

SENATE BILL NO. 2133

Introduced by

Senators Lee, K. Roers

Representatives Keiser, Porter, Westlind

1 A BILL for an Act to amend and reenact sections 23-27-04.3, 23-27-04.9, and 50-24.1-38 of the
2 North Dakota Century Code, relating to services provided by community paramedics,
3 community emergency medical technicians, and community advanced emergency medical
4 technicians; and to provide a penalty.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Section 23-27-04.3 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **23-27-04.3. Emergency medical services personnel training, testing, certification,**
9 **licensure, and quality review - Penalty.**

10 The state health council shall adopt rules prescribing minimum training, testing, certification,
11 licensure, and quality review standards for emergency medical services personnel, including
12 community paramedics, community emergency medical technicians, and community advanced
13 emergency medical technicians; instructors; and training institutions. Rules adopted must
14 include a definition of minimum applicable standards, a definition of emergency medical
15 services personnel, provide for a mechanism for certifying or licensing persons who have met
16 the required standards, provide a mechanism to review and improve the quality of care
17 rendered by emergency medical services personnel, and define minimum standards for
18 emergency medical services training institutions. Licensing as an emergency medical services
19 training institution is optional. It is a class B misdemeanor for an individual to willfully
20 misrepresent that individual's certification or licensing status as emergency medical services
21 personnel. Quality review and improvement information, data, records, and proceedings are not
22 subject to subpoena or discovery or introduction into evidence in any civil action.

23 **SECTION 2. AMENDMENT.** Section 23-27-04.9 of the North Dakota Century Code is
24 amended and reenacted as follows:

1 **23-27-04.9. Administration of influenza ~~vaccination~~vaccinations.**

- 2 1. A licensed emergency medical technician-paramedic working for a hospital or an
3 emergency medical services operation may administer ~~the influenza~~ vaccine to an
4 individual who is at least eighteen years of age if:
- 5 a. The physician providing oversight for the emergency medical services operation
6 or the hospital medical director has established protocols that meet department
7 standards that may be based on the advisory committee on immunization
8 practices of the federal centers for disease control and prevention; and
9 b. The emergency medical technician-paramedic has satisfactorily completed a
10 department-approved course on administering vaccines.
- 11 2. If a hospital or emergency medical services operation allows the administration of
12 vaccines under this section, the hospital or emergency medical services operation
13 shall maintain records documenting the emergency medical technician-paramedic's
14 completion of the training required under subsection 1. These records are subject to
15 review by the department.

16 **SECTION 3. AMENDMENT.** Section 50-24.1-38 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **50-24.1-38. Health-related services - Licensed ~~community paramedics~~emergency**
19 **medical services personnel.**

- 20 1. Medical assistance must cover services provided by community paramedics,
21 community advanced emergency medical technicians, community emergency medical
22 technicians, and other similarly licensed personnel who are licensed or certified under
23 section 23-27-04.3, if the services are provided to an eligible recipient as defined by
24 rule. Community paramedic, community advanced emergency medical technician, and
25 community emergency medical technician services may include health assessment,
26 chronic disease monitoring and education, immunizations and vaccinations, laboratory
27 specimen collection, followup care, comprehensive health and safety assessment,
28 wound management, assess and report compliance with established care plan,
29 medication management, and other interventions within the scope of practice for each
30 licensure level as approved by a supervising physician or advanced practice
31 registered nurse.

1 2. The department of human services shall adopt rules governing payments to licensed
2 community paramedics, advanced emergency medical technicians, and emergency
3 medical technicians for health-related services provided to recipients of medical
4 assistance, subject to necessary limitations and exclusions. A physician or an
5 advanced practice registered nurse must supervise any care provided by a licensed
6 community paramedic, an advanced emergency medical technician, or emergency
7 medical technician.