

Kansas AED Act

SENATE BILL No. 535

An Act concerning emergency medical services; relating to the emergency medical services board; relating to the powers and duties thereof; relating to attendants and the regulation thereof; concerning the use of automated external defibrillators; amending K.S.A. 65-6102, 65-6127, 65-6129a, 65-6129b, 65-6133 and 65-6135 and K.S.A. 1997 Supp. 65-6110, 65-6111, 65-6112, 65-6119, 65-6120, 65-6121, 65-6123, 65-6124, 65-6129 and 65-6144 and repealing the existing sections; also repealing K.S.A. 65-6148 and K.S.A. 1997 65-6149.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 65-6102 is hereby amended to read as follows:

65-6102. (a) There is hereby established the emergency medical services board. The office of the emergency medical services board shall be located in the city of Topeka, Kansas.

(b) The emergency medical services board shall be composed of 13 members to be appointed as follows:

(1) Nine members shall be appointed by the governor. Of such members:

(A) One shall be a member of the Kansas medical society who is actively involved in emergency medical services;

(B) two shall be county commissioners of counties making a levy for ambulance service, at least one of whom shall be from a county having a population of less than 15,000;

(C) one shall be an instructor-coordinator;

(D) one shall be a hospital administrator actively involved in emergency medical services;

(E) one shall be a member of a firefighting unit which provides emergency medical service; and

(F) three shall be attendants who are actively involved in emergency medical service. At least two classifications of attendants shall be

represented. At least one of such members shall be from a volunteer emergency medical service; and

(2) four members shall be appointed as follows:

(A) One shall be a member of the Kansas senate to be appointed by the president of the senate;

(B) one shall be a member of the Kansas senate to be appointed by the minority leader of the senate;

(C) one shall be a member of the Kansas house of representatives to be appointed by the speaker of the house of representatives; and

(D) one shall be a member of the Kansas house of representatives to be appointed by the minority leader of the house of representatives.

All members of the board shall be residents of the state of Kansas. Appointments to the board shall be made with due consideration that representation of the various geographical areas of the state is ensured. The governor may remove any member of the board upon recommendation of the board. Any person appointed to a position on the board shall forfeit such position upon vacating the office or position which qualified such person to be appointed as a member of the board.

(c) Of the members first appointed to the board, four shall be appointed for terms of one year, three for terms of two years, three for terms of three years and three for terms of four years. Thereafter, members shall be appointed for terms of four years and until their successors are appointed and qualified. In the case of a vacancy in the membership of the board, the vacancy shall be filled for the unexpired term.

(d) The board shall meet at least six times annually and at least once each quarter and at the call of the chairperson or at the request of the administrator of the emergency medical services board or of any six members of the board. At the first meeting of the board after January 1 each year, the members shall elect a chairperson and a vice-chairperson who shall serve for a term of one year. The vice-chairperson shall exercise all of the powers of the chairperson in the absence of the chairperson. If a vacancy occurs in the office of the chairperson or vice-chairperson, the board shall fill such vacancy by election of one of its members to serve the unexpired term of such office. Members of the board attending meetings of the board or attending a subcommittee meeting thereof authorized by the

board shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

(e) Except as otherwise provided by law, all vouchers for expenditures and all payrolls of the emergency medical services board shall be approved by the emergency medical services board or a person designated by the board.

Sec. 2. K.S.A. 1997 Supp. 65-6110 is hereby amended to read as follows: 65-6110. (a) The board shall adopt any rules and regulations necessary for the regulation of ambulance services. Such rules and regulations shall include: (1) A classification of the different types of ambulance services; (2) requirements as to equipment necessary for ambulances and rescue vehicles; (3) qualifications and training of attendants and, instructor-coordinators and training officers; (4) requirements for the licensure and renewal of licensure for ambulances and rescue vehicles; (5) records and equipment to be maintained by operators, instructor-coordinators, training officers, providers of training and attendants; and (6) such other matters as the board deems necessary to implement and administer the provisions of this act.

(b) The provisions of this act shall not apply to rescue vehicles operated by a fire department.

Sec. 3. K.S.A. 1997 Supp. 65-6111 is hereby amended to read as follows: 65-6111. The emergency medical services board shall:

(a) Adopt any rules and regulations necessary to carry out the provisions of this act;

(b) review and approve the allocation and expenditure of moneys appropriated for emergency medical services;

(c) conduct hearings for all regulatory matters concerning ambulance services and, attendants ~~certified pursuant to this act~~, instructor-coordinators, training officers and providers of training;

(d) submit a budget to the legislature for the operation of the board;

(e) develop a state plan for the delivery of emergency medical services;

(f) enter into contracts as may be necessary to carry out the duties and functions of the board under this act;

(g) review and approve all requests for state and federal funding involving emergency medical services projects in the state or delegate such duties to the administrator;

(h) approve all training programs for attendants, instructor-coordinators and training officers and prescribe application fees by rules and regulations;

(i) approve methods of examination for certification of attendants, training officers and instructor-coordinators and prescribe examination fees by rules and regulations;

(j) appoint a medical consultant for the board. Such person shall be a person licensed to practice medicine and surgery and shall be active in the field of emergency medical services; and

(k) approve providers of training by prescribing standards and requirements by rules and regulations and withdraw or modify such approval in accordance with the Kansas administrative procedures act and the rules and regulations of the board.

Sec. 4. K.S.A. 1997 Supp. 65-6112 is hereby amended to read as follows: 65-6112. As used in this act:

(a) ``Administrator'' means the administrator of the emergency medical services board.

(b) ``Ambulance'' means any privately or publicly owned motor vehicle, airplane or helicopter designed, constructed, prepared and equipped for use in transporting and providing emergency care for individuals who are ill or injured.

(c) ``Ambulance service'' means any organization operated for the purpose of transporting sick or injured persons to or from a place where medical care is furnished, whether or not such persons may be in need of emergency or medical care in transit.

(d) ``Attendant'' means a first responder, emergency medical technician, emergency medical technician-intermediate, emergency medical technician-defibrillator or a mobile intensive care technician certified pursuant to this act.

(e) ``Board'' means the emergency medical services board established pursuant to K.S.A. 65-6102, and amendments thereto.

(f) ``Emergency medical service" means the effective and coordinated delivery of such care as may be required by an emergency, which includes the care and transportation of individuals by ambulance services and the performance of authorized emergency care by a physician, professional nurse, physician's assistant, or attendant.

(g) ``Emergency medical technician" means any a person who has successfully completed a course of training, approved by the board, in preliminary emergency medical care and who holds a valid emergency medical technician certificate under holds an emergency medical technician certificate issued pursuant to this act.

(h) ``Emergency medical technician-defibrillator" means any a person, who holds an emergency medical technician defibrillator certificate issued pursuant to this act.

(i) ``Emergency medical technician-intermediate" means a person, who holds an emergency medical technician intermediate certificate issued pursuant to this act.

(j) ``First responder" means a person who holds a first responder certificate issued pursuant to this act.

(k) ``Hospital" means a hospital as defined by K.S.A. 65-425, and amendments thereto.

(l) ``Instructor-coordinator" means any a person who has successfully completed a course of training, approved by the board, to instruct attendants and to coordinate training programs, and who holds a valid instructor-coordinator certificate under this act is certified under this act to teach initial courses of certification of instruction and continuing education classes.

(m) ``Medical adviser" means a physician.

(n) ``Medical protocols" mean written guidelines that have been reviewed and approved by the emergency medical committee of the county medical society, which assist in the provision of medical care to a patient when the attendant is not receiving immediate direction from a physician. In those counties where there is no emergency medical committee of the county medical society, ``medical protocols" mean written guidelines that have been reviewed and approved by the medical staff of the hospital to which the ambulance service primarily transports patients, which assist in

the provision of medical care to a patient when the attendant is not receiving immediate direction from a physician which authorize attendants to perform certain medical procedures prior to contacting a physician, or professional nurse authorized by a physician. These protocols shall be developed and approved by a county medical society or, if there is no county medical society, the medical staff of a hospital to which the ambulance service primarily transports patients.

(o) ``Mobile intensive care technician" means any a person who has successfully completed a course of training, approved by the board, in emergency medical care, and who holds a valid mobile intensive care technician certificate under holds a mobile intensive care technician certificate issued pursuant to this act.

(p) ``Municipality" means any city, county, township, fire district or ambulance service district.

(q) ``Nonemergency transportation" means the care and transport of a sick or injured person under a foreseen combination of circumstances calling for continuing care of such person. As used in this subsection, transportation includes performance of the authorized level of services of the attendant whether within or outside the vehicle as part of such transportation services.

(r) ``Operator" means a person or municipality who has a permit to operate an ambulance service in the state of Kansas.

(s) ``Person" means an individual, a partnership, an association, a joint-stock company or a corporation.

(t) ``Physician" means a person licensed by the state board of healing arts to practice medicine and surgery.

(u) ``Training officer I" means any person who has completed successfully a course of training, approved by the board, to conduct continuing education programs for attendants.

(v) ``Training officer II" means any person who has: (1) Completed successfully a course of training, approved by the board, to conduct continuing education programs for attendants; and (2) completed successfully a supplemental course of training, approved by the board, to conduct initial training programs for first responders.

(u) ``Physician's assistant" means a person who is registered in accordance with the provisions of K.S.A. 65-2896a, and amendments thereto and who is acting under the direction of a responsible physician.

(v) ``Professional nurse" means a licensed professional nurse as defined by K.S.A. 65-1113, and amendments thereto.

(w) ``Provider of training" means a corporation, partnership, accredited postsecondary education institution, ambulance service, fire department, hospital or municipality that conducts training programs that include, but are not limited to, initial courses of instruction and continuing education for attendants, instructor-coordinators or training officers.

(x) ``Responsible physician" means responsible physician as such term is defined under K.S.A. 65-2897a and amendments thereto.

(y) ``Training officer" means a person who is certified pursuant to this act to teach initial courses of instruction for first responders and continuing education as prescribed by the board.

Sec. 5. K.S.A. 1997 Supp. 65-6119 is hereby amended to read as follows: 65-6119. Notwithstanding any other provision of law, mobile intensive care technicians may perform any of the following:

(a) May Perform all the authorized activities of an emergency medical technician as described identified in K.S.A. 65-6121, and amendments thereto.;

(b) perform cardiopulmonary resuscitation and defibrillation in a pulseless, nonbreathing patient.;

(c) when voice contact or a telemetered electrocardiogram is monitored by a person licensed to practice medicine and surgery or a licensed professional nurse where authorized by a person licensed to practice medicine and surgery, physician, physician's assistant where authorized by a physician or licensed professional nurse where authorized by a physician and direct communication is maintained, and upon order of such person or such nurse do any of the following may:

(1) Perform veni-puncture for the purpose of blood sampling collection and initiation and maintenance of intravenous infusion of saline solutions, dextrose and water solutions or ringers lactate IV solutions.

(2) perform gastric suction by intubation.

(3) perform endotracheal intubation.

(4) administer parenteral injections of any of the following classes of drugs:

(A) Antiarrhythmic agents.

(B) vagolytic agents.

(C) chronotropic agents.

(D) analgesic agents.

(E) alkalinizing agents.

(F) vasopressor agents.

(5) administer such other medications or procedures as may be deemed necessary by such an ordering person. a person identified in subsection (c);

(d) perform, during an emergency, those activities specified in subsection (c) before contacting the person licensed to practice medicine and surgery or authorized licensed professional nurse a person identified in subsection (c) when specifically authorized to perform such activities by medical protocols.; and

(e) perform, during nonemergency transportation, those activities specified in this section when specifically authorized to perform such activities by medical protocols.

Sec. 6. K.S.A. 1997 Supp. 65-6120 is hereby amended to read as follows: 65-6120. Notwithstanding any other provision of law to the contrary, an emergency medical technician-intermediate may:

(a) May Perform any of the activities described identified by K.S.A. 65-6121, and amendments thereto, which an emergency medical technician may perform;

(b) when approved by medical protocols and where voice contact by radio or telephone is monitored by a person licensed to practice medicine and surgery or a licensed professional physician, physician's assistant where authorized by a physician or licensed professional nurse, where authorized by a person licensed to practice medicine and surgery physician,

and direct communication is maintained, upon order of such person or such nurse, may perform venipuncture for the purpose of blood sampling collection and initiation and maintenance of intravenous infusion of saline solutions, dextrose and water solutions or ringers lactate IV solutions, endotracheal intubation and administration of nebulized albuterol;

(c) perform, during an emergency, those activities specified in subsection (b) before contacting the person licensed to practice medicine and surgery or authorized licensed professional nurse persons identified in subsection (b) when specifically authorized to perform such activities by medical protocols; or

(d) perform, during nonemergency transportation, those activities specified in this section when specifically authorized to perform such activities by medical protocols.

Sec. 7. K.S.A. 1997 Supp. 65-6121 is hereby amended to read as follows: 65-6121. Notwithstanding any other provision of law to the contrary, an emergency medical technician may perform any of the following activities:

(a) Patient assessment and vital signs;

(b) airway maintenance to include including the use of:

(1) Oropharyngeal and nasopharyngeal airways;

(2) esophageal obturator airways with or without gastric suction device;
and

(3) multi-lumen airway; and

(3) (4) oxygen demand valves.

(c) Oxygen therapy;

(d) oropharyngeal suctioning;

(e) cardiopulmonary resuscitation procedures;

(f) control accessible bleeding;

(g) application of apply pneumatic anti-shock garment;

(h) management of manage outpatient medical emergencies;

(i) extrication of patients and lifting and moving techniques extricate patients and utilize lifting and moving techniques;

(j) management of manage musculoskeletal and soft tissue injuries to include including dressing and bandaging wounds or the splinting of fractures, dislocations, sprains or strains;

(k) use of backboards to immobilize the spine;

(l) administer syrup of ipecac, activated charcoal and glucose;

(m) monitor peripheral intravenous line delivering intravenous fluids during interfacility transport with the following restrictions:

(1) The physician approves the transfer by an emergency medical technician;

(2) no medications or nutrients have been added to the intravenous fluids; and

(3) the emergency medical technician may monitor, maintain and shut off the flow of intravenous fluid.;

(n) use automated external defibrillators;

(n) (o) perform, during nonemergency transportation, those activities specified in this section when specifically authorized to perform such activities by medical protocols; or

(o) (p) when authorized by medical protocol, assist the patient in the administration of the following medications which have been prescribed for that patient: Auto-injection epinephrine, sublingual nitroglycerin and inhalers for asthma and emphysema.

Sec. 8. K.S.A. 1997 Supp. 65-6123 is hereby amended to read as follows: 65-6123. Notwithstanding any other provision of law to the contrary, an emergency medical technician-defibrillator may:

(a) May Perform any of the activities described by identified in K.S.A. 65-6121, and amendments thereto, which an emergency medical technician may perform;

(b) when approved by medical protocols and where voice contact by radio or telephone is monitored by a person licensed to practice medicine and surgery or a licensed professional physician, physician's assistant where authorized by a physician or licensed professional nurse, where authorized by a person licensed to practice medicine and surgery physician, and direct communication is maintained, upon order of such person or such nurse, may perform electrocardiographic monitoring and defibrillation;

(c) perform, during an emergency, those activities specified in subsection (b) before contacting the person licensed to practice medicine and surgery or authorized licensed professional nurse persons identified in subsection (b) when specifically authorized to perform such activities by medical protocols; or

(d) perform, during nonemergency transportation, those activities specified in this section when specifically authorized to perform such activities by medical protocols.

Sec. 9. K.S.A. 1997 Supp. 65-6124 is hereby amended to read as follows: 65-6124. (a) No person licensed to practice medicine and surgery or registered professional physician, physician's assistant or licensed professional nurse, who gives emergency instructions to a mobile intensive care technician, emergency medical technician-defibrillator or emergency medical technician-intermediate during an emergency, shall be liable for any civil damages as a result of issuing the instructions, except such damages which may result from gross negligence in giving such instructions.

(b) No mobile intensive care technician, emergency medical technician-defibrillator or emergency medical technician-intermediate who renders emergency care during an emergency pursuant to instructions given by a person licensed to practice medicine and surgery or a registered professional physician, the responsible physician for a physician's assistant or licensed professional nurse shall be liable for civil damages as a result of implementing such instructions, except such damages which may result from gross negligence or by willful or wanton acts or omissions on the part of such mobile intensive care technician, emergency medical technician-defibrillator or emergency medical technician-intermediate rendering such emergency care.

(c) No first responder who renders emergency care during an emergency shall be liable for civil damages as a result of rendering such emergency care, except for such damages which may result from gross negligence or from willful or wanton acts or omissions on the part of the first responder rendering such emergency care.

(d) No person certified as an instructor-coordinator and no training officer shall be liable for any civil damages which may result from such instructor-coordinator's or training officer's course of instruction, except such damages which may result from gross negligence or by willful or wanton acts or omissions on the part of the instructor-coordinator or training officer.

(e) No medical adviser who reviews, approves and monitors the activities of attendants shall be liable for any civil damages as a result of such review, approval or monitoring, except such damages which may result from gross negligence in such review, approval or monitoring.

Sec. 10. K.S.A. 65-6127 is hereby amended to read as follows: 65-6127.

(a) Application for a permit to operate an ambulance service shall be made to the emergency medical services board by the operator of the ambulance service upon forms provided by the administrator and shall be accompanied by a permit fee which shall be a base amount plus an amount for each vehicle used by such operator in such operator's ambulance service and which shall be fixed by rules and regulations of the board to cover all or any part of the cost of regulation of ambulance services.

(b) The application shall state the name of the operator, the names of the attendants of such ambulance service, the primary territory for which the permit is sought, the type of service offered, the location and physical description of the facility whereby calls for service will be received, the facility wherein vehicles are to be garaged, a description of vehicles and other equipment to be used by the service and such other information as the board may require.

(c) Nothing in this act shall be construed as granting an exclusive territorial right to operate an ambulance service. Upon change of ownership of an ambulance service the permit issued to such service shall expire 60 days after the change of ownership.

(d) The permit fee in effect immediately prior to the effective date of this act shall continue in effect until the board adopts rules and regulations fixing a different fee under subsection (a).

Sec. 11. K.S.A. 1997 Supp. 65-6129 is hereby amended to read as follows: 65-6129. (a) Application for an attendant's certificate shall be made to the emergency medical services board upon forms provided by the administrator. The board may grant an attendant's certificate to an applicant who if the applicant meets the following requirements: (1) (A) Has made application within one year after successfully completing the appropriate

course of instruction for the classification of attendant's certificate for which application has been made; (B) has passed an examination prescribed by the board; and (C) has paid a fee for the classification of attendant's certificate for which application has been made as prescribed by rules and regulations of the board; or (2) (A) is certified as a nationally registered emergency medical technician paramedic; or (B) has successfully completed a course of instruction or training accredited by the American medical association committee on allied health education; and (C) has passed an examination prescribed by the board; and (D) has paid a fee for the classification of attendant's certificate for which application has been made as prescribed by rules and regulations of the board.

(1) (A) Has made application within one year from the date of the last class of an appropriate course of instruction for the classification of attendant's certificate for which application has been made; and

(B) has completed successfully such course of instruction, passed an examination prescribed by the board and paid a fee prescribed by the board; or

(2) has completed successfully a course of instruction or training accredited by the joint review committee on accreditation of allied health education programs, a program of instruction or training offered by the armed forces of the United States or a program of instruction completed in another state that is equivalent to a program approved by the board for the class of attendant's certificate applied for, passed an examination prescribed by the board and paid a fee prescribed by the board.

(b) An attendant applying for an emergency medical technician's certificate shall have successfully completed successfully a course of training, approved by the board, in preliminary emergency medical care. An attendant applying for a mobile intensive care technician's certificate shall have successfully completed successfully a course of training, approved by the board, which shall include, but not be limited to, didactic and clinical experience in a cardiac care unit hospital and in an emergency vehicle unit. An attendant applying for an emergency medical technician-intermediate certificate shall have been be certified as an emergency medical technician and, after certification as an emergency medical technician, shall have successfully completed successfully a course of training, approved by the board, which shall include training in veni-puncture for blood sampling and administration of intravenous fluids and advanced patient assessment. An attendant applying for an emergency medical technician-defibrillator certificate shall have been certified as an emergency medical technician and, after certification as an emergency medical technician, shall have completed

successfully a training program approved by the emergency medical services board. Any program of instruction or training offered by the armed forces of the United States or in a jurisdiction other than Kansas, which program is at least equivalent to the program approved by the board for the class of attendant's certificate applied for, shall be granted reciprocity by the board for purposes of satisfying the requirements of subsection (a)(1)(A) of this section.

(c) An attendant's certificate shall be valid through December 31 of the year following the date of its initial issuance and may be renewed thereafter for a period of one year for each renewal for a fee as prescribed by rule and regulation of the board upon presentation of satisfactory proof that the attendant has successfully completed continuing education in emergency medical care as provided in this subsection. Attendants shall complete not less than eight hours of continuing education as prescribed and approved by the emergency medical services board for each full calendar year that has elapsed since the certification or the last renewal thereof. If a certificate is not renewed within 30 days after its expiration such certificate shall be void.

(d) The emergency medical services board may issue a temporary certificate to any person who has not qualified for an attendant's certificate under paragraph (1) or (2) of subsection (a) when:

(1) The operator for whom such person serves as an attendant requests a temporary certificate for that person; and

(2) such person meets or exceeds minimum training certain minimum requirements prescribed by the board by rules and regulations.

A temporary certificate shall be effective for one year from the date of its issuance or until the person has qualified as an attendant under paragraph (1) or (2) of subsection (a), whichever comes first. A temporary certificate shall not be renewed and shall be valid only while an attendant works for the operator requesting the temporary certificate. A person holding a temporary certificate as an emergency medical technician shall not be eligible to apply for certification as an emergency medical technician-intermediate, emergency medical technician-defibrillator or a mobile intensive care technician.

(e) At least once each month all fees received pursuant to the provisions of this section shall be remitted to the state treasurer. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury to the credit of the state general fund.

(f) If, within two years of the date of expiration of an attendant's certificate, such person applies for renewal of the certificate, the board may grant a certificate to such applicant without such applicant completing a course of instruction specified in subsection (b) if the applicant has completed continuing education requirements and has paid a fee prescribed by rules and regulations of the board.

(f) If a person who was previously certified as an attendant applies for an attendant's certificate within two years of the date of its expiration, the board may grant a certificate without the person completing a course of instruction or passing an examination if the person has completed continuing education requirements and has paid a fee prescribed by rules and regulations.

Sec. 12. K.S.A. 65-6129a is hereby amended to read as follows: 65-6129a. (a) While engaged in a course of training or continuing education approved by the emergency medical services board within a medical care facility, a student or attendant engaged in such training or continuing education shall be under the supervision of a person licensed to practice medicine and surgery or a licensed professional physician or a professional nurse. While engaged in training or continuing education in emergency or nonemergency transportation outside a medical care facility, a student or attendant shall be under the direct supervision of an attendant who is at the minimum certified to provide the level of care for which the student is seeking certification or the attendant receiving the training is certified or shall be under the direct supervision of a person licensed to practice medicine and surgery or licensed professional physician or a professional nurse.

(b) Nothing in the provisions of article 61 of chapter 65 of the Kansas Statutes Annotated or acts amendatory of the provisions thereof or supplemental thereto shall be construed to preclude the provision of authorized activities by students enrolled in an initial course of training or continuing education a training program while engaged in such course of training or continuing education program.

Sec. 13. K.S.A. 65-6129b is hereby amended to read as follows: 65-6129b. (a) Application for an instructor-coordinator's certificate shall be made to the emergency medical services board upon forms provided by the administrator. The board may grant an instructor-coordinator's certificate to an attendant who: (1) Has at least one year's experience as an attendant served as an attendant in the emergency medical services field during the preceding 12 months prior to applying for such certificate; (2) has made application within one year after successfully completing the training,

approved by the board, in instructing and coordinating attendant training programs; (3) has passed an examination prescribed by the board; and (4) has paid a fee for the instructor-coordinator's certificate as prescribed by rules and regulations of the board.

(b) The board may grant an instructor-coordinator's certificate to a person licensed to practice medicine and surgery or to a licensed professional physician or a professional nurse who: (1) Has made application within one year after successfully completing the training, approved by the board, in instructing and coordinating attendant training programs; (2) has passed an examination prescribed by the board; and (3) has paid a fee for the instructor-coordinator's certificate as prescribed by rules and regulations of the board.

(c) An instructor-coordinator's certificate shall be valid through December 31 of the year following the date of its initial issuance and may be renewed thereafter for a period of one year for each renewal for a fee as prescribed by rule and regulation of the board upon presentation of satisfactory proof that the instructor-coordinator has successfully completed continuing education as provided in this subsection. Instructor coordinators shall complete not less than eight hours of continuing education as prescribed and approved by the emergency medical services board for each full calendar year that has elapsed since the certification or the last renewal thereof. If a certificate is not renewed within 30 days after its expiration such certificate shall be void.

(d) At least once each month, all fees received pursuant to this section shall be remitted to the state treasurer. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury to the credit of the state general fund.

(e) If, within two years of the date of expiration of an instructor coordinator's certificate granted under subsection (a) or (b), such person applies for renewal of the certificate, the board may grant a certificate to such applicant without such applicant completing the training approved by the board under subsection (a) or (b), as applicable, if the applicant has completed continuing education requirements prescribed by the board and has paid a fee prescribed by rules and regulations of the board.

(e) If a person who was previously certified as an instructor-coordinator applies for an instructor-coordinator certificate within two years of the date of its expiration, the board may grant a certificate without the person completing the training or passing an examination if the person complies

with the other provisions of subsection (a) or (b) and completes continuing education requirements prescribed by the board.

Sec. 14. K.S.A. 65-6133 is hereby amended to read as follows: 65-6133.
(a) An attendant's or instructor-coordinator's certificate may be denied, revoked, limited, modified or suspended by the board or the board may refuse to renew such certificate upon proof that such attendant or instructor-coordinator individual:

(1) Has been guilty of misrepresentation in obtaining the certificate made intentional misrepresentations in obtaining a certificate or renewing a certificate;

(2) has engaged or attempted to engage in, or represented themselves as entitled to perform, any service not authorized in the certificate performed or attempted to perform activities not authorized by statute at the level of certification held by the individual;

(3) has demonstrated incompetence as defined by rules and regulations adopted by the board or has shown themselves otherwise unable to provide adequate service provided inadequate patient care as determined by the board;

(4) has violated or aided and abetted in the violation of any provision of this act or the rules and regulations promulgated thereunder;

(5) has been convicted of a felony and, after investigation by the board, it is determined that such person has not been sufficiently rehabilitated to warrant the public trust a felony and, after investigation by the board, it is determined that such person has not been sufficiently rehabilitated to warrant the public trust;

(6) has demonstrated habitual intemperance or is addicted to the use of habit-forming drugs an inability to perform authorized activities with reasonable skill and safety by reason of illness, alcoholism, excessive use of drugs, controlled substances or any physical or mental condition; or

(7) has engaged in unprofessional conduct, as defined by rules and regulations adopted under this act by the board.

(b) The board shall not may limit, modify, revoke or suspend any an attendant's or instructor-coordinator's certificate pursuant to this section without first conducting a hearing or the board may refuse to renew such

certificate in accordance with the provisions of the Kansas administrative procedure act.

Sec. 15. K.S.A. 65-6135 is hereby amended to read as follows: 65-6135. (a) All ambulance services providing emergency care as defined by the rules and regulations adopted by the board shall offer service 24 hours per day every day of the year.

(b) Whenever an operator is required to have a permit, at least one person on each vehicle providing emergency medical service shall be an attendant certified as an emergency medical technician, emergency medical technician-intermediate, emergency medical technician-defibrillator or, a mobile intensive care technician, a person licensed to practice medicine and surgery physician, a registered physician's assistant or a registered professional nurse.

Sec. 16. K.S.A. 1997 Supp. 65-6144 is hereby amended to read as follows: 65-6144. A first responder may perform any of the following activities:

(a) Initial scene management including, but not limited to, gaining access to the individual in need of emergency care, extricating, lifting and moving the individual;

(b) cardiopulmonary resuscitation and airway management;

(c) control of bleeding;

(d) extremity splinting excluding traction splinting;

(e) stabilization of the condition of the individual in need of emergency care;

(f) oxygen therapy;

(g) use of oropharyngeal airways;

(h) use of bag valve masks; and

(i) use automated external defibrillators; and

(j) other techniques of preliminary care a first responder is trained to provide as approved by the board.

New Sec. 17. (a) Application for a training officer's certificate shall be made to the emergency medical services board upon forms provided by the administrator. The board may grant a training officer's certificate to an applicant who: (1) Is an emergency medical technician, emergency medical technician-intermediate, emergency medical technician-defibrillator, mobile intensive care technician, physician or professional nurse; (2) successfully completes an initial course of training approved by the board; (3) passes an examination prescribed by the board; (4) is appointed by a provider of training approved by the board; and (5) has paid a fee established by the board.

(b) A training officer's certificate shall be valid through December 31 of the year following the date of its initial issuance and may be renewed thereafter for a period of one year as prescribed by the board for a fee as prescribed by rules and regulations upon presentation of satisfactory proof that the training officer has successfully completed continuing education prescribed by the board and is certified as an emergency medical technician, emergency medical technician-intermediate, emergency medical technician-defibrillator, mobile-intensive care technician, physician or professional nurse.

(c) A training officer's certificate may be denied, revoked, limited, modified or suspended or the board may refuse to renew such certificate in accordance with the Kansas administrative procedures act upon any of the following conditions: (1) Failure to maintain certification or licensure as an emergency medical technician, emergency medical technician-intermediate, emergency medical technician-defibrillator, mobile intensive care technician, physician or professional nurse; (2) withdrawal of appointment by a provider of training; or (3) failure to successfully complete continuing education.

(d) A training officer's certificate may be denied, revoked, limited, modified or suspended by the board or the board may refuse to renew such certificate upon proof that such individual:

(1) Has made intentional misrepresentations in obtaining a certificate or renewing a certificate;

(2) has demonstrated incompetence or engaged in unprofessional conduct as defined by rules and regulations adopted by the board;

(3) has violated or aided and abetted in the violation of any provision of this act or the rules and regulations promulgated by the board; or

(4) has been convicted of any state or federal crime that is related substantially to the qualifications, functions and duties of a training officer or any crime punishable as a felony under any state or federal statute. A conviction means a plea of guilty, a plea of nolo contendere or a verdict of guilty. The board may take disciplinary action pursuant to this section when the time for appeal has elapsed, or after the judgment of conviction is affirmed on appeal or when an order granting probation is made suspending the imposition of sentence.

(e) If a person who previously was certified as a training officer applies for a training officer's certificate within two years of the date of its expiration, the board may grant a certificate without the person completing an initial course of training or taking an examination if the person complies with the other provisions of subsection (a) and completes continuing education requirements.

New Sec. 18. (a) An automated external defibrillator may be used by any qualified person.

(b) Any qualified person who gratuitously and in good faith renders emergency care or treatment by the use of or provision of an automated external defibrillator shall not be held liable for any civil damages as a result of such care or treatment or as a result of any act or failure to act in providing or arranging further medical treatment where the person acts as an ordinary reasonably prudent person would have acted under the same or similar circumstances.

(c) As used in this section, "qualified person" means a person who:
(1) Has completed a course in cardiopulmonary resuscitation or a basic first aid course that includes cardiopulmonary resuscitation training and (2) has completed a course of training in the use of automated external defibrillators and (3) has demonstrated proficiency in the use of an automated external defibrillator.

Sec. 19. K.S.A. 65-6102, 65-6127, 65-6129a, 65-6129b, 65-6133, 65-6135 and 65-6148 and K.S.A. 1997 Supp. 65-6110, 65-6111, 65-6112, 65-6119, 65-6120, 65-6121, 65-6123, 65-6124, 65-6129, 65-6144 and 65-6149 are hereby repealed.

Sec. 20. This act shall take effect and be in force from and after its publication in the statute book.