

26:2K-7 to 26:2K-20

LEGISLATIVE HISTORY CHECKLIST

NJSA: 26:2K-7 to 26:2K-20

(Mobile intensive care units-authorize certain advanced life support services)

LAWS OF: 1984

CHAPTER: 146

Bill No: A551

Sponsor(s): Herman and Pankok

Date Introduced: Pre-filed

Committee: Assembly: Corrections, Health and Human Services

Senate: Institutions, Health and Welfare

Amended during passage: Yes Substituted for S989 (not attached since identical to A551). Amendments during passage denoted by asterisks

Date of Passage: Assembly: April 30, 1984

Senate: July 30, 1984

Date of Approval: Sept. 8, 1984

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

LEGISLATIVE HISTORY COPY

9-8-84

[OFFICIAL COPY REPRINT]  
**ASSEMBLY, No. 551**

**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*  
 2 *of New Jersey:*

1 1. As used in this act:

2 a. "Advanced life support" means an advanced level of pre-  
 3 hospital, inter-hospital, and emergency service care which includes  
 4 basic life support functions, cardiac monitoring, cardiac defibrilla-  
 5 tion, telemetered electrocardiography, administration of anti-  
 6 arrhythmic agents, intravenous therapy, administration of specific  
 7 medications, drugs and solutions, use of adjunctive ventilation  
 8 devices, trauma care and other techniques and procedures autho-  
 9 rized in writing by the commissioner;

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

15 \***[c.]**\* \*b.\* "Board *of Medical Examiners*\*" means the State  
 15A Board of Medical Examiners;

15B \*c. "*Board of Nursing*" means the New Jersey Board of Nurs-  
 15C *ing;*\*

16 d\*.\* "Commissioner" means the Commissioner of the \**State*\*  
 17 Department of Health;

18 e. "Department" means the State Department of Health\***[.]**\* \*;\* \*

19 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.**

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

**\*—Assembly committee amendments adopted March 15, 1984.**

20 24 hours a day by a licensed physician trained in emergency  
21 medicine;

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

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

30 **\*[j.]** *\*h.\** "Mobile intensive care paramedic" means a person  
31 trained in advanced life support services and certified by the com-  
32 missioner to render advanced life support services as part of a  
33 mobile intensive care unit;

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

36 **\*[k.]** *\*i.\** "Mobile intensive care unit" means a specialized emer-  
37 gency medical service vehicle staffed by **\*[mobile intensive care**  
38 **nurses and]** mobile intensive care paramedics *\*or registered pro-*  
39 *fessional nurses trained in advanced life support nursing\** and  
40 operated for the provision of advanced life support services under  
41 the direction of an authorized hospital;

42 **\*[l.]** *\*j.\** "Pre-hospital care" means those emergency medical  
43 services rendered by mobile intensive care units to emergency  
44 patients before and during transportation to emergency **\*[rooms]\***  
45 *\*treatment facilities\**, and upon arrival within those facilities.

1 **\*[2. a.]** A registered professional nurse shall obtain the commis-  
2 sioner's approval to staff a mobile intensive care unit and shall  
3 make application therefor on forms devised by the commissioner.

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

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

10 (1) The name and residence of the applicant;

11 (2) The date of the application;

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

1 **\*[3.]** *\*2.\** a. A *\*mobile intensive care\** paramedic shall obtain  
2 certification from the commissioner to staff a mobile intensive care

3 unit and shall make application therefor on forms prescribed by  
3A the commissioner.

4 b. The commissioner **[,]** with the approval of the board **[,]**  
5 *of medical examiners* shall establish written standards which a  
6 *mobile intensive care* paramedic shall meet in order to obtain  
7 certification. The commissioner shall act **[,]** on a regular  
8 basis **[,]** upon applications of candidates for certification as *a*  
9 mobile intensive care **[paramedics]** *paramedic*. The commis-  
10 sioner shall certify a candidate who provides satisfactory evidence  
11 of the successful completion of an educational program approved  
12 by the commissioner for the training of mobile intensive care para-  
13 medics and who passes **[a department administered]** *an* ex-  
14 amination in the provision of advanced life support services, which  
14A examination shall be conducted by the department at least twice  
14B **[each]** *a* year.

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

- 18 (1) The name and residence of the applicant;
- 19 (2) The date of the application;
- 20 (3) Information as to whether the applicant was rejected or  
21 certified and the date of that action.

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

1 **[4. a.** An emergency medical technician shall obtain certification  
2 from the commissioner to provide basic life support services and  
3 shall make application therefor on form prescribed by the commis-  
4 sioner.

5 b. The commissioner shall establish written standards which an  
6 emergency medical technician shall meet in order to obtain certifica-  
7 tion. The commissioner shall certify a candidate who provides  
8 satisfactory evidence of the successful completion of an educational  
9 program approved by the commissioner for the training of emer-  
10 gency medical technicians and who passes a department adminis-  
11 tered examination in the provision of basic life support services,  
12 which examination shall be conducted by the department at least  
13 twice each year.

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

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

20 The department shall annually compile a list of emergency  
21 medical technicians. The list shall be available to the public.]\*

1 \***[5.]**\* \*3.\* The commissioner after notice and hearing may re-  
2 voke the \***[approval of a mobile intensive care nurse, or the]**\*  
3 certification of a mobile intensive care paramedic \***[or emergency**  
4 **medical technician]**\* for violation of any provision of this act or  
5 regulation \***[adopted]**\* \*promulgated\* hereunder.

1 \***[6.]**\* \*4.\* A \***[mobile intensive care nurse and]**\* mobile in-  
2 tensive care paramedic may perform advanced life support services,  
3 provided they maintain direct voice communication with and are  
4 taking orders from a licensed physician or physician directed  
5 \***[licensed]**\* \*registered professional\* nurse, both of whom are  
6 affiliated with a mobile intensive care hospital which is approved  
7 by the commissioner to provide advanced life support services. A  
8 telemetered electrocardiogram shall be monitored when deemed ap-  
9 propriate by the licensed physician \***[or physician directed licensed**  
10 **nurse]**\* or when required by written rules and regulations  
11 \***[adopted]**\* \*established\* by the mobile intensive care hospital  
12 and approved by the commissioner.

1 \***[7.]**\* \*5.\* If the direct voice communications fail, a mobile in-  
2 tensive care paramedic \***[or mobile intensive care nurse]**\* may  
3 perform any advanced life support procedure \*for which that per-  
4 son is certified and which is included in a written protocol estab-  
5 lished by the mobile intensive care hospital and\* approved by the  
6 commissioner if, in the judgment of the nurse or paramedic, the  
7 life of the patient is in immediate danger and requires that care  
8 for his preservation.

1 \***[8.]**\* \*6.\* a. Only a hospital authorized by the commissioner  
2 with an accredited emergency service may develop and maintain  
3 a mobile intensive care unit, and provide advanced life support  
4 services utilizing licensed physicians, \***[mobile intensive care]**\*  
5 \*registered professional\* nurses \*trained in advanced life support  
5A nursing\*, and mobile intensive care paramedics.

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

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

11 d. The commissioner may withdraw his authorization if the  
12 hospital or unit violates any provision of this act or rule or regula-  
13 tion \***[adopted]**\* \*promulgated\* pursuant thereto.

1 \***[9.]**\* \*7.\* a. No person may advertise or disseminate informa-  
2 tion to the public that the person provides advanced life support

3 services by a mobile intensive care unit unless the person is au-  
4 thorized to do so pursuant to section **\*[8]\* \*6\*** of this act.

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

1 **\*[10.]\* \*8.\*** No **\*[mobile intensive care nurse,]\*** mobile intensive  
2 care paramedic, **\*[emergency medical technician,]\*** licensed phy-  
3 sician, **\*[physician directed licensed nurse,]\*** hospital or its board  
4 of trustees, officers and members of the medical staff, nurses  
5 **\*[and]\* \*or\*** other employees of the hospital, *first aid, ambulance*  
6 *or rescue squad, or officers and members of a rescue squad,* shall  
7 be liable for any civil damages as the result of an act or the omis-  
8 sion of an act committed while in **\*[the]\*** training for or in the  
9 rendering of **\*[basic or]\*** advanced life support services in good  
10 faith and in accordance with this act.

1 **\*[11.]\* \*9.\*** An individual who violates the provisions of this  
2 act **\*[, or obstructs or interferes with any duly authorized agent in  
3 the performance of his duty under this act]\*** is subject to a penalty  
4 of \$200.00 for the first offense and \$500.00 for each subsequent  
5 offense. **\*[A hospital that violates the provisions of this act is  
6 subject to a penalty of \$1,000.00 for the first offense and \$2,500.00  
7 for each subsequent offense.]\*** If the violation of this act is of a  
8 continuing nature, each day during which it continues shall con-  
9 stitute a separate offense for the purposes of this section. The  
10 penalty shall be collected and enforced by summary proceedings  
11 under "the penalty enforcement law," (N. J. S. 2A:58-1 et seq.).

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

1 **\*10.** *The commissioner shall establish a State mobile intensive  
2 care advisory council which shall advise the department on all  
3 matters of mobile intensive care services. The council shall select  
4 a chairman annually to chair the meetings and coordinate the activi-  
5 ties of the advisory council. The chairman shall appoint subcom-  
6 mittees to review and recommend policy on subjects including, but  
7 not limited to, advanced life support training programs, advanced*

8 *life support patient care equipment, biomedical and telecommuni-*  
 9 *cations equipment and procedures, and treatment protocols as well*  
 10 *as other medical matters.\**

1 *\*[13.]\* \*11.\* The commissioner shall ~~\*[adopt]\*~~ *\*promulgate\**  
 2 *such rules and regulations in accordance with the "Administrative*  
 3 *Procedure Act," P. L. 1968, c. 410 (C. 52:14B-1 et seq.) \* as he*  
 4 *deems necessary to effectuate the purposes of this act,\** and the  
 5 *board of medical examiners and the board of nursing\* shall*  
 6 *~~\*[adopt]\*~~ \*promulgate such\* rules and regulations as ~~\*[it deems]\*~~  
 7 *\*they deem\** necessary to carry out ~~\*[its]\*~~ *\*their\** functions under  
 8 *this act.***

1 *\*12. Nothing in this act shall be interpreted to permit a mobile*  
 2 *intensive care paramedic to perform the duties or fill the position*  
 3 *of another health care professional employed by the hospital, except*  
 4 *that the paramedic may perform those functions that are necessary*  
 5 *to assure the orderly transfer of advanced life support care from*  
 6 *the mobile intensive care unit to hospital staff upon arrival at an*  
 7 *emergency room, and that are necessary to obtain the clinical train-*  
 8 *ing in the provision of advanced life support services required by*  
 9 *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," P. L.*  
 4 *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 performing*  
 3 *any of the duties of a mobile intensive care paramedic if the duties*  
 4 *are consistent with the accepted standards of the member's pro-*  
 5 *fession.\**

1 *\*[14.]\* \*15.\* P. L. 1973, c. ~~\*[299]\*~~ *\*229\** (C. 26:2K-1 et seq.)  
 2 *is repealed.**

1 *\*[15.]\* \*16.\* This act shall take effect 90 days following enact-*  
 2 *ment.*

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4 members of the medical staff, nurses and other employees of the  
 5 hospital shall be liable for any civil damages as the result of an act  
 6 or the omission of an act committed while in the training for or in  
 7 the rendering of basic or advanced life support services in good faith  
 8 and in accordance with this act.

1 11. An individual who violates the provisions of this act, or  
 2 obstructs or interferes with any duly authorized agent in the per-  
 3 formance of his duty under this act is subject to a penalty of  
 4 \$200.00 for the first offense and \$500.00 for each subsequent offense.  
 5 A hospital that violates the provisions of this act is subject to a  
 6 penalty of \$1,000.00 for the first offense and \$2,500.00 for each sub-  
 7 sequent offense. If the violation of this act is of a continuing nature,  
 8 each day during which it continues shall constitute a separate  
 9 offense for the purposes of this section. The penalty shall be  
 10 collected and enforced by summary proceedings under "the penalty  
 11 enforcement law," (N. J. S. 2A:58-1 et seq.).

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

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

1 14. P. L. 1973, c. 299 (C. 26:2K-1 et seq.) is repealed.

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

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*SPONSORS'* STATEMENT

The purpose of this bill is to broaden those situations in which mobile intensive care personnel may act, yet simultaneously regulating their qualifications so as to insure the quality of the emergency service rendered.

Under existing law, P. L. 1973, c. 229 (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

*A551(1984)*



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.

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ASSEMBLY CORRECTIONS, HEALTH AND  
HUMAN SERVICES COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 551**

with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: MARCH 15, 1984

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."

Approved: \_\_\_\_\_  
Secretary of State

Approved: \_\_\_\_\_  
Governor

SENATE INSTITUTIONS, HEALTH AND WELFARE  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 551**

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**STATE OF NEW JERSEY**

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DATED: JUNE 18, 1984

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.



# OFFICE OF THE GOVERNOR

## NEWS RELEASE

GN-001

Contact: CARL GOLDEN  
609-292-8956

TRENTON, N.J. 08625

Release: MON., SEPT. 10, 1984

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.

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- more -

SEP 11 1984

185 W. State Street  
Trenton, N. J.

S-1680 ET AL. SIGNED

PAGE TWO

SEPTEMBER 10, 1984

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.

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