

1973 Senate Bill 601

Date published:
July 2, 1974

CHAPTER 322, Laws of 1973
(Vetoed in Part)

AN ACT to create 15.197 (4) (bm), 20.435 (1) (gp), 146.35 and 448.16 (3) of the statutes, relating to emergency medical services programs and licensing of emergency medical technicians -- advanced (paramedics), creating an examining council, granting rule-making authority 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) (bm) of the statutes is created to read:

15.197 (4) (bm) *Emergency medical services.* There is created an emergency medical services examining council consisting of 14 members. One member shall be an employe of the division of health appointed by the state health officer to serve as the secretary of the examining council. The other members of the examining council shall include:

1. The dean of the university of Wisconsin medical school, or his designee.

2. The dean of the medical college of Wisconsin, inc., or his designee.

Vetoed
in Part

- ~~3. The chairman of the Wisconsin committee on trauma, American college of surgeons, or his designee.~~
- ~~4. The president of the state medical society of Wisconsin, or his designee.~~
- ~~5. The president of the Wisconsin hospitals association, or his designee.~~
- ~~6. The chairmen of the senate committee on health, education and welfare and the assembly committee on health and social services.~~
- ~~7. A representative of a county or municipality furnishing emergency medical services appointed by the state health officer.~~
- ~~8. An experienced emergency medical technician -- advanced (paramedic) appointed by the state health officer.~~
- ~~9. The president of the Wisconsin society of anesthesiologists, or his designee.~~
- ~~10. The president of the Wisconsin heart association, or his designee.~~
- ~~11. Two additional members appointed by the state health officer who shall be knowledgeable in the field of emergency medical services.~~

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

20.435 (1) (gp) *Emergency medical services examining council.* A sum sufficient to provide for the licensing of emergency medical technicians -- advanced (paramedics) under s. 146.35.

SECTION 3. 146.35 of the statutes is created to read:

146.35 Emergency medical services. (1) EMERGENCY MEDICAL TECHNICIAN -- ADVANCED (PARAMEDIC) DEFINED. As used in this section, "emergency medical technician -- advanced (paramedic)" means a person who is specially trained in emergency cardiac, trauma and other lifesaving or emergency procedures in a training program or course of instruction prescribed by the department and who is examined and licensed by the department as qualified to render the following services:

(a) Render rescue, emergency care and resuscitation services.

(b) While caring for patients in a hospital administer parenteral medications under the direct supervision of a licensed physician or registered nurse.

(c) Perform cardiopulmonary resuscitation and defibrillation on a pulseless, nonbreathing patient.

(d) Where voice contact with or without a telemetered electrocardiogram is monitored by a licensed physician and direct communication is maintained, upon order of such physician perform the following:

1. Administer intravenous solutions.

2. Perform gastric and endotracheal intubation.

3. Administer parenteral injections.

(e) Perform other emergency medical procedures prescribed by rule by the department.

(2) DEFINITIONS; OTHER. In this section:

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

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

(3) **EMERGENCY MEDICAL SERVICES PROGRAMS.** Any county, municipality, hospital or combination thereof may, after submission of a plan approved by the department, conduct a program utilizing emergency medical technicians -- advanced (paramedics) for the delivery of emergency medical care to the sick and injured at the scene of an emergency and during transport to a hospital, while in the hospital emergency department, and until care responsibility is assumed by the regular hospital staff. Nothing in this section shall be construed to prohibit the operation of fire department, police department or other emergency vehicles utilizing the services of emergency medical technicians -- advanced (paramedics) in conjunction with a program approved by the department.

(4) **LICENSING OF EMERGENCY MEDICAL TECHNICIANS -- ADVANCED (PARAMEDICS).**

(a) No person shall be employed as an emergency medical technician -- advanced (paramedic) in conjunction with an emergency medical services program authorized under sub. (3) unless he holds an emergency medical technician -- advanced (paramedic) license issued under this section. Persons so licensed may perform all procedures specified in sub. (1) under the conditions and circumstances set forth in this section and prescribed by rule of the department.

(b) The department shall license emergency medical technicians -- advanced (paramedics) and may establish reasonable license fees. A license is not transferable 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 any other law or rule relating to an emergency medical technician -- advanced (paramedic). Any denial of issuance or renewal, suspension or revocation of a license shall be subject to review in accordance with chapter H-1 of the Wisconsin administrative code or ch. 227.

(5) **QUALIFICATIONS FOR LICENSURE.** To be eligible for an emergency medical technician -- advanced (paramedic) license a person shall:

(a) Be at least 18 years of age, of good moral character and physically and emotionally capable of performing the duties of an emergency medical technician -- advanced (paramedic).

(b) Satisfactorily complete a course of instruction prescribed by the department or present evidence satisfactory to the department of sufficient education and training in the field of emergency medical care.

(c) Pass an examination administered by the department.

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

(6) **RENEWAL OF LICENSE.** Every holder of an emergency medical technician -- advanced (paramedic) license shall renew it annually on July 1, by making application 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 a license. As a prerequisite to renewal, the department may by rule provide for the reexamination of licensed emergency medical technicians -- advanced (paramedics).

(7) **TRAINING.** The department shall approve and may conduct or arrange for courses sufficient to meet the education and training requirements of this section and shall make such courses available to counties, municipalities and hospitals conducting approved emergency medical services programs authorized under this section. The department shall by rule establish a system for the issuance of temporary training permits, to be issued at a reasonable fee. A person issued a temporary training permit

may perform all medical procedures specified in this section when performed in the presence and under the direction of a training instructor.

(8) **RULES.** The board may promulgate all rules necessary for the administration of this section and prescribe emergency medical service equipment and standards therefor. 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.

(9) **EXAMINING COUNCIL.** The emergency medical services examining council shall conduct such examinations as are required for the licensing of emergency medical technicians -- advanced (paramedics) and shall serve the board in an advisory capacity in the preparation of such examinations and all rules relating to the education and training of emergency medical technicians -- advanced (paramedics). The examining council shall further advise and assist the board in adopting rules and standards for the approval of emergency medical services programs authorized under this section.

(10) **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, organization or agency, public or private, to restrain or prevent the establishment, management or operation of any emergency medical services program without the licensed personnel required by this section or in violation of the provisions of this section or any department rule promulgated hereunder.

(11) **LIABILITY INSURANCE.** The department shall, as a condition to the approval of any emergency medical services program under sub. (3), require adequate liability insurance sufficient to protect all emergency medical technicians -- advanced (paramedics) and physicians from civil liability resulting from the good faith performance of duties authorized under this section.

(12) **EMERGENCY MEDICAL SERVICES ACT.** This section shall be known and may be cited as the "Emergency Medical Services Act".

SECTION 4. 448.16 (3) of the statutes is created to read:

448.16 (3) None of the provisions of this chapter or the laws of the state regulating the practice of medicine or healing shall be construed to prohibit or penalize emergency medical care rendered by a licensed emergency medical technician -- advanced (paramedic) pursuant to s. 146.35.
