LEGISLATIVE HISTORY CHECKLIST

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B i l l N o: A551

S p o n s o r(s): Herman and Pankok

D a t e I n t r o d u c e d: Pre-filed

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S e n a t e: Institutions, Health and Welfare

A m e n d e d during passage: Yes

S u b s t i t u t e d f o r S989 (not attached since identical to A551). Amendments during passage denoted by asterisks

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F o l l o w i n g s t a t e m e n t s a r e a t t a c h e d i f a v a i l a b l e:

S p o n s o r s t a t e m e n t: Yes

C o m m i t t e e s t a t e m e n t: Assembly: Yes

S e n a t e: Yes

F i s c a l N o t e: No

V e t o M e s s a g e: No

M e s s a g e o n S i g n i n g: Yes

F o l l o w i n g w e r e p r i n t e d:

R e p o r t s: No

H e a r i n g s: No

(Mobile intensive care units-authorize certain advanced life support services)
STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1984 SESSION

By Assemblymen HERMAN and PANKOK

AN ACT concerning emergency medical services, supplementing Title 26 of the Revised Statutes, and repealing P. L. 1973, c. 229.

1 BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. As used in this act:

a. "Advanced life support" means an advanced level of pre-hospital, inter-hospital, and emergency service care which includes basic life support functions, cardiac monitoring, cardiac defibrillation, telemetered electrocardiography, administration of anti-arrhythmic agents, intravenous therapy, administration of specific medications, drugs and solutions, use of adjunctive ventilation devices, trauma care and other techniques and procedures authorized in writing by the commissioner;

b. "Basic life support" means a basic level of pre-hospital care which includes patient stabilization, airway clearance, cardio-pulmonary resuscitation, hemorrhage control, initial wound care and fracture stabilization and other techniques and procedures authorized by the commissioner;

c. "Board of Medical Examiners" means the State Board of Medical Examiners;

c. "Board of Nursing" means the New Jersey Board of Nursing;

d. "Commissioner" means the Commissioner of the State Department of Health;

e. "Department" means the State Department of Health;

f. "Emergency service" means a program in a hospital staffed

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter printed in italics thus is new matter.

[Assembly committee amendments adopted March 15, 1984.]
24 hours a day by a licensed physician trained in emergency medicine;

g. "Inter-hospital care" means those emergency medical services rendered by mobile intensive care units to emergency patients before and during transportation between emergency "[rooms][rooms]", and upon arrival within those facilities;

"[h. "Mobile intensive care nurse" means a registered professional nurse trained in advanced life support services and approved by the commissioner to render those services as part of a mobile intensive care unit;

"[i. "Mobile intensive care paramedic" means a person trained in advanced life support services and certified by the commissioner to render advanced life support services as part of a mobile intensive care unit;

"[j. "Emergency medical technician" means a person trained in basic life support services and certified by the commissioner;

"[k. "Mobile intensive care unit" means a specialized emergency medical service vehicle staffed by mobile intensive care nurses and mobile intensive care paramedics or registered professional nurses trained in advanced life support nursing and operated for the provision of advanced life support services under the direction of an authorized hospital;

"[l. "Pre-hospital care" means those emergency medical services rendered by mobile intensive care units to emergency patients before and during transportation to emergency "[rooms][rooms]", and upon arrival within those facilities.

2. a. A registered professional nurse shall obtain the commissioner's approval to staff a mobile intensive care unit and shall make application therefor on forms devised by the commissioner.

b. The commissioner shall establish written standards which a registered professional nurse shall meet in order to obtain his approval.

c. The commissioner shall maintain a register of all applications for approval hereunder, which register shall include but not be limited to:

(1) The name and residence of the applicant;

(2) The date of the application;

(3) Whether the applicant was rejected or approval was granted and the date of that action. The commissioner shall annually compile a list of mobile intensive care nurses. This list shall be available to the public.

2. a. A "mobile intensive care" paramedic shall obtain certification from the commissioner to staff a mobile intensive care
3. unit and shall make application therefor on forms prescribed by the commissioner.

4. b. The commissioner with the approval of the board of medical examiners shall establish written standards which a mobile intensive care paramedic shall meet in order to obtain certification. The commissioner shall act on a regular basis upon applications of candidates for certification as a mobile intensive care paramedic. The commissioner shall certify a candidate who provides satisfactory evidence of the successful completion of an educational program approved by the commissioner for the training of mobile intensive care paramedics and who passes an examination in the provision of advanced life support services, which examination shall be conducted by the department at least twice each year.

c. The department shall maintain a register of all applicants for certification hereunder, which register shall include but not be limited to:

(1) The name and residence of the applicant;

(2) The date of the application;

(3) Information as to whether the applicant was rejected or certified and the date of that action.

The department shall annually compile a list of mobile intensive care paramedics. This list shall be available to the public.

4. a. An emergency medical technician shall obtain certification from the commissioner to provide basic life support services and shall make application therefor on form prescribed by the commissioner.

b. The commissioner shall establish written standards which an emergency medical technician shall meet in order to obtain certification. The commissioner shall certify a candidate who provides satisfactory evidence of the successful completion of an educational program approved by the commissioner for the training of emergency medical technicians and who passes a department administered examination in the provision of basic life support services, which examination shall be conducted by the department at least twice each year.

c. The department shall maintain a register of all applicants for certification hereunder, which register shall include but not be limited to:

(1) The name and residence of the applicant;

(2) The date of the application;

(3) Whether the applicant was rejected or certified of that action.
The department shall annually compile a list of emergency medical technicians. The list shall be available to the public.

The commissioner after notice and hearing may revoke the approval of a mobile intensive care nurse, or the certification of a mobile intensive care paramedic for emergency medical technician for violation of any provision of this act or regulation promulgated hereunder.

A mobile intensive care nurse and mobile intensive care paramedic may perform advanced life support services, provided they maintain direct voice communication with and are taking orders from a licensed physician or physician directed affiliate with a mobile intensive care hospital which is approved by the commissioner to provide advanced life support services. A telemetered electrocardiogram shall be monitored when deemed appropriate by the licensed physician or physician directed nurse or when required by written rules and regulations established by the mobile intensive care hospital and approved by the commissioner.

If the direct voice communications fail, a mobile intensive care paramedic may perform any advanced life support procedure which the person is certified and which is included in a written protocol established by the mobile intensive care hospital and approved by the commissioner if, in the judgment of the nurse or paramedic, the life of the patient is in immediate danger and requires that care for his preservation.

Only a hospital authorized by the commissioner with an accredited emergency service may develop and maintain a mobile intensive care unit, and provide advanced life support services utilizing licensed physicians, mobile intensive care nurses trained in advanced life support nursing, and mobile intensive care paramedics.

A hospital authorized by the commissioner pursuant to subsection a. of this section shall provide mobile intensive care unit services on a continuous 24 hour-a-day, 7 day-a-week basis.

The commissioner shall establish, in writing, criteria which a hospital shall meet in order to qualify for the authorization.

The commissioner may withdraw his authorization if the hospital or unit violates any provision of this act or rule or regulation promulgated pursuant thereto.

No person may advertise or disseminate information to the public that the person provides advanced life support
services by a mobile intensive care unit unless the person is au-
thorized to do so pursuant to section "[5]" of this act.

b. No person may impersonate or refer to himself as a mobile
intensive care paramedic "[or mobile intensive care nurse or emer-
gency medical technician]" unless he is certified or approved there-
for, as appropriate.

"[10.]" a. No "[mobile intensive care nurse.]" mobile intensive
care paramedic, "[emergency medical technician.]" licensed phy-
sician, "[physician directed licensed nurse.]" hospital or its board
of trustees, officers and members of the medical staff, nurses
"[and]" "[or]" other employees of the hospital*, first aid, ambulance
or rescue squad, or officers and members of a rescue squad,* shall
be liable for any civil damages as the result of an act or the omiss-
on of an act committed while in "[the]" training for or in the
rendering of "[basic or]" advanced life support services in good
faith and in accordance with this act.

"[11.]" a. An individual who violates the provisions of this
act*, or obstructs or interferes with any duly authorized agent in
the performance of his duty under this act, is subject to a penalty
of $200.00 for the first offense and $500.00 for each subsequent
offense. *[A hospital that violates the provisions of this act is
subject to a penalty of $1,000.00 for the first offense and $2,500.00
for each subsequent offense.]* If the violation of this act is of a
continuing nature, each day during which it continues shall con-
stitute a separate offense for the purposes of this section. The
penalty shall be collected and enforced by summary proceedings
under "[the penalty enforcement law," (N. J. S. 2A:55-1 et seq.).

"[12.]" Nothing in this act shall be interpreted to permit a mobile
intensive care paramedic to perform the duties or fill the position of
a health care professional employed by the hospital, except that the
paramedic may perform those functions that are necessary to assure
the orderly transfer of advanced life support care from the mobile
intensive care unit to hospital staff upon arrival at an emergency
room, and that are necessary to obtain the clinical training in the
provision of advanced life support services required by the depart-
ment.*"
life support patient care equipment, biomedical and telecommunications equipment and procedures, and treatment protocols as well as other medical matters.*

11. The commissioner shall *adopt* *promulgate* such rules and regulations in accordance with the “Administrative Procedure Act,” P. L. 1968, c. 410 (C. 52:14B-1 et seq.) *as he deems necessary to effectuate the purposes of this act,* and the board *of medical examiners and the board of nursing* shall *adopt* *promulgate* such rules and regulations as *it deems* necessary to carry out *their* functions under this act.

12. Nothing in this act shall be interpreted to permit a mobile intensive care paramedic to perform the duties or fill the position of another health care professional employed by the hospital, except that the paramedic may perform those functions that are necessary to assure the orderly transfer of advanced life support care from the mobile intensive care unit to hospital staff upon arrival at an emergency room, and that are necessary to obtain the clinical training in the provision of advanced life support services required by the department.


14. Nothing in this act shall be construed to prevent a licensed and qualified member of the health care profession from performing any of the duties of a mobile intensive care paramedic if the duties are consistent with the accepted standards of the member’s profession.*


16. This act shall take effect 90 days following enactment.
5 members of the medical staff, nurses and other employees of the
hospital shall be liable for any civil damages as the result of an act
or the omission of an act committed while in the training for or in
the rendering of basic or advanced life support services in good faith
and in accordance with this act.

11. An individual who violates the provisions of this act, or
obstructs or interferes with any duly authorized agent in the per-
formance of his duty under this act is subject to a penalty of
$200.00 for the first offense and $500.00 for each subsequent offense.
A hospital that violates the provisions of this act is subject to a
penalty of $1,000.00 for the first offense and $2,500.00 for each sub-
sequent offense. If the violation of this act is of a continuing nature,
each day during which it continues shall constitute a separate
offense for the purposes of this section. The penalty shall be
collected and enforced by summary proceedings under “the penalty
enforcement law,” (N. J. S. 2A:58-1 et seq.).

12. Nothing in this act shall be interpreted to permit a mobile
intensive care paramedic to perform the duties or fill the position of
a health care professional employed by the hospital, except that the
paramedic may perform those functions that are necessary to assure
the orderly transfer of advanced life support care from the mobile
intensive care unit to hospital staff upon arrival at an emergency
room, and that are necessary to obtain the clinical training in the
provision of advanced life support services required by the depart-
ment.

13. The commissioner shall adopt such rules and regulations in
accordance with the “Administrative Procedure Act,” P. L. 1968, c.
410 (C. 52:14B-1 et seq.) and the board shall adopt rules and regu-
lations as it deems necessary to carry out its functions under this
act.


15. This act shall take effect 90 days following enactment.

Sponsor: STATEMENT
The purpose of this bill is to broaden those situations in which
mobile intensive care personnel may act, yet simultaneously regu-
lating their qualifications so as to insure the quality of the emer-
gen cy service rendered.

Under existing law, P. L. 1973, c. 299 (C. 26:2K-1 et seq.), mobile
intensive care paramedics may perform certain medical services,
provided they maintain direct voice communication with a physician
and a telemetered electrocardiogram is monitored. Immunity from
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civil liability is provided for acts rendered under those circumstances. This bill repeals P. L. 1973, c. 229 (C. 26:2K-1 et seq.).

This bill allows mobile intensive care nurses and mobile intensive care paramedics to perform advanced life support services authorized by the commissioner, where direct voice communication is maintained with a licensed physician or physician directed licensed nurse; provision is made for the administration of advanced life support services in the event of a communication failure. This bill also provides penalties for falsely advertising and disseminating information to the public regarding the provision of mobile intensive care services, or falsely representing oneself as a mobile intensive care nurse or paramedic. Immunity from liability is extended to cover the training of mobile intensive care paramedics and all individuals and organizations in the program.
This bill allows registered nurses with special training and mobile intensive care paramedics to perform advanced life support services authorized by the Commissioner of Health when they maintain direct voice communication with a licensed physician or physician directed registered nurse, or, in the event that direct voice communications fail, if the patient is in immediate danger of losing his life and requires this care in order to survive.

The bill repeals P.L. 1973, c. 229 (C. 26:2K-1 et seq.), the existing law governing mobile intensive care, and broadens those situations in which mobile intensive care personnel may deliver medical services. The bill also extends the immunity from civil liability for persons acting in good faith under the existing law to cover the training of mobile intensive care paramedics and all persons and organizations in the program.

The bill provides penalties for any individual who falsely advertises or disseminates information to the public concerning the provision of mobile intensive care services or falsely represents himself as a specially trained registered nurse or paramedic.

The bill also provides that a mobile intensive care paramedic shall not be permitted to perform the duties of a health care professional employed by a hospital except as is necessary to assume the orderly transfer of advanced life support care from a mobile intensive care unit to hospital staff upon arrival at an emergency room, and also to obtain the clinical training in providing advanced life support services required of mobile intensive care paramedics by the Department of Health.

The committee adopted amendments that would exempt nurses from having to obtain the Commissioner of Health's approval to staff a mobile intensive care unit.

The amendments also provide for the establishment of a State mobile intensive care advisory council to advise the Department of Health on mobile intensive care matters.
In addition, the amendments retain a provision in the existing law specifying that legislation authorizing the use of mobile intensive care units does not apply to any emergency training service program operated pursuant to the "New Jersey Highway Safety Act of 1971."
This bill allows registered professional nurses with training in advanced life support nursing and mobile intensive care paramedics to perform advanced life support services authorized by the Commissioner of Health when they maintain direct voice communication with a licensed physician or physician directed registered nurse, or, in the event that direct voice communications fail, if the patient is in immediate danger of losing his life and requires this care in order to survive.

The bill repeals P. L. 1973, c. 229 (C. 26:2K-1 et seq.), the existing law governing mobile intensive care, and broadens those situations in which mobile intensive care personnel may deliver medical services. Under the provisions of the bill mobile intensive care paramedics shall be certified by the Department of Health and pass an examination on the provision of advanced life support services. Also, paramedics, first aid and rescue squad members, nurses, physicians and other hospital personnel are granted immunity from civil liability for any acts or omissions committed in good faith, while in training for or in the rendering of advanced life support services.

This bill also provides that a mobile intensive care paramedic is not permitted to perform the duties of a health care professional employed by a hospital except as is necessary (a) to assume the orderly transfer of advanced life support care from a mobile intensive care unit to hospital staff upon arrival at an emergency room, and (b) to obtain the clinical training in providing advanced life support services required of mobile intensive care paramedics by the Department of Health.

Finally, the bill establishes a State mobile intensive care advisory council to advise the Department of Health on mobile intensive care matters.

Presently, paramedic programs have been approved by the Department of Health to cover 85% of the citizens of the State. The paramedics work from mobile intensive care units (MICU's) which are based in hospitals. Local rescue and first aid squads work with the MICU's and render basic life support procedures to persons until the paramedic arrives to provide advanced life support procedures such as cardiac defibrillation, telemetered electrocardiography and administration of certain medications and drugs.
Governor Thomas H. Kean today signed legislation to permit municipalities to create "special improvement districts" to promote economic growth and employment in downtown business districts.

The legislation, S-1680, was sponsored by Senator John Lynch, D-Middlesex.

The bill permits municipalities to create special improvement districts in downtown areas and to levy a special assessment on all property within that district. The funds raised from the assessment would be used by newly-designated district management corporations to develop and implement self-help programs to enhance local business district climates.

The legislation extends the currently-held authority of municipalities to create pedestrian malls as a local business improvement project. The creation of special improvement districts would be an additional method of revitalizing older downtown shopping districts.

The Governor also signed legislation to permit mobile intensive care nurses and paramedics to perform advanced life support duties, provided that direct voice communication is established and maintained with a physician or licensed nurse.
The legislation, A-551, was sponsored by Assemblyman Martin Herman, D-Gloucester, and empowers the Commissioner of the Department of Health to develop standards which would have to be met before an individual would be certified to perform the advanced life support function.

The bill becomes effective in 90 days.

Other bills signed by the Governor are:

A-785, sponsored by Assemblyman Alan Karcher, D-Middlesex, to make consistent the disability retirement benefits of the State Police Retirement and Benevolent Fund and its predecessor, the State Police Retirement System.

A-1295, sponsored by Assemblyman Karl Weidel, R-Mercer, to appropriate $1.5 million for the repair and renovation of the Trenton War Memorial Building.

A-2114, sponsored by Assemblyman Robert Littell, R-Sussex, to exempt the leasing of certain telephone equipment from the bidding requirements of the local public contracts law.

A-21, sponsored by Assemblyman Jimmy Zangari, D-Essex, to provide that the mounted height of headlights shall be not more than 54 inches nor less than 24 inches, bringing the State into conformance with Federal standards.