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**SUBSTITUTE HOUSE BILL 2044**

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**State of Washington                      64th Legislature                      2015 Regular Session**

**By House Health Care & Wellness (originally sponsored by Representatives Schmick, Cody, and Griffey)**

READ FIRST TIME 02/20/15.

1            AN ACT Relating to emergency medical services; amending RCW  
2 35.21.930, 18.71.200, 18.71.205, and 18.71.210; and reenacting and  
3 amending RCW 18.73.030.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            **Sec. 1.** RCW 35.21.930 and 2013 c 247 s 1 are each amended to  
6 read as follows:

7            (1) Any fire department may develop a community assistance  
8 referral and education services program to provide community outreach  
9 and assistance to residents of its (~~district~~) jurisdiction in order  
10 to improve population health and advance injury and illness  
11 prevention within its community. The program should identify members  
12 of the community who use the 911 system or emergency department for  
13 low acuity assistance calls (calls that are nonemergency or  
14 nonurgent) and connect them to their primary care providers, other  
15 health care professionals, low-cost medication programs, and other  
16 social services. The program may partner with hospitals to reduce  
17 readmissions. The program may also provide (~~a fire department-~~  
18 ~~based,~~) nonemergency contact information in order to provide an  
19 alternative resource to the 911 system. The program may hire or  
20 contract with health care professionals as needed to provide these  
21 services, including emergency medical technicians certified under

1 chapter 18.73 RCW and advanced emergency medical technicians and  
2 paramedics certified under chapter 18.71 RCW. The services provided  
3 by emergency medical technicians, advanced emergency medical  
4 technicians, and paramedics must be under the responsible supervision  
5 and direction of an approved medical program director. Nothing in  
6 this section authorizes an emergency medical technician, advanced  
7 emergency medical technician, or paramedic to perform medical  
8 procedures they are not trained and certified to perform.

9 (2) A participating fire department may seek grant opportunities  
10 and private gifts in order to support its community assistance  
11 referral and education services program.

12 (3) In developing a community assistance referral and education  
13 services program, a fire department may consult with the health  
14 (~~care personnel shortage task force~~) workforce council to identify  
15 health care professionals capable of working in a nontraditional  
16 setting and providing assistance, referral, and education services.

17 (4) Community assistance referral and education services programs  
18 implemented under this section must, at least annually, measure any  
19 reduction of repeated use of the 911 emergency system and any  
20 reduction in avoidable emergency room trips attributable to  
21 implementation of the program. Results of findings under this  
22 subsection must be reportable to the legislature or other local  
23 governments upon request. Findings should include estimated amounts  
24 of medicaid dollars that would have been spent on emergency room  
25 visits had the program not been in existence.

26 (5) For purposes of this section, "fire department" includes city  
27 and town fire departments, fire protection districts organized under  
28 Title 52 RCW, (~~and~~) regional fire (~~{protection service}~~)  
29 protection service authorities organized under chapter 52.26 RCW,  
30 providers of emergency medical services that levy a tax under RCW  
31 84.52.069, and federally recognized Indian tribes.

32 **Sec. 2.** RCW 18.71.200 and 1995 c 65 s 2 are each amended to read  
33 as follows:

34 As used in this chapter, a "physician's trained advanced  
35 emergency medical (~~service intermediate life support~~) technician  
36 and paramedic" means a person who:

37 (1) Has successfully completed an emergency medical technician  
38 course as described in chapter 18.73 RCW;

1 (2) Is trained under the supervision of an approved medical  
2 program director according to training standards prescribed in rule  
3 to perform specific phases of advanced cardiac and trauma life  
4 support under written or oral authorization of an approved licensed  
5 physician; and

6 (3) Has been examined and certified as a physician's trained  
7 advanced emergency medical (~~(service intermediate life support)~~)  
8 technician and paramedic, by level, by the University of Washington's  
9 school of medicine or the department of health.

10 **Sec. 3.** RCW 18.71.205 and 2010 1st sp.s. c 7 s 24 are each  
11 amended to read as follows:

12 (1) The secretary of the department of health shall prescribe:

13 (a) Practice parameters, training standards for, and levels of,  
14 physician's trained advanced emergency medical (~~(service intermediate~~  
15 ~~life support)~~) technicians and paramedics;

16 (b) Minimum standards and performance requirements for the  
17 certification and recertification of physician's trained advanced  
18 emergency medical (~~(service intermediate life support)~~) technicians  
19 and paramedics; and

20 (c) Procedures for certification, recertification, and  
21 decertification of physician's trained advanced emergency medical  
22 (~~(service intermediate life support)~~) technicians and paramedics.

23 (2) Initial certification shall be for a period established by  
24 the secretary pursuant to RCW 43.70.250 and 43.70.280.

25 (3) Recertification shall be granted upon proof of continuing  
26 satisfactory performance and education, and shall be for a period  
27 established by the secretary pursuant to RCW 43.70.250 and 43.70.280.

28 (4) As used in this chapter(~~(s 18.71)~~) and chapter 18.73 RCW,  
29 "approved medical program director" means a person who:

30 (a) Is licensed to practice medicine and surgery pursuant to this  
31 chapter (~~(18.71 RCW)~~) or osteopathic medicine and surgery pursuant to  
32 chapter 18.57 RCW; and

33 (b) Is qualified and knowledgeable in the administration and  
34 management of emergency care and services; and

35 (c) Is so certified by the department of health for a county,  
36 group of counties, or cities with populations over four hundred  
37 thousand in coordination with the recommendations of the local  
38 medical community and local emergency medical services and trauma  
39 care council.

1 (5) The uniform disciplinary act, chapter 18.130 RCW, governs  
2 uncertified practice, the issuance and denial of certificates, and  
3 the disciplining of certificate holders under this section. The  
4 secretary shall be the disciplining authority under this section.  
5 Disciplinary action shall be initiated against a person credentialed  
6 under this chapter in a manner consistent with the responsibilities  
7 and duties of the medical program director under whom such person is  
8 responsible.

9 (6) Such activities of physician's trained advanced emergency  
10 medical (~~((service—intermediate—life—support))~~) technicians and  
11 paramedics shall be limited to actions taken under the express  
12 written or oral order of medical program directors and shall not be  
13 construed at any time to include freestanding or nondirected actions,  
14 for actions not presenting an emergency or life-threatening  
15 condition, except nonemergency activities performed pursuant to  
16 subsection (7) of this section.

17 (7) Nothing in this section prohibits a physician's trained  
18 advanced emergency medical technician or paramedic, acting under the  
19 responsible supervision and direction of an approved medical program  
20 director, from participating in a community assistance referral and  
21 education services program established under RCW 35.21.930 if such  
22 participation does not exceed the participant's training and  
23 certification.

24 **Sec. 4.** RCW 18.71.210 and 1997 c 275 s 1 are each amended to  
25 read as follows:

26 No act or omission of any physician's trained advanced emergency  
27 medical (~~((service—intermediate—life—support))~~) technician and  
28 paramedic, as defined in RCW 18.71.200, or any emergency medical  
29 technician or first responder, as defined in RCW 18.73.030, done or  
30 omitted in good faith while rendering emergency medical service under  
31 the responsible supervision and control of a licensed physician or an  
32 approved medical program director or delegate(s) to a person who has  
33 suffered illness or bodily injury shall impose any liability upon:

34 (1) The physician's trained advanced emergency medical (~~((service~~  
35 ~~intermediate—life—support))~~) technician and paramedic, emergency  
36 medical technician, or first responder;

37 (2) The medical program director;

38 (3) The supervising physician(s);

1 (4) Any hospital, the officers, members of the staff, nurses, or  
2 other employees of a hospital;

3 (5) Any training agency or training physician(s);

4 (6) Any licensed ambulance service; or

5 (7) Any federal, state, county, city, or other local governmental  
6 unit or employees of such a governmental unit.

7 This section shall apply to an act or omission committed or  
8 omitted in the performance of the actual emergency medical procedures  
9 and not in the commission or omission of an act which is not within  
10 the field of medical expertise of the physician's trained advanced  
11 emergency medical (~~service intermediate life support~~) technician  
12 and paramedic, emergency medical technician, or first responder, as  
13 the case may be.

14 This section shall apply also to emergency medical technicians,  
15 advanced emergency medical technicians, paramedics, and medical  
16 program directors participating in a community assistance referral  
17 and education services program established under RCW 35.21.930.

18 This section shall apply also, as to the entities and personnel  
19 described in subsections (1) through (7) of this section, to any act  
20 or omission committed or omitted in good faith by such entities or  
21 personnel in rendering services at the request of an approved medical  
22 program director in the training of emergency medical service  
23 personnel for certification or recertification pursuant to this  
24 chapter.

25 This section shall not apply to any act or omission which  
26 constitutes either gross negligence or willful or wanton misconduct.

27 **Sec. 5.** RCW 18.73.030 and 2010 1st sp.s. c 7 s 25 are each  
28 reenacted and amended to read as follows:

29 The definitions in this section apply throughout this chapter  
30 unless the context clearly requires otherwise.

31 (1) "Advanced life support" means invasive emergency medical  
32 services requiring advanced medical treatment skills as defined by  
33 chapter 18.71 RCW.

34 (2) "Aid service" means an organization that operates one or more  
35 aid vehicles.

36 (3) "Aid vehicle" means a vehicle used to carry aid equipment and  
37 individuals trained in first aid or emergency medical procedure.

38 (4) "Ambulance" means a ground or air vehicle designed and used  
39 to transport the ill and injured and to provide personnel,

1 facilities, and equipment to treat patients before and during  
2 transportation.

3 (5) "Ambulance service" means an organization that operates one  
4 or more ambulances.

5 (6) "Basic life support" means noninvasive emergency medical  
6 services requiring basic medical treatment skills as defined in  
7 chapter 18.73 RCW.

8 (7) "Communications system" means a radio and landline network  
9 which provides rapid public access, coordinated central dispatching  
10 of services, and coordination of personnel, equipment, and facilities  
11 in an emergency medical services and trauma care system.

12 (8) "Council" means the local or regional emergency medical  
13 services and trauma care council as authorized under chapter 70.168  
14 RCW.

15 (9) "Department" means the department of health.

16 (10) "Emergency medical service" means medical treatment and care  
17 which may be rendered at the scene of any medical emergency or while  
18 transporting any patient in an ambulance to an appropriate medical  
19 facility, including ambulance transportation between medical  
20 facilities.

21 (11) "Emergency medical services medical program director" means  
22 a person who is an approved medical program director as defined by  
23 RCW 18.71.205(4).

24 (12) "Emergency medical technician" means a person who is  
25 authorized by the secretary to render emergency medical care pursuant  
26 to RCW 18.73.081 or, under the responsible supervision and direction  
27 of an approved medical program director, to participate in a  
28 community assistance referral and education services program  
29 established under RCW 35.21.930 if the participation does not exceed  
30 the participant's training and certification.

31 (13) "First responder" means a person who is authorized by the  
32 secretary to render emergency medical care as defined by RCW  
33 18.73.081.

34 (14) "Patient care procedures" means written operating guidelines  
35 adopted by the regional emergency medical services and trauma care  
36 council, in consultation with the local emergency medical services  
37 and trauma care councils, emergency communication centers, and the  
38 emergency medical services medical program director, in accordance  
39 with statewide minimum standards. The patient care procedures shall  
40 identify the level of medical care personnel to be dispatched to an

1 emergency scene, procedures for triage of patients, the level of  
2 trauma care facility to first receive the patient, and the name and  
3 location of other trauma care facilities to receive the patient  
4 should an interfacility transfer be necessary. Procedures on  
5 interfacility transfer of patients shall be consistent with the  
6 transfer procedures in chapter 70.170 RCW.

7 (15) "Prehospital patient care protocols" means the written  
8 procedure adopted by the emergency medical services medical program  
9 director which direct the out-of-hospital emergency care of the  
10 emergency patient which includes the trauma care patient. These  
11 procedures shall be based upon the assessment of the patient's  
12 medical needs and what treatment will be provided for emergency  
13 conditions. The protocols shall meet or exceed statewide minimum  
14 standards developed by the department in rule as authorized in  
15 chapter 70.168 RCW.

16 (16) "Secretary" means the secretary of the department of health.

17 (17) "Stretcher" means a cart designed to serve as a litter for  
18 the transportation of a patient in a prone or supine position as is  
19 commonly used in the ambulance industry, such as wheeled stretchers,  
20 portable stretchers, stair chairs, solid backboards, scoop  
21 stretchers, basket stretchers, or flexible stretchers. The term does  
22 not include personal mobility aids that recline at an angle or remain  
23 at a flat position, that are owned or leased for a period of at least  
24 one week by the individual using the equipment or the individual's  
25 guardian or representative, such as wheelchairs, personal gurneys, or  
26 banana carts.

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