

REFERENCE TITLE: emergency medical technicians; military reciprocity

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

## **HB 2589**

Introduced by  
Representative Payne

### 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  
42 certification test required under section 36-2204, paragraph 2, ~~or~~ who  
43 hold valid certification with a national certification organization **OR WHO**  
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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22 section.

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

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30 certified at the emergency medical technician level by the department,  
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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  
4 rules, standards and criteria as otherwise provided by this subsection.

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

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18 emergency medical services and trauma system, the person shall be  
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20 one of the states of the United States.

21 H. Applicants for certification shall apply to the director for  
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24 the expiration date of an emergency medical care technician's certificate  
25 for thirty days. The department shall establish a fee for this extension  
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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  
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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.