

## Session 118 - (2009-2010)

### **S\*0907 (Rat #0184, Act #0157 of 2010) General Bill, By Peeler**

#### **Summary:** Emergency medical services

AN ACT TO AMEND ARTICLE 1, CHAPTER 61, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EMERGENCY MEDICAL SERVICES (EMS), SO AS TO REVISE DEFINITIONS AND ADD NEW DEFINITIONS INCLUDING, BUT NOT LIMITED TO, THE "STATE MEDICAL CONTROL PHYSICIAN", WITH WHOM THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CONTRACTS TO OVERSEE THE MEDICAL ASPECTS OF THE EMS PROGRAM, AND THE "INVESTIGATIVE REVIEW COMMITTEE" WHICH WILL CONDUCT INVESTIGATIONS OF LICENSEES; TO PROVIDE THAT THE STATE MEDICAL CONTROL PHYSICIAN SHALL ADVISE THE DEPARTMENT ON THE DEVELOPMENT OF STANDARDS AND PROMULGATION OF REGULATIONS FOR THE EMS PROGRAM; TO PROVIDE THAT THE EMS PROGRAM MUST INCLUDE THE ESTABLISHMENT OF AN ELECTRONIC PATIENT CARE REPORTING SYSTEM TO PROVIDE DATA TO THE NATIONAL EMS INFORMATION SYSTEM DATABASE; TO PROVIDE THAT MEMBERS OF THE EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL SERVE WITHOUT COMPENSATION, MILEAGE, PER DIEM, OR SUBSISTENCE; TO SPECIFY THAT A BUSINESS PROVIDING EMS OR AMBULANCE SERVICES OR AN AMBULANCE ATTENDANT PROVIDING PATIENT CARE WITHOUT THE APPLICABLE LICENSE OR PERMIT SUBJECTS THE BUSINESS OR PERSON TO CIVIL PENALTIES; TO REQUIRE AN EMS AND AN AMBULANCE SERVICE TO RETAIN A MEDICAL CONTROL PHYSICIAN TO MAINTAIN QUALITY CONTROL OF PATIENT CARE AND TO PROVIDE IMMUNITY FROM CIVIL LIABILITY FOR SUCH PHYSICIANS ACTING IN GOOD FAITH IN CARRYING OUT THESE RESPONSIBILITIES; TO PROVIDE THAT AN EMERGENCY MEDICAL TECHNICIAN (EMT) CERTIFICATE IS VALID FOR FOUR YEARS, RATHER THAN THREE YEARS; TO DELETE THE REQUIREMENT THAT UPON CERTIFICATE RENEWAL AN EMT MUST COMPLETE A REFRESHER COURSE AND AN EXAMINATION AND INSTEAD TO REQUIRE THE EMT TO PROVIDE DOCUMENTATION OF CURRENT NATIONAL REGISTRATION AND RENEWAL FOR THE APPROPRIATE LEVEL OF CERTIFICATION AND TO PROVIDE AN EXEMPTION FOR EMT'S CERTIFIED BEFORE OCTOBER 2006; TO SPECIFY THAT THE IDENTITY OF AN EMT CONTAINED IN INFORMATION COLLECTED BY EMS IS CONFIDENTIAL UNLESS REQUESTED BY A PATIENT; TO PROVIDE THAT UPON REQUEST A PATIENT MAY OBTAIN INFORMATION COLLECTED BY EMS; TO DELETE PROVISIONS PERTAINING TO THE CONFIDENTIALITY OF THE IDENTITY OF PHYSICIANS AND HOSPITALS AND THE CONFIDENTIALITY OF OFFICIAL INVESTIGATIONS CONDUCTED BY THE EMS SECTION OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AND TO PROVIDE THAT INVESTIGATIONS MUST BE CONDUCTED BY THE INVESTIGATIVE REVIEW COMMITTEE AND THAT ACTION TAKEN BY THE COMMITTEE ON A LICENSE IS PUBLIC INFORMATION AFTER ISSUANCE OF AN ADMINISTRATIVE ORDER; TO FURTHER SPECIFY TO WHOM PATIENT INFORMATION MAY BE RELEASED; AND TO REQUIRE THE DEPARTMENT AND A PERSON OR ENTITY LICENSED OR CERTIFIED PURSUANT TO THIS ARTICLE TO DISCLOSE TO THE SOLICITOR INFORMATION THAT COULD AID IN THE INVESTIGATION OR PROSECUTION OF CRIMINAL ACTIVITY; TO REPEAL SECTION 44-61-105 AUTHORIZING THE GOVERNING BODY OF A COUNTY TO EXEMPT AMBULANCES USED PRIMARILY AS CONVALESCENT TRANSPORT UNITS FROM SIZE REQUIREMENTS AND TO ALSO DELETE OTHER REQUIREMENTS FOR CERTAIN VEHICLES USED AS CONVALESCENT TRANSPORT UNITS, AND SECTION 44-61-150 REQUIRING REGULATIONS PROMULGATED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO BE FILED WITH THE SECRETARY OF STATE; AND TO AMEND ARTICLE 3, CHAPTER 61, TITLE 44, RELATING TO EMERGENCY MEDICAL SERVICES FOR CHILDREN (EMSC), SO AS TO REVISE CERTAIN DEFINITIONS AND TO ADD, AMONG OTHERS, THE DEFINITION OF "EMERGENCY MEDICAL TECHNICIAN" (EMT); TO CHANGE THE EMSC PROGRAM NAME TO THE "EMERGENCY MEDICAL SERVICES AND TRAUMA FOR CHILDREN PROGRAM" AND TO PROVIDE THAT THIS PROGRAM MUST INCLUDE GUIDELINES FOR VOLUNTARY DESIGNATION OF PEDIATRIC EMERGENCY DEPARTMENTS, DISASTER RESPONSE GUIDELINES, PEDIATRIC DISASTER PREPAREDNESS TRAINING, AND ASSISTANCE WITH THE DEVELOPMENT OF DISASTER PLAN STRATEGIES RELATING TO CHILDREN; TO SPECIFY THAT THE IDENTITY OF AN EMT CONTAINED IN INFORMATION COLLECTED BY EMS IS CONFIDENTIAL UNLESS REQUESTED BY A PATIENT; TO PROVIDE THAT UPON REQUEST A PATIENT MAY OBTAIN INFORMATION COLLECTED BY EMS TO DELETE PROVISIONS PERTAINING TO THE CONFIDENTIALITY OF THE IDENTITY OF PHYSICIANS AND HOSPITALS; TO FURTHER SPECIFY TO WHOM PATIENT INFORMATION MAY BE RELEASED; TO REQUIRE THE DEPARTMENT AND A PERSON OR ENTITY LICENSED OR CERTIFIED PURSUANT TO THIS ARTICLE TO DISCLOSE TO THE SOLICITOR INFORMATION THAT COULD AID IN THE INVESTIGATION OR PROSECUTION OF CRIMINAL ACTIVITY; AND TO ESTABLISH THE EMERGENCY MEDICAL SERVICES FOR CHILDREN ADVISORY COMMITTEE, TO PROVIDE FOR ITS MEMBERS AND DUTIES, AND TO PROVIDE THAT MEMBERS ON THE COMMITTEE SERVE WITHOUT

COMPENSATION, MILEAGE, PER DIEM, OR SUBSISTENCE. - ratified title

12/09/09	Senate	Prefiled
12/09/09	Senate	Referred to Committee on Medical Affairs
01/12/10	Senate	Introduced and read first time SJ-14
01/12/10	Senate	Referred to Committee on Medical Affairs SJ-14
02/23/10	Senate	Committee report: Favorable with amendment Medical Affairs SJ-14
02/24/10		Scrivener's error corrected
02/24/10	Senate	Committee Amendment Adopted SJ-22
02/24/10	Senate	Amended SJ-58
02/24/10	Senate	Read second time SJ-58
02/25/10	Senate	Read third time and sent to House SJ-14
02/25/10		Scrivener's error corrected
03/02/10	House	Introduced and read first time HJ-11
03/02/10	House	Referred to Committee on Medical, Military, Public and Municipal Affairs HJ-11
04/14/10	House	Committee report: Favorable with amendment Medical, Military, Public and Municipal Affairs HJ-12
04/15/10		Scrivener's error corrected
04/20/10	House	Amended HJ-102
04/20/10	House	Read second time HJ-102
04/21/10	House	Read third time and returned to Senate with amendments HJ-12
04/22/10	Senate	Concurred in House amendment and enrolled SJ-76
05/05/10		Scrivener's error corrected
05/06/10		Ratified R 184
05/11/10		Signed By Governor
05/21/10		Effective date 05/11/10
05/25/10		Act No. 157