

Attachment D - LAC Title 48

RFx number: 300002458

Contract Title: *Rebid* Emergency Helicopter Medical Services - LDH

PUBLIC HEALTH—GENERAL

§6043. Personnel [Formerly §6033]

A. Director of Operations

1. The director of operations (DOO), or equivalent job title, shall be designated, in writing, to supervise:

a. all activities of professional staff and allied health personnel; and

b. responsible for compliance with regulatory requirements.

2. The DOO, or designee, shall be on-site or immediately available to be on-site at all times during operating hours, and additionally as needed. If the DOO is unavailable, he/she shall designate an equally qualified individual to be responsible during his/her absence.

3. The DOO shall be a licensed EMT, or above, and shall be currently licensed to practice in the state of Louisiana:

a. with at least three years' experience as an EMS Practitioner; and

b. be a full-time employee of only one ambulance service facility.

4. The department may exempt the director of operations from the requirements of §6133.A.3.a-b if services are primarily staffed and operated by volunteers.

5. The DOO shall supervise all patient care activities to assure compliance with current standards of accepted EMS practice including, but not limited to, the following:

a. supervise the employee health program and implement policies and procedures that establish and support quality patient care;

b. assure compliance with local, state, and federal laws, and promote health and safety of employees, patients and the community, using the following nonexclusive methods:

i. perform complaint investigations;

ii. provide orientation and in-service training to employees to promote effective ambulance service safety of the patient, and to familiarize staff with regulatory issues, and agency policy and procedures, including but not limited to:

iii. competency evaluation performed biennially to coincide with renewals of licensure of health care personnel or alternatively provide that the competency evaluation will be done through an ambulance service/provider's quality assurance policies and procedures that includes a definition of competency when utilizing the quality assurance process;

iv. assure that the care provided by the health care personnel promotes effective emergency medical care and the safety of the patient; and

v. assure that the ambulance service policies are enforced.

6. The DOO shall also perform the following duties:

a. implement personnel and employment policies to assure that only qualified personnel are hired:

i. licensing and/or certification (as required by law) shall be verified prior to employment and annually thereafter, and records shall be maintained to support competency of all allied health personnel;

b. implement policies and procedures that establish and support quality patient care

c. be responsible for and direct the day-to-day operations of the ambulance service facility;

d. act as liaison among staff, patients and the community;

e. designate, in writing, an individual who meets the qualifications of director of operations to assume the authority and the control of the ambulance service if the director of operations is unavailable; and

f. designate policies governing the day-to-day provisions of the ambulance service.

7. The DOO shall refer to the Louisiana Emergency Medical Services Certification Commission, or other authority of competent jurisdiction, any licensed employee who allegedly committed or is accused of committing, or who has been proven to have committed any of the following:

a. the selling, attempting to sell, falsely obtaining, or furnishing any professional certification document;

b. conviction of a crime or offense which reflects the inability of that person to provide care with due regard of the health and safety of the patient. This includes a plea of *nolo contendere* regardless of the final outcome; or

c. is guilty in the aiding and abetting of someone in violation of these regulations or the regulations of the Louisiana EMS Certification Commission.

d. is guilty in the violation of these regulations or the regulations of the Louisiana EMS Certification Commission.

B. Medical Director

1. The medical director must be a licensed physician (MD or DO), authorized to practice medicine in Louisiana and knowledgeable about emergency medical care and the emergency medical services system. The medical director is the clinical supervisor of the ambulance service. The medical director reviews, coordinates, and is responsible for the management of clinical and medical care for all patients. The medical director is responsible for all aspects of patient care. The medical director may be an employee or a volunteer of the agency. The agency may also contract for services of the medical director.

2. The medical director or his designee shall assume overall responsibility for the medical component of the patient care program including, but not limited to:

- a. responsibility for all controlled dangerous substances utilized by the ambulance service;
- b. developing and coordinating procedures for the provision of emergency medical care; and
- c. participating in the development of the protocols or procedures for providing care;

3. The medical director shall maintain a current list of all licensed emergency medical services personnel that function under the medical director's supervision.

4. The medical director shall have the authority to appointment and delegate duties to one or more associate medical directors;

a. Associate medical directors shall have responsibilities and authority that are delineated in writing and shall be recognized with authority and responsibility as delegated by the program's EMS medical director.

5. Documentation of the medical director's credentials shall be kept on file with the service at its headquarters.

C. Licensed Emergency Medical Services Personnel

1. A licensed emergency medical responder (EMR) must be licensed by the Louisiana Bureau of Emergency Medical Services. A licensed emergency medical responders drive the ambulance and assist the EMT. He may not attend the patient in the back of the ambulance by himself.

- a. A licensed emergency medical responder shall:
- i. drive the ambulance; or
 - ii. assist the EMT, AEMT or the paramedic on an ambulance; or
 - iii. provide on-scene patient care to the EMR level (see *Louisiana Scope of Practice*).

2. A licensed emergency medical technician may:

- a. drive the ambulance;

- b. assist another licensed EMS practitioner;

c. may attend the patient by himself provided the patient does not require advanced life support (ALS) services, and the assessment and interventions fall within the scope of practice of the licensed EMT.

3. A licensed advanced emergency medical technician may:

- a. drive the ambulance;
- b. assist another licensed EMS practitioner; or
- c. attend the patient by himself as long as the assessment and interventions fall within his established Louisiana scope of practice.

4. A licensed paramedic may:

- a. drive the ambulance;
- b. assist another licensed EMS practitioner; or
- c. attend the patient by himself provided the medical procedures being performed, (see *Louisiana Scope of Practice*).

D. Pediatric Emergency Care Coordinator (PECC)

1. A PECC is recommended for the purpose of:

- a. staying abreast of and advocating for the most current evidence-based, best practices, and model guidelines in out-of-hospital emergency care.
- b. advocating for the ambulance service to collect and submit EMS data to be utilized for quality improvement purposes.
- c. collaborate with the ambulance service's leadership and external partners to improve all aspects of pediatric care, education, and training.
- d. maintaining knowledge of pediatric capabilities within regional hospitals and destinations of care.
- e. dedicating the quality improvement efforts focused on pediatric patients.

E. Certified Ambulance Operator:

1. A certified ambulance operator must be certified by the Louisiana Bureau of Emergency Medical Services.

- a. A certified ambulance operator shall:
- i. drive the ambulance; or
 - ii. assist the EMT, AEMT or the paramedic with lifting and moving patients and cardiopulmonary resuscitation while responding to calls for assistance on an ambulance.

F. Other Medical Personnel. Other medical personnel such as physicians, registered nurses, etc., may function in an ambulance in accordance with R.S. 40:1135.1 et seq., and within the scope of practice in accordance with the licensed practitioner's professional licensing board.

G. All medical personnel providing services in any capacity on an ambulance shall have either a current Health Care Provider or a Professional Rescuer CPR certification from the American Heart Association or the American Red Cross, or the equivalent cardiopulmonary resuscitation certification.

H. All drivers shall successfully complete and hold a valid current defensive driving certificate issued by the National Safety Council or its equivalent.

I. Pilots

1. Pilots shall not participate in patient care activities, except for loading and unloading the patient, and incidental duties.

2. Pilots shall:

a. hold a valid appropriate commercial pilot's license from the Federal Aviation Administration;

b. have a valid physical examination certificate from an FAA flight surgeon.

NOTE: Copies of these documents listed in a. and b. above shall be made available to the department.

c. be qualified to operate the specific aircraft; and

d. have an appropriate instrument flight rating as necessary.

J. Identification and Credentials

1. All personnel working on an ambulance and/or sprint vehicle shall carry with them their current driver's license at the level required by the Louisiana Highway Regulatory Act

2. All medical personnel working on a ground transportation ambulance, air ambulance, or emergency medical response vehicle (sprint), shall have their level of licensure readily identifiable to the public utilizing the appropriate designated patch or name tag issued by the ambulance service/provider.

K. Criminal History Reports

1. In accordance with R.S. 40:1203.2 et seq., all ambulance service personnel shall have a state of Louisiana criminal history report and sexual offender checks conducted prior to an offer of employment or a contract. No personnel shall be employed in violation of those statutes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254, R.S. 40:1135.1 and R.S. 40:1135.2.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 35:474 (March 2009), amended Department of Health, Office of Public Health, Bureau of Emergency Medical Services, LR 49:891 (May 2023).

§6071. General Provisions[Formerly §6065]

A. All ambulance services/providers whose aircraft are utilized as air ambulances shall provide the department with copies of the air ambulances' FAA certificate of registrations and certificate of air worthiness. Upon request, the ambulance service/provider shall make their maintenance logs available to the department.

B. Certifications of all air ambulance personnel shall meet FAA requirements and local pilot and medical personnel staffing protocols.

C. All air ambulances shall be equipped with the safety equipment required by the FAA and shall be maintained and remain operable.

D. In accordance with R.S. 40:1135.8 et seq., all air ambulances shall be equipped with the medical and safety equipment established under rules promulgated by the Department of Health and based upon the recommendations of an advisory committee. The medical and safety equipment shall conform to local protocol as established by the medical director of the air ambulance service/ provider.

E. Air ambulances shall carry the medical equipment that is mandated to them in the protocol by the ambulance service/provider medical director and approved by the ambulance service/provider governing body and, at a minimum, the medical equipment and supplies equivalent to such required by ground ambulance transportation.

F. All air ambulance services shall carry advanced life support equipment and medical supplies dependent on the level of licensure of personnel (paramedic level) and as determined by the ambulance service/provider medical director and governing body who have developed policies and procedures to maintain, update, or delete certain advanced life support equipment and medical supplies as medically indicated or contraindicated for their service area and have documentation available to support the determination.

G. All air ambulances shall be staffed to the advanced life support (paramedic) level. The paramedic(s) and each member of the flight team are each responsible to ensure that equipment and supplies are readily available and operable, as appropriate, for each flight service run to meet the needs of the patients served.

H. All air ambulances shall have a thermometer mounted inside the cabin. Cabin temperatures must be in the range of 50-95 degrees Fahrenheit.

1. Mitigation measures must be documented for when

the cabin temperatures are outside this range and the outcomes of these mitigation measures must be documented when the temperature falls outside this range.

I. If a service provides inter-hospital air transport, air transport from hospital to another facility, air transport from hospital to home, or similar air transport, the service must certify that a medical director is employed to advise the service on the appropriate staffing, equipment, and supplies to be used for the transport of patients aboard an air ambulance.

J. Provisions in this section shall not be construed to prohibit, limit, or regulate random mercy flights made by a person or corporation in privately or publically owned aircraft who may on occasion transport individuals who may need medical attention during transport, or human organs intended for transplantation including, but not limited to the heart, lungs, kidneys, liver and other soft tissue and bones, on either a not-for-profit basis or gratuitously.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:1135.1 and R.S. 40:1135.2.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 35:482 (March 2009), amended by the Department of Health, Office of Public Health, Bureau of Emergency Medical Services, LR 49:898 (May 2023).

§6073. Emergency Aircraft—Rotary-Winged (Reserved)

§6075. Emergency Aircraft—Fixed (Reserved)