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HOUSE BILL NO. 594

Offered January 11, 2006

Prefiled January 10, 2006

A BILL to amend and reenact §§ 32.1-111.1 and 32.1-111.4 of the Code of Virginia, relating to carrying oxygen in emergency medical services vehicles.

 Patron—Lohr

 Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-111.1 and 32.1-111.4 of the Code of Virginia are amended and reenacted as follows:

§ 32.1-111.1. Definitions.

As used in this article:

"Advisory Board" means the State Emergency Medical Services Advisory Board.

"Agency" means any person engaged in the business, service or regular activity, whether or not for profit, of transporting persons who are sick, injured, wounded or otherwise incapacitated or helpless, or of rendering immediate medical care to such persons.

"Ambulance" means any vehicle, vessel or aircraft, which holds a valid permit issued by the Office of Emergency Medical Services, that is specially constructed, equipped, maintained and operated, and is intended to be used for emergency medical care and the transportation of patients who are sick, injured, wounded, or otherwise incapacitated or helpless. The word "ambulance" may not appear on any vehicle, vessel or aircraft that does not hold a valid permit.

"Automated external defibrillator" means a medical device which combines a heart monitor and defibrillator and (i) has been approved by the United States Food and Drug Administration, (ii) is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia, (iii) is capable of determining, without intervention by an operator, whether defibrillation should be performed, and (iv) automatically charges and requests delivery of an electrical impulse to an individual's heart, upon determining that defibrillation should be performed.

"Emergency medical services personnel" means persons responsible for the direct provision of emergency medical services in a given medical emergency including all persons who could be described as attendants, attendants-in-charge, or operators.

"Emergency medical services vehicle" means any vehicle, *including certain personally owned vehicles pursuant to § 32.1-111.4*, vessel, aircraft, or ambulance that holds a valid emergency medical services vehicle permit issued by the Office of Emergency Medical Services that is equipped, maintained or operated to provide emergency medical care or transportation of patients who are sick, injured, wounded, or otherwise incapacitated or helpless.

§ 32.1-111.4. Regulations; emergency medical services personnel and vehicles; response times; enforcement provisions; civil penalties.

A. The State Board of Health shall prescribe by regulation:

1. Requirements for record keeping, supplies, operating procedures and other agency operations;

2. Requirements for the sanitation and maintenance of emergency medical services vehicles and their medical supplies and equipment;

3. Procedures, including the requirements for forms, to authorize qualified emergency medical services personnel to follow Do Not Resuscitate Orders pursuant to § 54.1-2987.1;

4. Requirements for the composition, administration, duties and responsibilities of the State Emergency Medical Services Advisory Board;

5. Requirements, developed in consultation with the Emergency Medical Services Advisory Board, governing the training, certification, and recertification of emergency medical services personnel;

6. Requirements for written notification to the State Emergency Medical Services Advisory Board, the State Office of Emergency Medical Services, and the Financial Assistance and Review Committee of the Board's action, and the reasons therefor, on requests and recommendations of the Advisory Board, the State Office of Emergency Medical Services or the Committee, no later than five workdays after reaching its decision, specifying whether the Board has approved, denied, or not acted on such requests and recommendations;

7. Authorization procedures, developed in consultation with the Emergency Medical Services Advisory Board, which allow the possession and administration of epinephrine or a medically accepted equivalent for emergency cases of anaphylactic shock by certain levels of certified emergency medical

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59 services personnel as authorized by § 54.1-3408;

60 8. A uniform definition of "response time" and requirements, developed in consultation with the
61 Emergency Medical Services Advisory Board, for each agency to measure response times starting from
62 the time a call for emergency medical care is received until (i) the time an appropriate emergency
63 medical response unit is responding and (ii) the appropriate emergency medical response unit arrives on
64 the scene, and requirements for agencies to collect and report such data to the Director of the Office of
65 Emergency Medical Services who shall compile such information and make it available to the public,
66 upon request; and

67 9. Enforcement provisions, including, but not limited to, civil penalties that the Commissioner may
68 assess against any agency or other entity found to be in violation of any of the provisions of this article
69 or any regulation promulgated under this article. All amounts paid as civil penalties for violations of this
70 article or regulations promulgated pursuant thereto shall be paid into the state treasury and shall be
71 deposited in the emergency medical services special fund established pursuant to § 46.2-694, to be used
72 only for emergency medical services purposes.

73 B. The Board shall classify agencies and emergency medical services vehicles by type of service
74 rendered and shall specify the medical equipment, the supplies, the vehicle specifications and the
75 personnel required for each classification. *The Board, along with the Office of Emergency Medical*
76 *Services, shall develop standards for classifying certain personal vehicles of emergency medical services*
77 *workers as emergency medical services vehicles, in order to allow such vehicles to carry oxygen.*
78 *Emergency medical services workers who wish to have their personal vehicles classified as such shall*
79 *first undergo training on the safe handling and transportation of oxygen tanks.*

80 C. In formulating its regulations, the Board shall consider the current Minimal Equipment List for
81 Ambulances adopted by the Committee on Trauma of the American College of Surgeons.