

**Michigan Office of Administrative Hearings and Rules  
Administrative Rules Division (ARD)**

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**REQUEST FOR RULEMAKING (RFR)**

**1. Department:**

Health and Human Services

**2. Bureau:**

Population Health and Community Services

**3. Promulgation type:**

Full Process

**4. Title of proposed rule set:**

EMS Personnel Licensing and Education

**5. Rule numbers or rule set range of numbers:**

R 325.22301 through 325.22345

**6. Estimated time frame:**

6 months

**Name of person filling out RFR:**

Mary Brennan

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**7. Describe the general purpose of these rules, including any problems the changes are intended to address.**

The rules address the licensing requirements and education standards for emergency medical services (EMS) personnel. Since the introduction of these rules in 2004, there has not been a review of the rules to keep up with the changes that have occurred within the EMS system since that time. There were redundancies in some of the rules, and other advances in evidence-based EMS practice that have been implemented as a result of the previous rules set that needed additional clarification or modifications, for example the changes in technology that have occurred since 2004. The titles of personnel licenses were adjusted to meet national scope of practice language. The new rules clarify the complaint and compliance processes for the EMS system. We also aligned continuing education requirements with the National Registry of Emergency Medical Technician (NREMT) process.

**8. Please cite the specific promulgation authority for the rules (i.e. department director, commission, board, etc.).**

Director/State emergency medical services coordination committee -MCL 333.20910

**A. Please list all applicable statutory references (MCLs, Executive Orders, etc.).**

Sections 2233, 20910 and 20975 of 1978 PA 368, MCL 333.2233, 333.20910, 333.20975; and Executive Reorganization Order 2015-01, MCL 400.227.

**B. Are the rules mandated by any applicable constitutional or statutory provision? If so, please explain.**

MCL 333.20910 provides that the Department promulgate rules to establish the requirements for licensure of life support agencies, vehicles, and individuals licensed under this part to provide emergency medical services and other rules necessary to implement the legislation and to promulgate rules to establish and maintain standards for and regulate the use of descriptive words, phrases, symbols, or emblems that represent or denote that an ambulance operation, non-transport prehospital life support operation, or medical first response service is or may be provided.

**9. Please describe the extent to which the rules conflict with or duplicate similar rules, compliance requirements, or other standards adopted at the state, regional, or federal level.**

There are no known conflicts with state or federal government rules or regulations involving the proposed revisions.

**10. Is the subject matter of the rules currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda?**

Yes, revisions will have to be made to forms and policies as a result of changes to the rules, including, but not limited to: EMS education applications, out of state license verification form, reciprocity application, continuing education record form, and FAQs.

**11. Are the rules listed on the department's annual regulatory plan as rules to be processed for the current year?**

Yes, the rules are listed on the department's annual regulatory plan for the current year.

**12. Will the proposed rules be promulgated under Section 44 of the Administrative Procedures Act, 1969 PA 306, MCL 24.244, or under the full rulemaking process?**

Full Process

**13. Please describe the extent to which the rules exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level.**

The rule revisions will bring the rules in line with current standards in the EMS System. They do not exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level.

**14. Do the rules incorporate the recommendations received from the public regarding any complaints or comments regarding the rules? If yes, please explain.**

Yes. This rule set has gone through an extensive and transparent review process over the past two years with the State appointed Emergency Medical Services Coordination Committee (EMSCC) which consists of stakeholders from all levels of the EMS system and associated professional organizations, and their various subcommittees. The EMSCC and subcommittees consist of a broad range of stakeholders within the EMS System. The full EMSCC was provided with the final sets of recommended rules at the July 2020 meeting. The EMSCC unanimously voted to approve moving these rules forward as written.

**15. If amending an existing rule set, please provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed the regulatory activity covered by the rules since the last evaluation.**

These Rules have not been revised since their introduction in 2004. Since that time, there have been many advancements in technology, science, and economic conditions that warrant a fresh look at the regulations for the EMS System in Michigan. In 2016 EMS personnel licensure was automated to an online licensing system.

**16. Are there any changes or developments since implementation that demonstrate there is no continued need for the rules, or any portion of the rules?**

There is a continued need for the rules. However, as the rules were carefully reviewed, it was discovered that some of the rules were redundant with the only language being different was the level of service. The various committees that worked on these rules were able to consolidate language that was repetitive into one comprehensive rule in many places. In addition, if the statute was particularly clear and definitive and then repeated word for word in a rule, these rules were deleted. Previous rule set had reference to specific dated standards. References to specific dated versions of standards were removed.

**17. Is there an applicable decision record (as defined in MCL 24.203(6) and required by MCL 24.239(2))? If so, please attach the decision record.**

No