

STATE OF LOUISIANA

Emergency Medical Services Certification Commission

Annual Report
Fiscal Year 07

LOUISIANA EMERGENCY MEDICAL SERVICES CERTIFICATION COMMISSION

Annual Report of Activities

Emergency Medical Services Certification Commission
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Table of Contents

EMS Certification Commission Members.....	1
Executive Summary	2
Standards of Out-of-hospital Practice	3
Scope of Practice of EMS Professionals.....	4
Discipline and Regulation of EMS Professionals	5-6
Standards for Educational Programs	7
Impacting Legislation.....	8
Legal Authority	9

EMS Certification Commission Members

The EMS Certification Commission is composed of nine voting members appointed by the governor.

Sammy Halphen, Chair	EMS Public Administrator
Debra Bagget Woodard	Louisiana State Nurses Association *non voting*
Lauri Scivicque, Secretary	EMT Paramedic
Dr. Beau Clark	American College of Emergency Physicians
Dr. Susan Bankston	American Academy of Pediatrics
Dr. Chapman Lee	American College of Surgeons
Dr. Robert Chugden	Louisiana State Medical Society
Gary Peters	EMS Private Administrator
John Roquemore	EMT Basic
Andy Bruch, Vice Chair	EMT Paramedic

Administrative Assistant: Cathy Trenkle / Susan Fonti / April Bailey

Executive Summary

The purpose of the Annual Report is to reflect the activities and actions of the Commission for the period of July 1, 2006 and ending June 30, 2007, and to provide data relative to the number and nature of the hearings conducted under the provisions of R.S. 40:1232.7.

The EMS Certification Commission is created under R.S.40:1232.2 to safeguard life and health of the citizens of Louisiana. To fulfill this purpose, the Commission is delegated the responsibility to:

- Establish and publish standards of out-of-hospital practice
- Regulate the scope of practice of Emergency Medical Service professionals
- Discipline and regulate the practice of Emergency Medical Services professionals
- Establish standards for educational programs preparing individuals for out-of-hospital practice.

The Commission, under R.S. 40:1232.3 (A) shall recommend to the bureau requirements and standards of practice for individuals seeking to be certified. Three motions were passed on this item.

The Commission, under R.S. 40:1232.3 (A) shall approve requirements and standards of practice submitted by the bureau for emergency medical personnel. One motion was passed on this item.

The Commission, under R.S. 40:1232.3 (A) shall conduct disciplinary hearings for emergency medical personnel, request that the bureau conduct investigations as necessary, and cause the prosecution of any individual who violates any provision of R.S.40: 1232 et seq. Three motions were passed on this item.

During the fiscal year, the EMS Certification Commission reviewed 457 cases, and disciplinary action was taken as a result of 86 substantiated violations.

The Commission, under R.S. 40:1232.3 (A) shall recommend continuing education requirements and standards to the bureau in accordance with criteria established by the National Registry of Emergency Medical Technicians for individuals seeking to renew a certificate. No motions were passed on this item.

House Bill 1404 was presented this year and may impact the duties of the EMS Certification Commission. The EMS Certification Commission did not amend or adopt any rules related to the implementation of the provisions of R.S. 40:1232 et seq.

On behalf of all members of the Emergency Medical Services Certification Commission and the staff of the Bureau of Emergency Medical Services, we want to convey our sincere appreciation to Louisiana's volunteer and career EMS professionals. The dedication and service of these individuals and their dedication and commitment to cooperative excellence will continue to ensure the success of the Emergency Medical Services System in Louisiana.

Standards of Out-of-hospital Practice

The Commission, under R.S. 40:1232.3 (A) shall recommend to the bureau requirements and standards of practice for individuals seeking to be certified.

The following motions were made and passed during this fiscal year:

- Recommend to the Bureau of EMS that they create a website. This website should have the capability of allowing people to check the status of an EMT.
- If certification lapses 30-60 days from expiration a \$50 fine will be assessed. If certification is lapsed after six months, EMT must re-test the certification level practical skills.
- Reciprocity applicants shall be approved a 90 day provisional certification period pending a background check from their home state.

Scope of Practice of EMS Professionals

The Commission, under R.S. 40:1232.3 (A) shall approve requirements and standards of practice submitted by the bureau for emergency medical personnel.

The following motions were made and passed during this fiscal year:

- Reviewed Scope of Practice rulings from 2004 and 2005 and accepted as read.

Discipline and Regulation of EMS Professionals

The Commission, under R.S. 40:1232.3 (A) shall conduct disciplinary hearings for emergency medical personnel, request that the bureau conduct investigations as necessary, and cause the prosecution of any individual who violates any provision of R.S.40: 1232 et seq.

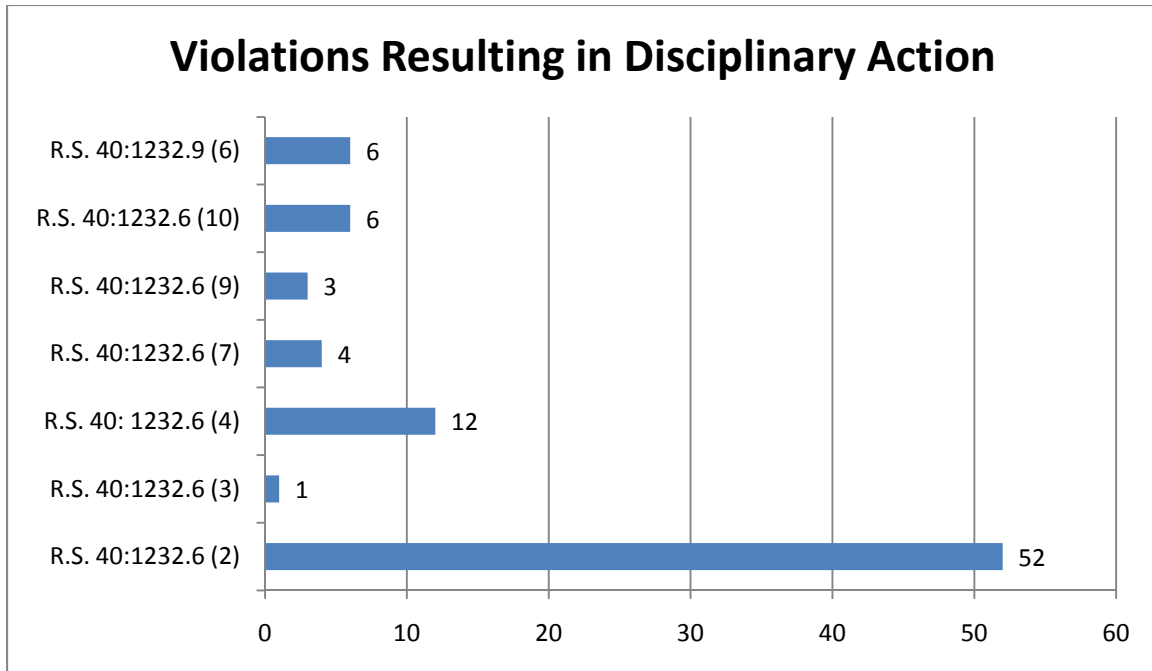
The following motions were made and passed during this fiscal year:

- Decision made to no longer allow proxy voting on the Commission.
- Commission adopted National Registry Conviction Policy as Louisiana guideline.
- First DWI within the certification period will receive probation; 2nd offense DWI will be subpoenaed for a hearing.

The EMS Certification Commission renders decisions on all questionable applications for certification, reinstatement, the right to practice as an EMS student, and eligibility for the National Registry exam or entry or progress into any clinical or field internship aspects of an EMS course. The Commission also receives and renders decisions on complaints against any person engaged in any conduct proscribed by R.S. 40:1232.6.

During the fiscal year, the EMS Certification Commission reviewed 457 cases.

The table below represents the cases that reflected substantiated violations of the rules and regulations of the EMS Certification Commission, and subsequent disciplinary action.



- R.S. 40:1232.6 (2) Conviction of a crime or offense which reflects the inability to practice EMS with due regard for health and safety of clients or patients or enters a plea of guilty or nolo contendere to a criminal charge regardless of final disposition of the criminal proceeding, including, but not limited to, expungement, non adjudication or pardon.
- R.S. 40:1232.6 (3) Is unfit or incompetent by reason of negligence, habit, or other cause.
- R.S. 40:1232.6 (4) Is habitually intemperate in the use of or abuses alcohol or habit-forming drugs.
- R.S. 40:1232.6 (7) Endeavors to deceive or defraud the public.
- R.S. 40:1232.6 (9) Unprofessional conduct.
- R.S. 40:1232.6 (10) Continuing or recurring practices which fail to meet the standards of EMS care in this state.
- R.S. 40:1232.9 (3) Practice as a certified emergency medical technician or certified first responder unless certified to do so under the provisions of R.S. 40

Standards for Educational Programs

The Commission, under R.S. 40:1232.3 (A) shall recommend continuing education requirements and standards to the bureau in accordance with criteria established by the National Registry of Emergency Medical Technicians for individuals seeking to renew a certificate.

No motions were made and passed during this fiscal year.

Impacting Legislation

The Commission, under R.S. 40:1232.3 (A) shall adopt rules and regulations to implement the provisions of R.S.40:1232 et seq.

House Bill 1404 was introduced by Representative M. Guillory to amend and reenact R.S. 40:1300.52(A)(1), (B)(1), (C), (D)(1)(a), and (2), and (E) and to enact R.S. 40:1300.52(B)(3), relative to nonlicensed persons and licensed ambulance personnel; to provide for security checks; to provide for mandatory criminal history checks; and to provide for related matters. This bill was signed into law by the Governor on June 30, 2006 and became effective August 15, 2006.

Legal Authority

The EMS Certification Commission is defined under R.S. 40:1232.2-11.

The rules and regulations of the EMS Certification Commission are defined in LAC Title 46 Part XXXVIII.