approved or developed by the ~~national registry of~~
18 ~~emergency medical technicians~~ **National Registry of Emergency**
19 **Medical Technicians** or other organization with equivalent national
20 recognition and expertise in emergency medical services personnel
21 testing and approved by the department.

22 Sec. 20910. (1) The department shall do all of the following:

23 (a) Be responsible for the development, coordination, and
24 administration of a statewide emergency medical services system.

25 (b) Facilitate and promote programs of public information and
26 education concerning emergency medical services.

27 (c) In case of actual disasters and disaster training drills
28 and exercises, provide emergency medical services resources
29 ~~pursuant to~~ **under** applicable provisions of the Michigan emergency



1 preparedness plan, or as prescribed by the director of emergency
2 services ~~pursuant to~~ **under** the emergency management act, 1976 PA
3 390, MCL 30.401 to 30.421.

4 (d) Consistent with the rules of the ~~federal communications~~
5 ~~commission~~, **Federal Communications Commission**, plan, develop,
6 coordinate, and administer a statewide emergency medical services
7 communications system.

8 (e) Develop and maintain standards of emergency medical
9 services and **emergency medical services** personnel as follows:

10 (i) License emergency medical services personnel in accordance
11 with this part.

12 (ii) License ambulance operations, nontransport prehospital
13 life support operations, and medical first response services in
14 accordance with this part.

15 (iii) At least annually, inspect or provide for the inspection
16 of each life support agency, except medical first response
17 services. As part of that inspection, the department shall conduct
18 random inspections of life support vehicles. If a life support
19 vehicle is determined by the department to be out of compliance,
20 the department shall give the life support agency 24 hours to bring
21 the life support vehicle into compliance. If the life support
22 vehicle is not brought into compliance in that time period, the
23 department shall order the life support vehicle taken out of
24 service until the life support agency demonstrates to the
25 department, in writing, that the life support vehicle has been
26 brought into compliance.

27 (iv) Promulgate rules to establish the requirements for
28 licensure of life support agencies, vehicles, and individuals
29 licensed under this part to provide emergency medical services and



1 other rules necessary to implement this part. The department shall
 2 submit all proposed rules and changes to the ~~state-emergency~~
 3 medical services coordination committee and provide a reasonable
 4 time for the committee's review and recommendations before
 5 submitting the rules for public hearing under the administrative
 6 procedures act of 1969.

7 (f) Promulgate rules to establish and maintain standards for
 8 and regulate the use of descriptive words, phrases, symbols, or
 9 emblems that represent or denote that an ambulance operation,
 10 nontransport prehospital life support operation, or medical first
 11 response service is or may be provided. The department's authority
 12 to regulate use of the descriptive devices includes use for the
 13 purposes of advertising, promoting, or selling the services
 14 rendered by an ambulance operation, nontransport prehospital life
 15 support operation, or medical first response service, or by
 16 emergency medical services personnel.

17 (g) Designate a medical control authority as the medical
 18 control for emergency medical services for a particular geographic
 19 region as provided for under this part.

20 (h) Develop and implement field studies involving the use of
 21 skills, techniques, procedures, or equipment that are not included
 22 as part of the standard education for medical first responders,
 23 emergency medical technicians, emergency medical technician
 24 specialists, or paramedics, if all of the following conditions are
 25 met:

26 (i) The ~~state-emergency~~ medical services coordination committee
 27 reviews the field study prior to implementation.

28 (ii) The field study is conducted in an area for which a
 29 medical control authority has been approved ~~pursuant to~~**under**



1 subdivision (g).

2 (iii) The medical first responders, emergency medical
3 technicians, emergency medical technician specialists, and
4 paramedics participating in the field study receive training for
5 the new skill, technique, procedure, or equipment.

6 (i) Collect data as necessary to assess the need for and
7 quality of emergency medical services throughout ~~the~~**this** state
8 ~~pursuant to~~**under** 1967 PA 270, MCL 331.531 to ~~331.533~~**331.534**.

9 **However, the department shall not require a medical first response**
10 **service that does not have any full-time employees to submit data**
11 **for purposes of the Michigan emergency medical services information**
12 **system or another quality improvement program.**

13 (j) Develop, with the advice of the emergency medical services
14 coordination committee, an emergency medical services plan that
15 includes rural issues.

16 (k) Develop recommendations for territorial boundaries of
17 medical control authorities that are designed to ~~assure~~**ensure** that
18 there exists reasonable emergency medical services capacity within
19 the boundaries for the estimated demand for emergency medical
20 services.

21 (l) Within 1 year after the statewide trauma care advisory
22 subcommittee is established under section 20917a and in
23 consultation with the statewide trauma care advisory subcommittee,
24 develop, implement, and promulgate rules for the implementation and
25 operation of a statewide trauma care system within the emergency
26 medical services system consistent with the document entitled
27 "Michigan Trauma Systems Plan" prepared by the Michigan ~~trauma~~
28 ~~coalition~~**Trauma Coalition**, dated November 2003. The
29 implementation and operation of the statewide trauma care system,



1 including the rules promulgated in accordance with this
2 subdivision, are subject to review by the emergency medical
3 services coordination committee and the statewide trauma care
4 advisory subcommittee. The rules promulgated under this subdivision
5 ~~shall~~**must** not require a hospital to be designated as providing a
6 certain level of trauma care. Upon implementation of a statewide
7 trauma care system, the department shall review and identify
8 potential funding mechanisms and sources for the statewide trauma
9 care system.

10 (m) Promulgate other rules to implement this part.

11 (n) Perform other duties as set forth in this part.

12 (2) The department may do all of the following:

13 (a) In consultation with the emergency medical services
14 coordination committee, promulgate rules to require an ambulance
15 operation, nontransport prehospital life support operation, or
16 medical first response service to periodically submit designated
17 records and data for evaluation by the department.

18 (b) Establish a grant program or contract with a public or
19 private agency, emergency medical services professional
20 association, or emergency medical services coalition to provide
21 training, public information, and assistance to medical control
22 authorities and emergency medical services systems or to conduct
23 other activities as specified in this part.

