

# SENATE BILL REPORT

## SHB 1893

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As Passed Senate - Amended, March 3, 2022

**Title:** An act relating to allowing emergency medical technicians to provide medical evaluation, testing, and vaccines outside of an emergency in response to a public health agency request.

**Brief Description:** Allowing emergency medical technicians to provide medical evaluation, testing, and vaccines outside of an emergency in response to a public health agency request.

**Sponsors:** House Committee on Health Care & Wellness (originally sponsored by Representatives Donaghy, Riccelli, Leavitt, Simmons, Slatter, Tharinger, Berg, Taylor, Frame, Macri, Harris-Talley and Pollet; by request of Department of Health).

**Brief History:** Passed House: 2/10/22, 88-5.

**Committee Activity:** Health & Long Term Care: 2/21/22, 2/23/22 [DP, w/oRec].

**Floor Activity:** Passed Senate - Amended: 3/3/22, 47-0.

### Brief Summary of Bill (As Amended by Senate)

- Amends the definition of emergency medical technician to include providing collaborative medical care.
- Establishes a provisional certification for emergency medical service providers.

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## SENATE COMMITTEE ON HEALTH & LONG TERM CARE

**Majority Report:** Do pass.

Signed by Senators Cleveland, Chair; Frockt, Vice Chair; Muzzall, Ranking Member; Conway, Holy, Keiser, Randall, Rivers, Robinson, Sefzik and Van De Wege.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Padden.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

**Staff:** Julie Tran (786-7283)

**Background:** Emergency Medical Services Personnel. Emergency medical service (EMS) means medical treatment and care which may be rendered at the scene of any medical emergency or while transporting any patient in an ambulance to an appropriate medical facility, including ambulance transportation between medical facilities. EMS personnel are certified by the Department of Health (DOH). There are four primary categories of EMS personnel—paramedics; emergency medical technicians (EMTs); advanced emergency medical technicians (AEMTs); and emergency medical responders, also known as first responders. EMS personnel may only provide services within the scope of care established in the curriculum of the person's level of certification or any specialized training.

Certified EMS personnel are only authorized to provide patient care when performing in a prehospital emergency setting or during interfacility ambulance transport, for a licensed EMS agency or an organization recognized by the Secretary of Health, and within a scope of care that meets defined criteria.

Applicants for certification as emergency services providers must meet minimum education and training requirements and be recommended for certification by the physician medical program director of the county in which the applicant will be working. Applicants must also be associated with a licensed aid or ambulance service, a law enforcement agency, a business with an organized industrial safety team, or senior emergency medical services instructors or coordinators teaching at emergency service training programs who are unable to be associated with another approved entity.

An EMT is defined as a person who is authorized by the Secretary of Health to render emergency medical care or under the responsible supervision and direction of an approved medical director to participate in an emergency services supervisory organization or a community assistance referral and education services program if the participation does not exceed the participant's training and certification.

Authority to Administer Vaccines. DOH issued a policy statement effective October 1, 2020, which states that it is within the scope of practice for an EMT, AEMT, or paramedic to administer a vaccination under certain conditions, which includes when:

- there is a state or local declaration of an emergency;
- the EMS personnel has completed any specialized training approved by the EMS medical program director (MPD) and received approval from the MPD to perform the skill;
- the EMS personnel are acting under the medical oversight and direction of the county MPD or an MPD delegate physician such as the local health officer and a department-approved MPD protocol is in place;
- the EMS personnel are affiliated with a licensed EMS service, and the EMS service is coordinating this activity with appropriate organizations authorized to conduct community surveillance of infectious disease; and

- the vaccines are managed in accordance with applicable local, state, and federal requirements.

**Summary of Amended Bill:** The 2020 DOH policy allowing EMTs to administer vaccines under certain conditions is codified and expanded to include communicable disease response outside of a state of emergency.

An EMT's duty to render emergency medical care may include providing collaborative medical care if the participation or provision of collaborative medical care does not exceed the participant's training and certification.

"Collaborative medical care" means medical treatment and care provided pursuant to agreements with local, regional, or state public health agencies to control and prevent the spread of communicable diseases which is rendered separately from emergency medical service. The provision of collaborative medical care may not exceed the EMT's training and certification.

A provisional emergency services provider certification is created to be issued by DOH. To be eligible for a provisional emergency services provider certification, an applicant must:

- be currently licensed or certified in another state and be in good standing with the EMS board of that state or hold a current EMS provider certification from a national certifying agency approved by DOH;
- be employed or have a valid employment offer from a Washington EMS agency; and
- be approved for provisional status from the county's MPD in which the applicant is or will be employed.

The number of persons holding a provisional emergency services provider certification an employer or host agency may employ is limited as follows:

- if the employer or host agency has fewer than 25 employees holding an EMT or paramedic credential, up to 20 percent of those employees, rounded up to the next whole number, may participate under a provisional emergency services provider certification; or
- if the employer or host agency has 25 or more employees holding an EMT or paramedic credential, up to 10 percent of those employees, rounded up to the next whole number, may participate under a provisional emergency services provider certification.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: EMTs have played a critical role in the response to the pandemic. EMTs are trained to provide these services but the law limits the services EMTs can provide. This bill allows EMTs to provide non-emergent services and be able to administer vaccines and conduct testing after the COVID state of emergency is over. The bill will help increase access to health care, including in rural areas and hard to reach populations. This bill will also increase equity in response to vulnerable populations, such as the elderly and people experiencing homelessness, who often bear a disproportionate burden of the impact of communicable diseases.

**Persons Testifying:** PRO: Representative Brandy Donaghy, Prime Sponsor; Catie Holstein, Washington State Department of Health.

**Persons Signed In To Testify But Not Testifying:** No one.