

House Engrossed

emergency medical technicians; military reciprocity

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HOUSE BILL 2589

AN ACT

AMENDING SECTION 36-2202, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2012, CHAPTER 94, SECTION 5; AMENDING SECTION 36-2202, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2022, CHAPTER 381, SECTION 2; RELATING TO EMERGENCY MEDICAL SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-2202, Arizona Revised Statutes, as amended by
3 Laws 2012, chapter 94, section 5, is amended to read:

4 36-2202. Duties of the director; qualifications of medical
5 director

6 A. The director shall:

7 1. Appoint a medical director of the emergency medical services and
8 trauma system.

9 2. Adopt standards and criteria for the denial or granting of
10 certification and recertification of emergency medical care technicians.
11 These standards shall allow the department to certify qualified emergency
12 medical care technicians who have completed statewide standardized
13 training required under section 36-2204, paragraph 1 and a standardized
14 certification test required under section 36-2204, paragraph 2, ~~or~~ who
15 hold valid certification with a national certification organization **OR WHO**
16 **HAVE COMPLETED TRAINING AND TESTING BY THE UNITED STATES ARMED FORCES AT A**
17 **LEVEL COMPARABLE TO THE NATIONAL STANDARDS FOR EMERGENCY MEDICAL CARE**
18 **TECHNICIANS**. Before the director may consider approving a statewide
19 standardized training or a standardized certification test, or both, each
20 of these must first be recommended by the medical direction commission and
21 the emergency medical services council to ensure that the standardized
22 training content is consistent with national education standards and that
23 the standardized certification tests examines comparable material to that
24 examined in the tests of a national certification organization.

25 3. Adopt standards and criteria that pertain to the quality of
26 emergency care pursuant to section 36-2204.

27 4. Adopt rules necessary to carry out this chapter. Each rule
28 shall identify all sections and subsections of this chapter under which
29 the rule was formulated.

30 5. Adopt reasonable medical equipment, supply, staffing and safety
31 standards, criteria and procedures for issuance of a certificate of
32 registration to operate an ambulance.

33 6. Maintain a state system for recertifying emergency medical care
34 technicians, except as otherwise provided by section 36-2202.01, that is
35 independent from any national certification organization recertification
36 process. This system shall allow emergency medical care technicians to
37 choose to be recertified under the state or the national certification
38 organization recertification system subject to subsection H of this
39 section.

40 B. Emergency medical technicians who choose the state
41 recertification process shall recertify in one of the following ways:

42 1. Successfully completing an emergency medical technician
43 refresher course approved by the department.

44 2. Successfully completing an emergency medical technician
45 challenge course approved by the department.

1 3. For emergency medical care technicians who are currently
2 certified at the emergency medical technician level by the department,
3 attesting on a form provided by the department that the applicant holds a
4 valid and current cardiopulmonary resuscitation certification, has and
5 will maintain documented proof of a minimum of twenty-four hours of
6 continuing medical education within the last two years consistent with
7 department rules and has functioned in the capacity of an emergency
8 medical technician for at least two hundred forty hours during the last
9 two years.

10 C. After consultation with the emergency medical services council
11 the director may authorize pilot programs designed to improve the safety
12 and efficiency of ambulance inspections for governmental or
13 quasi-governmental entities that provide emergency medical services in
14 this state.

15 D. The rules, standards and criteria adopted by the director
16 pursuant to subsection A, paragraphs 2, 3, 4 and 5 of this section shall
17 be adopted in accordance with title 41, chapter 6, except that the
18 director may adopt on an emergency basis pursuant to section 41-1026 rules
19 relating to the regulation of ambulance services in this state necessary
20 to protect the public peace, health and safety in advance of adopting
21 rules, standards and criteria as otherwise provided by this subsection.

22 E. The director may waive the requirement for compliance with a
23 protocol adopted pursuant to section 36-2205 if the director determines
24 that the techniques, drug formularies or training makes the protocol
25 inconsistent with contemporary medical practices.

26 F. The director may suspend a protocol adopted pursuant to
27 section 36-2205 if the director does all of the following:

- 28 1. Determines that the rule is not in the public's best interest.
29 2. Initiates procedures pursuant to title 41, chapter 6 to repeal
30 the rule.

31 3. Notifies all interested parties in writing of the director's
32 action and the reasons for that action. Parties interested in receiving
33 notification shall submit a written request to the director.

34 G. To be eligible for appointment as the medical director of the
35 emergency medical services and trauma system, the person shall be
36 qualified in emergency medicine and shall be licensed as a physician in
37 one of the states of the United States.

38 H. Applicants for certification shall apply to the director for
39 certification. Emergency medical care technicians shall apply for
40 recertification to the director every two years. The director may extend
41 the expiration date of an emergency medical care technician's certificate
42 for thirty days. The department shall establish a fee for this extension
43 by rule. Emergency medical care technicians shall pass an examination
44 administered by the department as a condition for recertification only if

1 required to do so by the advanced life support base hospital's medical
2 director or the emergency medical care technician's medical director.

3 I. The medical director of the emergency medical services and
4 trauma system is exempt from title 41, chapter 4, articles 5 and 6 and is
5 entitled to receive compensation pursuant to section 38-611, subsection A.

6 J. The standards, criteria and procedures adopted by the director
7 pursuant to subsection A, paragraph 5 of this section shall require that
8 ambulance services serving a rural or wilderness certificate of necessity
9 area with a population of less than ten thousand persons according to the
10 most recent United States decennial census have at least one ambulance
11 attendant as defined in section 36-2201, paragraph 6, subdivision (a) and
12 one ambulance attendant as defined in section 36-2201, paragraph 6,
13 subdivision (b) staffing an ambulance while transporting a patient and
14 that ambulance services serving a population of ten thousand persons or
15 more according to the most recent United States decennial census have at
16 least one ambulance attendant as defined in section 36-2201, paragraph 6,
17 subdivision (a) and one ambulance attendant as defined in section 36-2201,
18 paragraph 6, subdivision (a), (c), (d) or (e) staffing an ambulance while
19 transporting a patient.

20 K. If the department determines there is not a qualified
21 administrative medical director, the department shall ensure the provision
22 of administrative medical direction for an emergency medical technician if
23 the emergency medical technician meets all of the following criteria:

24 1. Is employed by a nonprofit or governmental provider employing
25 less than twelve full-time emergency medical technicians.

26 2. Stipulates to the inability to secure a physician who is willing
27 to provide administrative medical direction.

28 3. Stipulates that the provider agency does not provide
29 administrative medical direction for its employees.

30 Sec. 2. Section 36-2202, Arizona Revised Statutes, as amended by
31 Laws 2022, chapter 381, section 2, is amended to read:

32 36-2202. Duties of the director; qualifications of medical
33 director

34 A. The director shall:

35 1. Appoint a medical director of the emergency medical services and
36 trauma system.

37 2. Adopt standards and criteria for the denial or granting of
38 certification and recertification of emergency medical care technicians.
39 These standards shall allow the department to certify qualified emergency
40 medical care technicians who have completed statewide standardized
41 training required under section 36-2204, paragraph 1 and a standardized
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44 **HAVE COMPLETED TRAINING AND TESTING BY THE UNITED STATES ARMED FORCES AT A**
45 **LEVEL COMPARABLE TO THE NATIONAL STANDARDS FOR EMERGENCY MEDICAL CARE**

1 **TECHNICIANS.** Before the director may consider approving a statewide
2 standardized training or a standardized certification test, or both, each
3 of these must first be recommended by the medical direction commission and
4 the emergency medical services council to ensure that the standardized
5 training content is consistent with national education standards and that
6 the standardized certification test examines comparable material to that
7 examined in the tests of a national certification organization.

8 3. Adopt standards and criteria that pertain to the quality of
9 emergency care pursuant to section 36-2204.

10 4. Adopt rules necessary to carry out this chapter. Each rule
11 shall identify all sections and subsections of this chapter under which
12 the rule was formulated.

13 5. Adopt reasonable medical equipment, supply, staffing and safety
14 standards, criteria and procedures to issue a certificate of registration
15 to operate an ambulance.

16 6. Maintain a state system for recertifying emergency medical care
17 technicians, except as otherwise provided by section 36-2202.01, that is
18 independent from any national certification organization recertification
19 process. This system shall allow emergency medical care technicians to
20 choose to be recertified under the state or the national certification
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32 valid and current cardiopulmonary resuscitation certification, has and
33 will maintain documented proof of a minimum of twenty-four hours of
34 continuing medical education within the last two years consistent with
35 department rules and has functioned in the capacity of an emergency
36 medical technician for at least two hundred forty hours during the last
37 two years.

38 C. After consultation with the emergency medical services council,
39 the director may authorize pilot programs designed to improve the safety
40 and efficiency of ambulance inspections for governmental or
41 quasi-governmental entities that provide emergency medical services in
42 this state.

43 D. The rules, standards and criteria adopted by the director
44 pursuant to subsection A, paragraphs 2, 3, 4 and 5 of this section shall
45 be adopted in accordance with title 41, chapter 6, except that the

1 director may adopt on an emergency basis pursuant to section 41-1026 rules
2 relating to the regulation of ambulance services in this state necessary
3 to protect the public peace, health and safety in advance of adopting
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15 action and the reasons for that action. Parties interested in receiving
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28 required to do so by the advanced life support base hospital's medical
29 director or the emergency medical care technician's medical director.

30 I. The medical director of the emergency medical services and
31 trauma system is exempt from title 41, chapter 4, articles 5 and 6 and is
32 entitled to receive compensation pursuant to section 38-611, subsection A.

33 J. The standards, criteria and procedures adopted by the director
34 pursuant to subsection A, paragraph 5 of this section shall require that
35 ambulance services providing interfacility transportation or serving a
36 rural or wilderness certificate of necessity area with a population of
37 less than ten thousand persons have at least one ambulance attendant as
38 defined in section 36-2201, paragraph 6, subdivision (a) and one ambulance
39 attendant as defined in section 36-2201, paragraph 6, subdivision (b)
40 staffing an ambulance while transporting a patient and that ambulance
41 services providing interfacility transportation or serving a population of
42 ten thousand persons or more have at least one ambulance attendant as
43 defined in section 36-2201, paragraph 6, subdivision (a) and one ambulance
44 attendant as defined in section 36-2201, paragraph 6, subdivision (a),
45 (c), (d) or (e) staffing an ambulance while transporting a patient.

1 K. If the department determines there is not a qualified
2 administrative medical director, the department shall ensure the provision
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4 the emergency medical technician meets all of the following criteria:

5 1. Is employed by a nonprofit or governmental provider employing
6 less than twelve full-time emergency medical technicians.

7 2. Stipulates to the inability to secure a physician who is willing
8 to provide administrative medical direction.

9 3. Stipulates that the provider agency does not provide
10 administrative medical direction for its employees.

11 Sec. 3. Exemption from rulemaking

12 Notwithstanding any other law, for the purposes of this act, the
13 department of health services is exempt from the rulemaking requirements
14 of title 41, chapters 6 and 6.1, Arizona Revised Statutes, for eighteen
15 months after the effective date of this act.

16 Sec. 4. Effective date

17 Section 36-2202, Arizona Revised Statutes, as amended by Laws 2022,
18 chapter 381, section 2 and this act, is effective from and after December
19 31, 2023.