

1973 Assembly Bill 538

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CHAPTER 321, Laws of 1973

AN ACT to create 15.197 (4) (h), 20.435 (1) (d), 140.275 and 146.50 of the statutes, relating to the licensing of ambulance service providers and ambulance attendants, creating an examining council and making an appropriation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 15.197 (4) (h) of the statutes is created to read:

15.197 (4) (h) *Ambulance services.* There is created an ambulance services examining council appointed by the state health officer and consisting of an emergency medical technician, a representative of a public ambulance service provider, a representative of a private ambulance service provider, a physician knowledgeable in the field of emergency medical care, 2 public members knowledgeable in the field of emergency medical care, and an employe of the division of health serving as a member and the secretary of the examining council. The examining council shall meet annually and may meet at other times on the call of the state health officer or of a majority of its members.

SECTION 2. 20.435 (1) (d) of the statutes is created to read:

20.435 (1) (d) *Ambulance services examining council.* A sum sufficient to provide for the licensing of ambulance attendants and service providers under s. 146.50.

SECTION 3. 140.275 of the statutes is created to read:

140.275 Emergency service classification. (1) **DEFINITION.** In this section "area-wide comprehensive health planning agency" means a governmental agency or a private nonprofit corporation which meets the requirements of the federal partnership for health act, P.L. 89-749, as amended, and which has been designated by the state

comprehensive health planning agency under that act as an area-wide comprehensive health planning agency.

(2) **REGIONAL PLANS FOR EMERGENCY MEDICAL SERVICES.** Each area-wide comprehensive health planning agency shall develop a plan for the provision of emergency medical services within the area.

(3) **STATE RESPONSIBILITY.** The department shall assist the area-wide comprehensive health planning agencies in the development of emergency medical service plans.

SECTION 4. 146.50 of the statutes is created to read:

146.50 Ambulance service providers and ambulance attendants. (1) **DEFINITIONS.** In this section:

(a) "Ambulance" means an emergency vehicle, including any motor vehicle, boat or aircraft, whether privately or publicly owned, which is designed, constructed or equipped to transport patients.

(b) "Ambulance service provider" means a person engaged in the business of transporting sick, disabled or injured persons by ambulance to or from facilities or institutions providing health services.

(c) "Ambulance attendant" means a person who is responsible for the administration of emergency care procedures, proper handling and transporting of the sick, disabled or injured persons, including but not limited to, ambulance attendants and ambulance drivers.

(d) "Person" includes any individual, firm, partnership, association, corporation, trust, foundation, company, any governmental agency other than the U.S. government, or any group of individuals, however named, concerned with the operation of an ambulance.

(e) "Board" means the health and social services board.

(f) "Department" means the department of health and social services.

(2) **AMBULANCE SERVICE PROVIDER AND AMBULANCE ATTENDANT LICENSES REQUIRED.** No person may operate as an ambulance service provider or an ambulance attendant unless he holds an ambulance service provider license or ambulance attendant license issued under this section.

(3) **RULES.** The board may adopt rules necessary for administration of this section and prescribe ambulance service equipment and standards therefor, except that any ambulance which does not conform to rules adopted by the board may be used for a period not to exceed 5 years after the effective date of this act (1973). Counties, municipalities and volunteer or paid-on-call fire departments and rescue squads shall be exempt from all rules prescribing standards for ambulances and other vehicles until January 1, 1979. Rules adopted by the board under this section shall not be effective until approved by the senate committee on health, education and welfare and the assembly committee on health and social services.

(4) **EXAMINING COUNCIL.** The ambulance services examining council shall conduct such examinations as are required for licensing ambulance attendants and ambulance service providers and shall serve the board in an advisory capacity in the preparation of examinations, rules and the education and training of ambulance attendants.

(5) LICENSING OF AMBULANCE SERVICE PROVIDERS AND AMBULANCE ATTENDANTS. The department shall license ambulance service providers and ambulance attendants. An ambulance service provider shall not be required to take an examination for licensure. A license is nontransferable and shall be valid for the balance of the license year or until surrendered for cancellation or suspended or revoked for violation of this section or of any other laws or rules relating to ambulance service providers or ambulance attendants. The department may charge a reasonable fee for licensure under this section, but no fee may be charged to persons working for volunteer or paid-on-call ambulance service providers or to municipal or county employees. Any denial of issuance or renewal, suspension or revocation of a license shall be subject to review upon the timely request of the licensee directed to the department, in accordance with chapter H-1 of the Wisconsin Administrative Code or ch. 227.

(6) QUALIFICATIONS FOR LICENSING OF AMBULANCE ATTENDANTS. To be eligible for an ambulance attendant's license a person shall:

(a) Be not less than 18 years of age, of good moral character and physically and emotionally capable of performing the duties of an ambulance attendant.

(b) Have satisfactorily completed a course of instruction and training prescribed by the department or have presented evidence satisfactory to the department of sufficient education and training in the field of emergency care.

(c) Have passed an examination administered by the department.

(d) Have such additional qualifications as may be required by the department.

(7) LICENSING IN OTHER JURISDICTIONS. The department may issue an ambulance attendant's license, without examination, to any person who holds a current license as an ambulance attendant from another jurisdiction if the department finds that the standards for licensing in such other jurisdiction are at least the substantial equivalent of those prevailing in this state, and that the applicant is otherwise qualified.

(8) PROVISIONAL LICENSE. Any person who, on the effective date of this section (1973), has been actively engaged as an ambulance attendant or is enrolled in an acceptable training program and who does not meet the requirements for licensing, shall be issued a provisional license for one year without the need to present evidence of satisfactory completion of a course of instruction and training and without examination. A provisional license may be renewed for just cause, except that a provisional license shall not be renewed more than twice.

(9) TRAINING. (a) The department may conduct, arrange for or approve courses within or without this state as sufficient to meet the education and training requirements of this section and shall make such courses available to the residents of this state and to persons holding a provisional license. The courses shall be free of charge to any person who holds an ambulance attendant license, an ambulance service provider license or a provisional license and who is employed by a county, city, village or town. The department shall reimburse the county, city, village or town from the appropriation under s. 20.435 (1) (d) for any costs imposed by any training standards or requirements relating to emergency medical training except that no reimbursement of trainee's wages shall be authorized under this section. If the department determines that an area or community need exists, such courses shall be offered at vocational, technical and adult education schools in such area or community. Initial priority shall be given to the training of ambulance attendants serving the rural areas of the state.

(b) The department shall by rule establish a system of training and temporary permits, to be issued, at a reasonable fee, but no fee may be charged to persons working for volunteer or paid-on-call ambulance service providers or to municipal or

county employees. All temporary permit applications shall be signed by licensed ambulance service providers. Persons holding temporary permits shall work only with licensed ambulance attendants.

(10) **RENEWAL OF LICENSE.** Every holder of an ambulance service provider license or an ambulance attendant license shall renew it annually on July 1, by making application to the department on forms provided by the department. A renewal shall be granted unless the department finds that the applicant has acted or failed to act in such a manner or under such circumstances as would constitute grounds for suspension or revocation of such license.

(11) **UNLICENSED OPERATION.** Notwithstanding the existence or pursuit of any other remedy, the department may, in the manner provided by law, upon the advice of the attorney general, who shall represent the department in all proceedings, institute an action in the name of the state against any person or agency to restrain or prevent the establishment, management or operation of an ambulance service without the licensed personnel required by this section.

SECTION 5. Report to legislature. The department of health and social services shall report to the legislature no later than January 15, 1975, on the status of the emergency medical service plans adopted by the area-wide comprehensive health planning agencies under section 140.275 of the statutes, as created by this act, as well as on the general emergency medical services provided in this state. The department shall also, at this time, make recommendations for further legislative action that is required to implement area-wide emergency medical services plans.

SECTION 6. This act shall take effect on the 181st day after publication.
