

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

State of Arkansas

As Engrossed: H1/29/99

82nd General Assembly

A Bill

Regular Session, 1999

HOUSE BILL 1071

By: Representative Rodgers

For An Act To Be Entitled

"AN ACT TO AMEND THE EMERGENCY MEDICAL SERVICES ACT TO CLARIFY ITS APPLICATION TO AMBULANCE SERVICES; AND FOR OTHER PURPOSES. "

Subtitle

"TO AMEND THE EMERGENCY MEDICAL SERVICES ACT TO CLARIFY ITS APPLICATION TO AMBULANCE SERVICES. "

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

SECTION 1. Arkansas Code 20-13-202 is amended to read as follows:

"20-13-202. Definitions.

As used in this subchapter, unless the context otherwise requires:

~~(2)~~(1) 'Air ambulance' means those aircraft, fixed or rotary wing, utilized for on-scene responses or transports deemed necessary by a physician and licensed by the department;

~~(3)~~(2) 'Air ambulance service' means those services authorized and licensed by the department to provide care and air transportation of patients;

~~(1)~~(3) 'Ambulance' means those vehicles ~~specifically designed, equipped, and licensed for use in transporting the acutely ill or injured used~~ for transporting any person by stretcher or gurney upon the streets or highways of Arkansas, excluding vehicles intended solely for personal use by immediate family members;

(4) 'Ambulance service' means those services authorized and licensed by the department to provide care and transportation of patients upon the streets and highways of Arkansas;

1 ~~(10)~~(5) 'Board' means the State Board of Health;

2 ~~(7)~~(6) 'Certification' means official acknowledgment by the Department
3 of Health that an individual has demonstrated competence to perform the
4 emergency medical services required for certification, as provided in the
5 rules, regulations, and standards adopted by the State Board of Health, upon
6 recommendation by the council;

7 ~~(4)~~(7) 'Council' means the Emergency Medical Services Advisory Council
8 as established in this subchapter;

9 ~~(9)~~(8) 'Department' means the Department of Health of the State of
10 Arkansas;

11 ~~(5)~~(9) 'Emergency medical services' means the transportation and
12 medical care provided the ~~critically~~ ill or injured prior to arrival at a
13 medical facility by a certified emergency medical technician (EMT) ~~and or~~
14 other health care provider and continuation of the initial emergency care
15 within a medical facility subject to the individual approval of the medical
16 staff and governing board of that facility;

17 ~~(6)~~(10) 'Emergency medical technician' means an individual certified by
18 the Department of Health at any level established by the rules and regulations
19 promulgated by the State Board of Health, as authorized in this subchapter,
20 and authorized to perform those services set forth therein. These shall
21 include but not be limited to: 'EMT', 'EMT-A', 'EMT-Instructor', 'EMT-
22 Paramedic', and 'EMS-Communications';

23 (11) 'Medical facility' means any hospital, medical clinic, physician's
24 office, nursing home or other health care facility.

25 ~~(8) 'Provisional license' means a license issued by the department to an~~
26 ~~ambulance service on a conditional basis for any reason set out in the~~
27 ~~department's rules, regulations, and standards;"~~
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29 SECTION 2. Title 20, chapter 13, subchapter 2 of the Arkansas Code is
30 amended to add the following new section:

31 "20-13-213. All ambulances operating in this State must meet all
32 standards prescribed by and under this subchapter and be licensed under this
33 subchapter and all personnel operating ambulances in this State must meet the
34 standards prescribed by and under this subchapter."
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36 SECTION 3. All provisions of this act of a general and permanent nature

1 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
2 Revision Commission shall incorporate the same in the Code.

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4 SECTION 4. If any provision of this act or the application thereof to
5 any person or circumstance is held invalid, such invalidity shall not affect
6 other provisions or applications of the act which can be given effect without
7 the invalid provision or application, and to this end the provisions of this
8 act are declared to be severable.

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10 SECTION 5. All laws and parts of laws in conflict with this act are
11 hereby repealed.

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13 SECTION 6. EMERGENCY CLAUSE. It is hereby found and determined by the
14 General Assembly that the present law regulating ambulance services in this
15 State is too narrow; that uncertified and poorly equipped ambulances are
16 lawfully operating because the present law is too narrow; that such
17 circumstances are to the detriment of the people who are being transported by
18 those services; that this act addresses that problem by expanding its
19 application to provide for the regulation of all vehicles used for
20 transporting any person by stretcher or gurney upon the streets or highways of
21 this State; and that until this act becomes effective, the people of this
22 State will continue to unknowingly be subject to improper transport to or from
23 medical facilities in this State. Therefore, an emergency is declared to
24 exist and this act being immediately necessary for the preservation of the
25 public peace, health and safety shall become effective on the date of its
26 approval by the Governor. If the bill is neither approved nor vetoed by the
27 Governor, it shall become effective on the expiration of the period of time
28 during which the Governor may veto the bill. If the bill is vetoed by the
29 Governor and the veto is overridden, it shall become effective on the date the
30 last house overrides the veto.

31 /s/ Rodgers
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