

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: H3/5/97

A Bill

HOUSE BILL 1937

4
5 By: Representative Flanagin

For An Act To Be Entitled

9 "AN ACT PERTAINING TO THE LICENSURE OF AMBULANCE SERVICES;
10 AND FOR OTHER PURPOSES."

Subtitle

13 "AN ACT PERTAINING TO THE LICENSURE OF
14 AMBULANCE SERVICES."

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

18 SECTION 1. (a) No person shall furnish, operate, maintain, conduct,
19 advertise or in any way engage in or profess to engage in the business of
20 providing emergency transport of patients upon the streets and highways of
21 Arkansas unless that person holds a valid ambulance service license or
22 provisional ambulance service license issued by the Department of Health.

23 (b) This section shall not operate to alter the application of the Good
24 Samaritan Act under Arkansas Code § 17-95-101.

26 SECTION 2. (a) An application for the issuance or renewal of an
27 ambulance service license or a provisional ambulance service license shall be
28 made on forms provided by the Department of Health and shall be accompanied by
29 any fee as required by law or by regulations promulgated by the Department of
30 Health. Each license shall be renewed annually.

31 (b) Each licensee shall be issued a service license in one (1) of the
32 classifications set forth by the Department of Health.

33 (c) The Department of Health shall promulgate regulations for the
34 licensure and renewal of an ambulance service license.

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36 SECTION 3. (a) A licensee under this act shall transport any patient

1 to the care facility of the patient's choice within the service area, of the
2 ambulance. If the patient is unable to make a choice, and the attending
3 physician is present and has expressed a choice of care facility within the
4 service area, the licensee shall comply with the attending physician's choice.
5 If the licensee is unable to make a choice, the attending physician is not
6 present or has not expressed a choice of facility, or there is no hospital in
7 the service area of the ambulance, the licensee shall transport the patient to
8 the nearest appropriate care facility. The licensee shall provide the care
9 facility where the patient was transported with a copy of an ambulance service
10 encounter form prescribed by the Department of Health, which shall become a
11 part of the patient's medical records.

12 (b)(1) Each licensee shall report, in a format approved by the
13 Department of Health, every request which results in the dispatch of a
14 vehicle.

15 (c) Each licensee shall have in force and effect liability insurance
16 coverage, issued by an insurance company licensed to do business in the State
17 of Arkansas, for each vehicle owned and operated by or for the applicant or
18 licensee. The Department of Health shall maintain evidence of proof of
19 current liability insurance coverage for each vehicle of each licensee.

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21 SECTION 4. Three (3) formal citations during the license term for
22 failure to comply with this act and any regulations promulgated by the
23 Department of Health in regard to ambulance services shall result in
24 revocation of the ambulance service license.

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26 SECTION 5. An ambulance service shall not, in any way, advertise to the
27 general public the service areas, skills, procedures, or personnel
28 certification levels which they cannot provide on every emergency request,
29 twenty-four (24) hours a day, seven (7) days a week.

30 (1) The service area shall be clearly identified in writing and
31 shall be on file with the Department of Health.

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33 SECTION 6. In mass casualty incidents, which overwhelm the regions
34 available resources, the Department of Health shall promulgate regulations
35 which establish procedures for the transportation of patients by ambulances.

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1 SECTION 7. All provisions of this act of a general and permanent nature
2 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
3 Revision Commission shall incorporate the same in the Code.

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5 SECTION 8. If any provision of this act or the application thereof to
6 any person or circumstance is held invalid, such invalidity shall not affect
7 other provisions or applications of the act which can be given effect without
8 the invalid provision or application, and to this end the provisions of this
9 act are declared to be severable.

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11 SECTION 9. All laws and parts of laws in conflict with this act are
12 hereby repealed.

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/s/Rep. Flanagin

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