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An Act To Ensure Uniform Emergency Medical Dispatch Services in Maine

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, emergency medical dispatch has become a standard of care for persons calling E-9-1-1 for medical assistance; and

Whereas, there is presently no provision for the licensing of dispatch centers to provide emergency medical dispatch unless the centers are otherwise identified as public safety answering points; and

Whereas, it is vital that the lack of such a provision be addressed in order to ensure that all E-9-1-1 callers in the State are afforded the benefit of emergency medical dispatch; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 32 MRSA §85-A, as enacted by PL 2005, c. 303, §3, is amended to read:

§ 85-A. Emergency medical dispatch personnel

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Bureau" means the Emergency Services Communication Bureau within the Public Utilities Commission.

A-1. "Emergency medical dispatch center" means any entity that holds itself out to be a provider of emergency medical dispatch services.

B. "Emergency Medical Dispatch Priority Reference System" means a system approved by the bureau and the board that includes:

- (1) A protocol for emergency medical dispatcher response to calls;
- (2) A continuous quality improvement program that measures compliance with the protocol through ongoing random case review of each emergency medical dispatcher; and
- (3) A training curriculum and testing process consistent with the protocol.

C. "Emergency medical dispatch services" means any of the following services provided by a public safety answering point in the context of an emergency call made to the E-9-1-1 system:

- (1) Reception, evaluation or processing of calls;

(2) Provision of dispatch life support;

(3) Management of requests for emergency medical assistance; and

(4) Evaluation or improvement of the emergency medical dispatch process, including identifying the nature of an emergency request, prioritizing the urgency of a request, dispatching necessary resources, providing medical aid and safety instructions to the caller and coordinating the responding resources as needed.

D. "Emergency medical dispatcher" means a person employed by a public safety answering point licensed by the board who provides emergency medical dispatch services as a member of an emergency medical dispatch center licensed by the board.

E. "Provider of emergency medical dispatch services" means an emergency medical dispatcher or public safety answering point emergency medical dispatch center licensed by the board.

F. "Public safety answering point" has the same meaning as in Title 25, section 2921.

2. Mandatory qualifications. The board, in consultation with the bureau, shall adopt rules governing qualifications for and standards to be observed by providers of emergency medical dispatch services. The rules must, at a minimum:

A. ~~Require biennial certification of providers of~~ Establish licensing requirements for emergency medical dispatchers and emergency medical dispatch service centers;

B. Establish minimum education and continuing education requirements for emergency medical dispatchers, including at least 12 hours of emergency medical dispatch continuing education each year;

C. Establish a process for approving an Emergency Medical Dispatch Priority Reference System that all emergency medical dispatchers are required to follow;

D. Require an emergency medical dispatcher dispatch center to inform the board of the public safety answering point that when the center employs or supervises the terminates employment of an emergency medical dispatcher;

E. Establish or provide for Maine Emergency Medical Services approval of emergency medical dispatcher certification training programs, which must be conducted in accordance with appropriate national standards approved by the board;

F. Establish qualifications for instructors of emergency medical dispatcher certification training programs;

G. Require regular reporting to the board by a public safety answering point an emergency medical dispatch center with respect to the use of the Emergency Medical Dispatch Priority Reference System; and

H. Require that each public safety answering point emergency medical dispatch center appoint a director of emergency medical dispatch services to review and ensure compliance with the requirements of this section.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

2-A. Requirement to provide emergency medical dispatch services. A public safety answering point or other licensed emergency medical dispatch center must provide emergency medical dispatch services on all medical E-9-1-1 calls directly or by transferring the call to another licensed emergency medical dispatch service.

3. Prohibitions.~~Beginning January 1, 2007, the~~The following provisions apply to emergency medical dispatch services.

A. A person may not provide emergency medical dispatch services unless the person is ~~certified~~licensed by the board as an emergency medical dispatcher in accordance with this section.

B. An entity may not operate as a public safety answering point unless ~~certified~~licensed as an emergency medical dispatch center in accordance with this section.

C. A person may not offer a training course that is represented as a ~~course for board-approved~~emergency medical dispatcher certification training course unless the person is approved by the board to provide such training in accordance with this section.

D. An ~~entity~~emergency medical dispatch center may not provide emergency medical dispatch services except in accordance with an Emergency Medical Dispatch Priority Reference System approved in accordance with this section.

E. An entity may not hold itself out to be a provider of emergency medical dispatch services unless it is licensed as an emergency medical dispatch center.

4. Licensing actions. ~~A certification~~license issued pursuant to this section is ~~deemed a license for the purposes~~subject to the provisions of sections 90-A and 91-A. Before the board or its subcommittee or staff takes any final action to suspend or revoke a ~~certification~~license or to refuse to reissue a ~~certification~~license, the board shall contact the bureau for input on the effect of such an action on the E-9-1-1 system and, notwithstanding section 92, may, to the extent necessary for this purpose, disclose to the bureau information that is designated as confidential under section 92.

5. Effect on tort claims. Nothing in this section increases any liability that may arise or be limited under Title 14, chapter 741.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 10, 2007.