

26:2K-12 et al



LEGISLATIVE HISTORY CHECKLIST

NJSA: 26:2K-12 et al (EMT--intermediates --training and certification)

LAWS OF: 1985 CHAPTER: 351

BILL NO: A2005

Sponsor(s): Pankok, Zimmer and Herman

Date Introduced: May 14, 1984

Committee: Assembly: Corrections, Health and Human Services

Senate: Institutions, Health and Welfare

Amended during passage: Yes Amendments during passage denoted by asterisks

Date of Passage: Assembly: July 30, 1984

Senate: September 9, 1985

Date of Approval: November 7, 1985

Following statements are attached if available:

Sponsor statement: Yes Attached: Senate amendments, adopted 9-9-85 (with statement)

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

Amend:

Page

Sec.

Line

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

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

2-4      2-15      1

delete "2" insert "3" and Renumber subsequent sections accordingly as "3" through "16." and Insert "(New section)" after each sec number

~~2      2      5~~

~~after "areas", insert "."~~

2      2      6

delete ~~in its entirety~~ "in which mobile intensive care units have not been approved"

3      7      2

Omit "2", insert "3".

3      7      2

after "a" delete "con-"

3      7      3

delete "tinuous 24 hour-a-day" ✓

3      8      5

delete "5", insert "6" ✓

Statement

These amendments revise the original paramedic law to remove the requirement that hospitals authorized to provide mobile intensive care unit services, provide these services on a continuous 24 hour-a-day basis and delete language which limits the intermediate life support services to rural areas where mobile intensive care unit programs have not been approved.

A 2005

11-7-85

[SECOND OFFICIAL COPY REPRINT]

## ASSEMBLY, No. 2005

## STATE OF NEW JERSEY

INTRODUCED MAY 14, 1984

By Assemblymen PANKOK, ZIMMER and HERMAN

AN ACT concerning emergency medical services\*\*\*, *amending P. L. 1984, c. 146\*\*\** and supplementing Title 26 of the Revised Statutes.

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

1 1. *\*\*\*(New section)\*\*\** As used in this act:

2 a. "Board" means the State Board of Medical Examiners;

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

8 c. "Commissioner" means the Commissioner of the State De-  
9 partment of Health;

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

11 e. "Emergency service" means a program in a hospital staffed  
12 24 hours-a-day by licensed physicians trained in emergency  
13 medicine;

14 f. "EMT-intermediate" means a person trained in intermediate  
15 life support services and certified by the commissioner to render  
16 intermediate life support services as part of an authorized pre-  
17 hospital intermediate life support pilot program;

18 g. "Inter-hospital care" means those emergency medical ser-  
19 vices rendered to emergency patients in preparation for transpor-  
20 tation and during transportation between emergency treatment  
21 facilities, and upon arrival within those facilities;

**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.

Matter enclosed in asterisks or stars has been adopted as follows:

\*—Assembly committee amendment adopted June 28, 1984.

\*\*—Senate committee amendments adopted January 28, 1985.

\*\*\*—Senate amendments adopted September 9, 1985.

22 h. "Intermediate Life Support Program" means a program au-  
 23 thorized under this act to provide pre-hospital intermediate life  
 24 support services;

25 i. "Intermediate life support services" means an intermediate  
 26 level of pre-hospital, inter-hospital, and emergency service care  
 27 which includes basic life support functions, cardiac monitoring,  
 28 cardiac defibrillation, the use of the esophageal obturator airway,  
 29 and the use of military anti-shock trousers *\*and other techniques*  
 29A *and procedures authorized by the commissioner\**;

30 j. "Pre-hospital care" means those emergency medical services  
 31 rendered to emergency patients before and during transportation  
 32 to emergency treatment facilities, and upon arrival within those  
 33 facilities.

1 \*\*\*2. Section 6 of P. L. 1984, c. 146 (C. 26:2K-12) is amended  
 2 to read as follows:

3 6. a. Only a hospital authorized by the commissioner with an  
 4 accredited emergency service may develop and maintain a mobile  
 5 intensive care unit, and provide advanced life support services  
 6 utilizing licensed physicians, registered professional nurses trained  
 7 in advanced life support nursing, and mobile intensive care para-  
 8 medics.

9 b. A hospital authorized by the commissioner pursuant to sub-  
 10 section a. of this section shall provide mobile intensive care unit  
 11 services on a [continuous 24 hour-a-day,] seven day-a-week basis.

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

14 d. The commissioner may withdraw his authorization if the  
 15 hospital or unit violates any provision of this act or rule or regula-  
 16 tion promulgated pursuant thereto.\*\*\*

1 \*\*\*[2.]\*\*\* \*\*\*3. (New section)\*\*\* A hospital having an acce-  
 2 dited emergency service may apply to the department for approval  
 3 to develop and maintain a pilot intermediate life support program  
 4 in cooperation with first aid, rescue or emergency squads under  
 5 regulations adopted by the commissioner. The pilot program shall  
 6 be limited to rural areas \*\*\*[in which mobile intensive care pro-  
 7 grams have not been approved]\*\*\*. A pilot program that is  
 8 approved by the department shall utilize EMT-intermediates for  
 9 the provision of intermediate life support services. The program  
 10 shall be under the direction of a licensed physician specializing in  
 11 emergency medicine who is affiliated with a hospital certified to  
 12 participate in this program by the commissioner.

1 \*\*\*[3.]\*\*\* \*\*\*4. (New section)\*\*\* An intermediate life support  
 2 program shall not extend beyond three years of the effective date

3 of this act. The commissioner shall report to the Legislature no  
4 later than January 15th of each year on the effectiveness of each  
5 intermediate life support program.

1 \*\*\*[4.]\*\*\* \*\*\*5. (New section)\*\*\* a. EMT-intermediates may  
2 perform intermediate life support services provided they maintain  
3 direct voice communications with, and are taking orders from, a  
4 licensed physician or physician directed registered professional  
5 nurse, both of whom are affiliated with a hospital which is approved  
6 by the commissioner to operate an intermediate life support pro-  
6A gram.

7 b. If the direct voice communications fail, an EMT-intermediate  
8 may perform any intermediate life support service for which he is  
9 certified that is included in written protocols established by the  
10 intermediate life support program hospital and approved by the  
11 commissioner if, in the judgment of the EMT-intermediate, the  
12 life of the patient is in immediate danger and requires that care  
13 for his preservation.

1 \*\*\*[5.]\*\*\* \*\*\*6. (New section)\*\*\* a. An EMT-intermediate  
2 shall obtain certification from the commissioner to provide pre-  
3 hospital intermediate life support services and shall make applica-  
4 tion therefor on forms prescribed by the commissioner.

5 b. The commissioner, with the approval of the board, shall estab-  
6 lish written standards which an EMT-intermediate shall meet in  
7 order to obtain certification. The commissioner shall certify a  
8 candidate who provides satisfactory completion of an educational  
9 program approved by the commissioner for the training of EMT-  
10 intermediates and who passes an examination in the provision of  
11 intermediate life support services which shall be conducted by the  
12 department at regular intervals.

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

- 15 (1) The name and residence of the applicant;
- 16 (2) The date of the application;
- 17 (3) Whether the applicant was rejected or approved and the  
18 date of that action.

19 The commissioner shall annually compile a list of certified EMT-  
20 intermediates. This list shall be available to the public.

1 \*\*\*[6.]\*\*\* \*\*\*7. (New section)\*\*\* The commissioner, after  
2 notice and hearing, may revoke the certification of an EMT-inter-  
3 mediate for violation of any provisions of this act or of any regu-  
4 lation promulgated hereunder.

1 \*\*\*[7.]\*\*\* \*\*\*8. (New section)\*\*\* a. A hospital authorized by  
2 the commissioner pursuant to section \*\*\*[2]\*\*\* \*\*\*3\*\*\* shall pro-

3 vide intermediate life support services on a \*\*\*[continuous 24  
3A hour-a-day,]\*\*\* seven day-a-week basis.

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

6 c. The commissioner may withdraw his authorization if the  
7 hospital or intermediate life support services violates any provi-  
8 sion of this act or regulation promulgated pursuant thereto.

1 \*\*\*[8.]\*\*\* \*\*\*9. (New section)\*\*\* a. No person may advertise  
2 or disseminate information to the public that the person provides  
3 intermediate life support services, unless the person is authorized  
3A to do so pursuant to this act.

4 b. No person may impersonate or refer to himself as an EMT-  
5 intermediate unless he is certified pursuant to section \*\*\*[5]\*\*\*  
6 \*\*\*6.\*\*\* of this act.

1 \*\*\*[9.]\*\*\* \*\*\*10. (New section)\*\*\* No EMT-intermediate, li-  
2 censed physician, hospital or its board of trustees, officers and  
3 members of the medical staff, nurses or other employees of the  
4 hospital, \*\*[first aid, ambulance or rescue squad,]\*\* or officers  
5 and members of a *first aid, ambulance or* rescue squad, shall be  
6 liable for any civil damages as the result of an act or the omission  
7 of an act committed while in training for or in the rendering of  
8 intermediate life support services in good faith and in accordance  
9 with this act.

1 \*\*\*[10.]\*\*\* \*\*\*11. (New section)\*\*\* Any person who violates the  
2 provisions of this act is subject to a penalty of \$200.00 for the first  
3 offense and \$500.00 for each subsequent offense. If the violation  
4 of this act is of a continuing nature, each day during which it  
5 continues shall constitute a separate offense for the purposes of  
6 this section. The penalty shall be collected and enforced by sum-  
7 mary proceedings under "the penalty enforcement law," (N. J. S.  
8 2A:58-1 et seq.).

1 \*\*\*[11.]\*\*\* \*\*\*12. (New section)\*\*\* The commissioner shall  
2 adopt such rules and regulations in accordance with the "Admin-  
3 istrative Procedure Act," P. L. 1968, c. 410 (C. 52:14B-1 et seq.)  
4 as he deems necessary to effectuate the purpose of this act, and  
5 the board shall adopt such rules and regulations as it deems  
6 necessary to carry out its functions under this act.

1 \*\*\*[12.]\*\*\* \*\*\*13. (New section)\*\*\* Nothing in this act shall be  
2 interpreted to permit an EMT-intermediate to perform the duties  
3 or fill the position of another health professional employed by a  
4 hospital, except that the EMT-intermediate may perform those  
5 functions that are necessary to assure the orderly transfer of a  
6 patient receiving pre-hospital intermediate life support services  
7 to hospital staff upon arrival at an emergency department and  
8 that are necessary to obtain the required clinical training in the

9 provision of intermediate life support services required by the  
10 department.

1 \*\*\*[13.]\*\*\* \*\*14. (*New section*)\*\*\* Nothing in this act shall be  
2 construed as interfering with an emergency service training pro-  
3 gram authorized and operated under provisions of the "New  
4 Jersey Highway Safety Act of 1971," P. L. 1971, c. 351 (C. 27:5F-1  
5 et seq.).

1 \*\*\*[14.]\*\*\* \*\*15. (*New section*)\*\*\* Nothing in this act shall be  
2 construed to prevent a licensed and qualified member of the health  
3 care profession from performing any of the duties of an EMT-  
4 intermediate if the duties are consistent with the accepted stan-  
5 dards of the member's profession.

1 \*\*\*[15.]\*\*\* \*\*16. (*New section*)\*\*\* This act shall take effect on  
2 the 90th day following enactment.

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ASSEMBLY CORRECTIONS, HEALTH AND  
HUMAN SERVICES COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2005**

with Assembly committee amendments

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**STATE OF NEW JERSEY**

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DATED: JUNE 28, 1984

This bill allows for the training and certification of EMT-intermediates who are qualified to perform selected pre-hospital advanced life support services, while operating under the voice medical control of a licensed physician or physician directed registered professional nurse within an approved hospital intermediate life support program.

The bill is intended to provide rural areas with a mechanism to improve their pre-hospital care systems, thereby reducing patient morbidity and mortality through more advanced pre-hospital emergency medical intervention. Under existing law, mobile intensive care services are not available in rural areas where it is felt that these services would not be cost-effective and that the paramedics' skills would deteriorate because of a low volume of calls.

The bill provides for a study of the EMT-intermediate program in rural New Jersey over a three-year period. Immunity from civil liability is provided for acts rendered in the provision of intermediate life support services. This bill would also impose penalties upon an individual who falsely advertises and disseminates information to the public regarding the provision of intermediate life support services or who falsely represents himself as an EMT-intermediate.

The committee amended the bill to allow the Commissioner of Health to authorize additional techniques and procedures which are not specified in the bill as intermediate life support services.



SENATE INSTITUTIONS, HEALTH AND WELFARE  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 2005**

[OFFICIAL COPY REPRINT]  
with Senate committee amendments

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**STATE OF NEW JERSEY**

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DATED: JANUARY 28, 1985

This bill authorizes the training and certification of "Emergency Medical Technician-intermediates" (EMT-intermediates) and permits hospitals in rural areas not served by mobile intensive care programs to develop and maintain three year pilot programs using EMT-intermediates.

As amended by committee, an EMT-intermediate is permitted to provide an intermediate level of services which includes basic life support functions, cardiac monitoring, cardiac defibrillation, the use of esophageal obturator airway and military antishock trousers and other techniques and procedures authorized by the commissioner.

The procedures governing training, certification and registration of EMT-intermediates are similar to those governing paramedics who staff mobile intensive care units (MICU's) pursuant to P. L. 1984, c. 146. MICU's currently serve most areas in the State except certain rural areas where the Department of Health has determined that MICU services would not be cost effective and the paramedic's skills would deteriorate due to a low volume of emergency calls. The EMT-intermediates would be used in those areas presently not served by MICU's.

The committee adopted technical amendments to the bill to clarify section 9 concerning immunity from liability. As amended, this bill is identical to Senate Bill No. 1806 Sea.

3 vices and shall make application therefor on forms prescribed by  
4 the commissioner.

5 b. The commissioner, with the approval of the board, shall estab-  
6 lish written standards which an EMT-intermediate shall meet in  
7 order to obtain certification. The commissioner shall certify a  
8 candidate who provides satisfactory completion of an educational  
9 program approved by the commissioner for the training of EMT-  
10 intermediates and who passes an examination in the provision of  
11 intermediate life support services which shall be conducted by the  
12 department at regular intervals.

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

- 15 (1) The name and residence of the applicant;
- 16 (2) The date of the application;
- 17 (3) Whether the applicant was rejected or approved and the  
18 date of that action.

19 The commissioner shall annually compile a list of certified EMT-  
20 intermediates. This list shall be available to the public.

1 6. The commissioner, after notice and hearing, may revoke the  
2 certification of an EMT-intermediate for violation of any provi-  
3 sions of this act or of any regulation promulgated hereunder.

1 7. a. A hospital authorized by the commissioner pursuant to  
2 section 2 shall provide intermediate life support services on a con-  
3 tinuous 24 hour-a-day, seven day-a-week basis.

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

6 c. The commissioner may withdraw his authorization if the  
7 hospital or intermediate life support services violates any provi-  
8 sion of this act or regulation promulgated pursuant thereto.

1 8. a. No person may advertise or disseminate information to the  
2 public that the person provides intermediate life support services,  
3 unless the person is authorized to do so pursuant to this act.

4 b. No person may impersonate or refer to himself as an EMT-  
5 intermediate unless he is certified pursuant to section 5 of this act.

1 9. No EMT-intermediate, licensed physician, hospital or its  
2 board of trustees, officers and members of the medical staff, nurses  
3 or other employees of the hospital, first aid, ambulance or rescue  
4 squad, or officers and members of a rescue squad, shall be liable  
5 for any civil damages as the result of an act or the omission of  
6 an act committed while in training for or in the rendering of inter-  
7 mediate life support services in good faith and in accordance with  
8 this act.

1 10. Any person who violates the provisions of this act is subject

2 to a penalty of \$200.00 for the first offense and \$500.00 for each  
 3 subsequent offense. If the violation of this act is of a continuing  
 4 nature, each day during which it continues shall constitute a sepa-  
 5 rate offense for the purposes of this section. The penalty shall be  
 6 collected and enforced by summary proceedings under "the penalty  
 7 enforcement law," (N. J. S. 2A:58-1 et seq.).

1 11. The commissioner shall adopt such rules and regulations in  
 2 accordance with the "Administrative Procedure Act," P. L. 1968,  
 3 c. 410 (C. 52:14B-1 et seq.) as he deems necessary to effectuate  
 4 the purpose of this act, and the board shall adopt such rules and  
 5 regulations as it deems necessary to carry out its functions under  
 6 this act.

1 12. Nothing in this act shall be interpreted to permit an EMT-  
 2 intermediate to perform the duties or fill the position of another  
 3 health professional employed by a hospital, except that the EMT-  
 4 intermediate may perform those functions that are necessary to  
 5 assure the orderly transfer of a patient receiving pre-hospital  
 6 intermediate life support services to hospital staff upon arrival at  
 7 an emergency department and that are necessary to obtain the re-  
 8 quired clinical training in the provision of intermediate life support  
 9 services required by the department.

1 13. Nothing in this act shall be construed as interfering with an  
 2 emergency service training program authorized and operated under  
 3 provisions of the "New Jersey Highway Safety Act of 1971,"  
 4 P. L. 1971, c. 351 (C. 27:5F-1 et seq.).

1 14. Nothing in this act shall be construed to prevent a licensed  
 2 and qualified member of the health care profession from perform-  
 3 ing any of the duties of an EMT-intermediate if the duties are  
 4 consistent with the accepted standards of the member's profession.

1 15. This act shall take effect on the 90th day following enactment.

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*SPONSORS'* STATEMENT

This bill would allow for the training and certification of EMT-intermediates who can perform selected pre-hospital advanced life support services, while operating under voice medical control within approved hospital intermediate life support programs.

Rural areas will be provided with a mechanism to improve their pre-hospital care systems, thereby reducing patient morbidity and mortality through more advanced pre-hospital emergency medical intervention. Although mobile intensive care services are currently approved for the majority of New Jersey residents under existing law, P. L. 1973, c. 229 (C. 26:2K-1 et seq.), they are not available

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in rural areas where it is felt that these services would not be cost-effective and the paramedics' skills would deteriorate due to a low volume of calls.

The bill allows for a study of the EMT-intermediate program in rural New Jersey for a period of three years. Immunity from civil liability is provided for acts rendered in the provision of intermediate life support services. This bill also provides penalties for falsely advertising and disseminating information to the public regarding the provision of intermediate life support services or falsely representing oneself as an EMT-intermediate.

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