

# HOUSE BILL No. 5232

November 4, 2003, Introduced by Reps. Stakoe, LaJoy, Ward, Hune, Walker, Steil, Stahl, Wenke, Drolet, Acciavatti, Nofs, Amos, Pastor and Vander Veen and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending sections 20920 and 20921 (MCL 333.20920 and  
333.20921), as amended by 2000 PA 375.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 20920. (1) A person shall not establish, operate, or  
2 cause to be operated an ambulance operation unless the ambulance  
3 operation is licensed under this section.

4       (2) Upon proper application and payment of a \$100.00 fee, the  
5 department shall issue a license as an ambulance operation to a  
6 person who meets the requirements of this part and the rules  
7 promulgated under this part.

8       (3) An applicant shall specify in the application each  
9 ambulance to be operated.

10       (4) An ambulance operation license shall specify the

1 ambulances licensed to be operated.

2 (5) An ambulance operation license shall state the **maximum**  
3 level of life support the ambulance operation is licensed to  
4 provide. An ambulance operation shall operate in accordance with  
5 this part, rules promulgated under this part, and approved  
6 medical control authority protocols and shall not provide life  
7 support at a level that exceeds its license, **available licensed**  
8 **personnel staff**, or violates approved medical control authority  
9 protocols.

10 (6) An ambulance operation license may be renewed annually  
11 upon application to the department and payment of a \$100.00  
12 renewal fee. Before issuing a renewal license, the department  
13 shall determine that the ambulance operation is in compliance  
14 with this part, the rules promulgated under this part, and  
15 medical control authority protocols.

16 (7) Beginning on July 22, 1997, an ambulance operation that  
17 meets all of the following requirements may apply for an  
18 ambulance operation upgrade license under subsection (8):

19 (a) On or before July 22, 1997, holds an ambulance operation  
20 license that designates the ambulance operation either as a  
21 transporting basic life support service or as a transporting  
22 limited advanced life support service.

23 (b) Is a transporting basic life support service, that is  
24 able to staff and equip 1 or more ambulances for the transport of  
25 emergency patients at a life support level higher than basic life  
26 support, or is a transporting limited advanced life support  
27 service, that is able to staff and equip 1 or more ambulances for

1 the transport of emergency patients at the life support level of  
2 advanced life support.

3 (c) Is owned or operated by or under contract to a local unit  
4 of government and providing first-line emergency medical response  
5 to that local unit of government on or before July 22, 1997.

6 (d) Will provide the services described in subdivision (b)  
7 only to the local unit of government described in  
8 subdivision (c), and only in response to a 911 call or other call  
9 for emergency transport.

10 (8) An ambulance operation meeting the requirements of  
11 subsection (7) that applies for an ambulance operation upgrade  
12 license shall include all of the following information in the  
13 application provided by the department:

14 (a) Verification of all of the requirements of subsection (7)  
15 including, but not limited to, a description of the staffing and  
16 equipment to be used in providing the higher level of life  
17 support services.

18 (b) If the applicant is a transporting basic life support  
19 service, a plan of action to upgrade from providing basic life  
20 support to providing limited advanced life support or advanced  
21 life support to take place over a period of not more than 2  
22 years. If the applicant is a transporting limited advanced life  
23 support service, a plan of action to upgrade from providing  
24 limited advanced life support to providing advanced life support  
25 to take place over a period of not more than 2 years.

26 (c) The medical control authority protocols for the ambulance  
27 operation upgrade license, along with a recommendation from the

1 medical control authority under which the ambulance operation  
2 operates that the ambulance operation upgrade license be issued  
3 by the department.

4 (d) Other information required by the department.

5 (9) The statewide emergency medical services coordination  
6 committee shall review the information described in  
7 subsection (8)(c) and make a recommendation to the department as  
8 to whether or not an ambulance operation upgrade license should  
9 be granted to the applicant.

10 (10) Upon receipt of a completed application as required  
11 under subsection (8), a positive recommendation under  
12 subsection (9), and payment of a \$100.00 fee, the department  
13 shall issue to the applicant an ambulance operation upgrade  
14 license. Subject to subsection (12), the license is valid for 2  
15 years from the date of issuance and is renewable for 1 additional  
16 2-year period. An application for renewal of an ambulance  
17 operation upgrade license shall contain documentation of the  
18 progress made on the plan of action described in  
19 subsection (8)(b). In addition, the medical control authority  
20 under which the ambulance operation operates shall annually file  
21 with the statewide emergency medical services coordination  
22 committee a written report on the progress made by the ambulance  
23 operation on the plan of action described in subsection (8)(b),  
24 including, but not limited to, information on training,  
25 equipment, and personnel.

26 (11) If an ambulance operation is designated by its regular  
27 license as providing basic life support services, then an

1 ambulance operation upgrade license issued under this section  
2 allows the ambulance operation to provide limited advanced life  
3 support services or advanced life support services when the  
4 ambulance operation is able to staff and equip 1 or more  
5 ambulances to provide services at the higher levels. If an  
6 ambulance operation is designated by its regular license as  
7 providing limited advanced life support services, then an  
8 ambulance operation upgrade license issued under this section  
9 allows the ambulance operation to provide advanced life support  
10 services when the ambulance operation is able to staff and equip  
11 1 or more ambulances to provide services at the higher level. An  
12 ambulance operation shall not provide services under an ambulance  
13 operation upgrade license unless the medical control authority  
14 under which the ambulance operation operates has adopted  
15 protocols for the ambulance operation upgrade license regarding  
16 quality monitoring procedures, use and protection of equipment,  
17 and patient care.

18 (12) The department may revoke or fail to renew an ambulance  
19 operation upgrade license for a violation of this part or a rule  
20 promulgated under this part or for failure to comply with the  
21 plan of action filed under subsection (8)(b). An ambulance  
22 operation that obtains an ambulance operation upgrade license  
23 must annually renew its regular license under subsections (2) to  
24 (6). An ambulance operation's regular license is not affected by  
25 the following:

26 (a) The fact that the ambulance operation has obtained or  
27 renewed an ambulance operation upgrade license.

1 (b) The fact that an ambulance operation's ambulance  
2 operation upgrade license is revoked or is not renewed under this  
3 subsection.

4 (c) The fact that the ambulance operation's ambulance  
5 operation upgrade license expires at the end of the second 2-year  
6 period prescribed by subsection (10).

7 (13) By July 22, 2000, the department shall file a written  
8 report to the legislature. The department shall include all of  
9 the following information in the report:

10 (a) The number of ambulance operations that were qualified  
11 under subsection (7) to apply for an ambulance operation upgrade  
12 license under subsection (8) during the 3-year period.

13 (b) The number of ambulance operations that in fact applied  
14 for an ambulance operation upgrade license during the 3-year  
15 period.

16 (c) The number of ambulance operations that successfully  
17 upgraded from being a transporting basic life support service to  
18 a transporting limited advanced service or a transporting  
19 advanced life support service or that successfully upgraded from  
20 being a transporting limited advanced life support service to a  
21 transporting advanced life support service under an ambulance  
22 operation upgrade license.

23 (d) The number of ambulance operations that failed to  
24 successfully upgrade, as described in subdivision (c), under an  
25 ambulance operation upgrade license, but that improved their  
26 services during the 3-year period.

27 (e) The number of ambulance operations that failed to

1 successfully upgrade, as described in subdivision (c), under an  
2 ambulance operation upgrade license, and that showed no  
3 improvement or a decline in their services.

4 (f) The effect of the amendatory act that added this  
5 subsection on the delivery of emergency medical services in this  
6 state.

7 Sec. 20921. (1) An ambulance operation shall do all of the  
8 following:

9 (a) Provide at least 1 ambulance available for response to  
10 requests for emergency assistance on a 24-hour-a-day, 7-day-a-  
11 week basis in accordance with local medical control authority  
12 protocols.

13 (b) Respond or ensure that a response is provided to each  
14 request for emergency assistance originating from within the  
15 bounds of its service area.

16 (c) Operate under the direction of a medical control  
17 authority or the medical control authorities with jurisdiction  
18 over the ambulance operation.

19 (d) Notify the department immediately of a change that would  
20 alter the information contained on its application for an  
21 ambulance operation license or renewal.

22 (e) Subject to section 20920(7) to (12), provide life support  
23 consistent with its license and approved local medical control  
24 authority protocols to each emergency patient without prior  
25 inquiry into ability to pay or source of payment.

26 (2) An ambulance operation shall not do 1 or more of the  
27 following:

1 (a) Knowingly provide a person with false or misleading  
2 information concerning the time at which an emergency response  
3 will be initiated or the location from which the response is  
4 being initiated.

5 (b) Induce or seek to induce any person engaging an ambulance  
6 to patronize a long-term care facility, mortuary, or hospital.

7 (c) Advertise, or permit advertising of, within or on the  
8 premises of the ambulance operation or within or on an ambulance,  
9 the name or the services of an attorney, accident investigator,  
10 nurse, physician, long-term care facility, mortuary, or  
11 hospital. If 1 of those persons or facilities owns or operates  
12 an ambulance operation, the person or facility may use its  
13 business name in the name of the ambulance operation and may  
14 display the name of the ambulance operation within or on the  
15 premises of the ambulance operation or within or on an  
16 ambulance.

17 (d) Advertise or disseminate information for the purpose of  
18 obtaining contracts under a name other than the name of the  
19 person holding an ambulance operation license or the trade or  
20 assumed name of the ambulance operation.

21 (e) If the ambulance operation is operating under an  
22 ambulance operation upgrade license issued under section 20920(7)  
23 to (12), advertise or otherwise hold itself out as a full-time  
24 transporting limited advanced life support service or a full-time  
25 transporting advanced life support service unless the ambulance  
26 operation actually provides those services on a 24-hour-per-day,  
27 7-day-a-week basis.



1           (3) ~~An~~ **Except as provided in subsection (4),** an ambulance  
2 operation shall not operate, attend, or permit an ambulance to be  
3 operated while transporting a patient unless the ambulance is, at  
4 a minimum, staffed as follows:

5           (a) If designated as providing basic life support, with at  
6 least 1 emergency medical technician and 1 medical first  
7 responder.

8           (b) If designated as providing limited advanced life support,  
9 with at least 1 emergency medical technician specialist and 1  
10 emergency medical technician.

11           (c) If designated as providing advanced life support, with at  
12 least 1 paramedic and 1 emergency medical technician.

13           **(4) An ambulance operation that is licensed to provide**  
14 **advanced life support and has more than 1 ambulance licensed**  
15 **under its operation may operate an ambulance licensed to provide**  
16 **advanced life support or limited advanced life support at a lower**  
17 **level of life support when the licensed personnel required to**  
18 **operate that ambulance at its designated level are not available**  
19 **if both of the following are met:**

20           (a) The ambulance operation has at least 1 ambulance under  
21 its operation that is properly staffed and available to provide  
22 advanced life support on a 24-hour-a-day, 7-day-a-week basis.

23           (b) The licensed personnel required to operate at that lower  
24 level of life support are available to staff the unit.

25           (5) ~~(4)~~ Except as provided in subsection ~~(5)~~ **(6),** an  
26 ambulance operation shall ensure that an emergency medical  
27 technician, an emergency medical technician specialist, or a

1 paramedic is in the patient compartment of an ambulance while  
2 transporting an emergency patient.

3       (6) ~~-(5)-~~ Subsection ~~-(4)-~~ (5) does not apply to the  
4 transportation of a patient by an ambulance if the patient is  
5 accompanied in the patient compartment of the ambulance by an  
6 appropriate licensed health professional designated by a  
7 physician and after a physician-patient relationship has been  
8 established as prescribed in this part or the rules promulgated  
9 by the department under this part.