

**ADMINISTRATIVE RULES
ORDER OF THE
DEPARTMENT OF HEALTH AND FAMILY SERVICES
ADOPTING RULES**

The Wisconsin Department of Health and Family Services proposes to **repeal**, HFS 110.03 (18), HFS 110.04 (1) (b) 3. and Note, HFS 110.05 (1) (intro.) Note, (4) (c), and (6) (a) 4., HFS 110.06 (2m) and (4) (b), HFS 110.07 (3) (c) 5. and (5), HFS 111.03 (12) and (36), HFS 111.045; **to renumber** HFS 111.04 (4) (b), (5) (f) 1., (5) (g) (title), (intro.), 1., HFS 111.06 (2) (d); **to renumber and amend** HFS 111.04 (5) (g) (title), (intro.), 1., HFS 111.06 (2) (a) 1.; **to amend** Chapter HFS 110 (title), HFS 110.01, HFS 110.02, HFS 110.03 (10), (19), (20), (23), (35), (38), (42m), (49), (52), and (54), HFS 110.04 (1) (d), HFS 110.045 (4) (a) (intro.), 1. and 11., HFS 110.05 (title), (1) (intro.), (d) and (f), (2), (3) (a) and (b), (4) (title) and (e) Note, (5) (b) (intro.) and 3., (c), (d) 1. c. and 2., (e) 1. c. and e., 2. and 3., (f) (intro.), 1., 2., and Note, and (6) (a) (intro.) and (e), HFS 110.06 (title), (3), (5) and Note, HFS 110.07 (title), (1) (a), (b), and (c) 3., 5., 6., 6m. (intro.) and a. to c., 6r., and 8. Note, (e) and (f), (2) (a) (intro.) and 1., (c) and (d) (intro.) and 1., and (3) (a) to (e), HFS 110.08 (title), (1), (2) (intro.), (f), (h), (i), (o), (q) and Note, (3) (a), (4) (a) and (b), (5), and (6) (a) and (b), HFS 110.09 (1) (title), (intro.), (a), (g) and (i), (2), (3), (5), and (6), Chapter HFS 111 (title), HFS 111.01 and HFS 111.02, HFS 111.03 (1), (8), (11), (13), (14), (16), (25), (27), (28), (32), (35), (39), (43) and (44), HFS 111.04 (title), (1) (intro.), (e), (f), and (h), (2) (a) and (b), (3), (4) (title), (intro.) and (a), (5) (b) (intro.), 3., 4. and 5., (c), (d) 1. d. and e., (e) 1. d. and e., and (f) 2., HFS 111.05 (title), (1) (intro.) and (e), (2), (3) (a) and (b), and (4) (a) and (b), HFS 111.06 (title), (1) (a), (b), and (c) 1., 2., 4., 5., 6. (intro.), a., b., Note, c. and d., 7. and Note, and (d) and (e), (2) (title), (a) 2., 3., 5., and (c), and (3) (a), (b) 1. (intro.), 2. e. and Note, and (c) and (d), HFS 111.07 (title), (1) (a), Note, and (b), (2) (title), (intro.), (e), (f), (i), (j), (o), (q), and (u) (intro.), 1. a. and b., and 3. and 4., (3) (title), (a), (b) (intro.), 1. and 2., and (c), (4) (a) to (c) and (d) (intro.), (5) (title) and (a) to (c), (6) (title) and (a) to (c) and (d) (intro.), 1. a., 3. (intro.), a. and b., 5., and 7., (7) (a) (intro.), 1., 4., 8., 9., and 10., (8) (a), (9) (a) and (b), and (10), HFS 111.08 (1) (title) and (intro.), (a), (g), (h), (2) (a), (3), (5), and (6); **to repeal and recreate**, 110.03 (22) and HFS 111.06 (4); **and to create** HFS 111.03 (11m), (13m), and (15m), HFS 111.04 (4) (b) and (5) (f) 1. and (g) 2., HFS 111.06 (2) (a) 1., (bm), and (d), rules relating to licensing emergency medical technicians and affecting small businesses.

SUMMARY OF PROPOSED RULE

Statutes interpreted: Sections 146.50 (1) (d) to (g), (4) (c), (5) (b) and (d), (6), (9), (10), (13), 146.53 (5) (g), Stats.

Statutory authority: Sections 146.50 (4) (c), (5) (b), (6) (b) 2., (8m), (13), and 227.11 (2), Stats.

Explanation of agency authority:

- Section 146.50 (4) (c), Stats., gives the department authority to promulgate rules that establish standards for the emergency medical technician intermediate.
- Section 146.50 (5) (b), Stats., gives authority to issue training permits for all levels of emergency medical technicians.

- Section 146.50 (6) (b) 2., Stats., gives the department the ability with the Wisconsin Technical College System to develop training, education, and examination standards for emergency medical technicians.
- Section 146.50 (8m), Stats., indicates that a medical director is required for any level of provider above the basic life support level.
- Section 146.50 (13), Stats., authorizes the department to promulgate rules that apply to s. 146.50, Stats.

Related statute or rule: Section 146.50 Stats., and chs. HFS 112 and 113.

Plain language analysis:

Wisconsin has two levels of emergency medical services. They are basic life support and advanced life support. These two levels are distinguished by the skills and medications that can be used by emergency medical services personnel when performing pre-hospital care. At the basic life support level, the department licenses individuals as emergency medical technician-basic (EMT-basic) and emergency medical technician-intravenous (EMT-basic IV) and certifies individuals as First Responders. At the advanced life support level, the department licenses individuals as provisional emergency medical technician-intermediate (provisional EMT- intermediate), emergency medical technician-intermediate (EMT-intermediate), and emergency medical technician-paramedic (EMT-paramedic). The requirements for basic life support are codified in chs. HFS 110 and 113. Requirements for advanced life support are codified in chs. HFS 111 and 112.

The training and competency requirements for the EMT-basic IV license are identical to the training and competency requirements for the provisional EMT-intermediate license. But because the EMT-basic IV requirements are codified in the basic life support code, ambulance service providers are reimbursed at the basic life support level of care instead of the advanced life support level of care. The ambulance service provider industry report that this situation is having a negative fiscal impact on ambulance service providers that use EMT-basic IV licensees to provide emergency medical services and may eventually cause a reduction of services in the communities that they serve.

To maintain the level of emergency medical services that are currently being provided and to avoid confusion about the skills and level of care provided by the EMT-basic IV licensee, the department proposes to change the name of the EMT-basic IV license to EMT-intermediate technician and move the licensing requirements to ch. HFS 111. No changes to skills and competency requirements are being proposed. The department also proposes to modify the continuing education requirements under ch. HFS 110 to allow ambulance service providers flexibility in providing refresher training to EMT-basic licensees. This change will reduce financial and scheduling burdens on providers by allowing them to use their training dollars more cost effectively, and it will create uniformity between the basic refresher requirements and the refresher requirements that are in place for the other skill levels.

The department will implement these changes in a substantially identical emergency rule to become effective on July 1, 2006, because under current s. HFS 111.045, individuals who are licensed as provisional EMT-intermediate licensees will become EMT-basic IV licensees effective July 1, 2006. If this occurs, it's likely that the currently reported negative affects on the ambulance provider industry will increase.

Summary of, and comparison with, existing or proposed federal regulations:

The department knows of no existing or proposed federal regulations that address these levels of providers.

Comparison with rules in adjacent states:

Wisconsin, Minnesota, Michigan, Illinois, and Iowa all require emergency medical services personnel to be trained under the National Standard Curriculum for the license level they are pursuing. The proposed EMT-intermediate technician license is a unique licensing level for which there is no equivalent in the adjacent states. Regardless of the license level, Wisconsin has a higher training standard than the bordering states with respect to the number of training hours required and skill level attainment required for each level. The refresher training requirements in the adjacent states for the EMT- basic license are similar to what is being proposed in this rule change.

Summary of factual data and analytical methodologies:

The department referred to all of the following to draft the proposed rules and the small business fiscal impact analysis:

1. The department consulted with the Emergency Medical Services Advisory Committee (committee) which represents all interested parties in the emergency medical services community. This committee advised the department on the fiscal hardships that the services are currently experiencing under the restraints of the current rules.
2. The department emergency medical services licensing and other databases to determine the number of ambulance service providers and licensed individuals affected by the proposed rules.
3. Criteria adopted by the department and approved by the Wisconsin Small Business Regulatory Review Board to determine whether the department's proposed rules have a significant economic impact on a substantial number of small businesses. Pursuant to the department's criteria, a proposed rule will have a significant economic impact on a substantial number of small businesses if at least 10% of the businesses affected by the proposed rules are small businesses and if operating expenditures, including annualized capital expenditures, increase by more than the prior year's consumer price index (CPI) or reduces revenues by more than the prior year's CPI. For the purposes of this rulemaking, we used 2005 as the index year; the 2005 CPI is 3.4%. The consumer price index is compiled by the U.S. Department of Labor, Bureau of Labor Statistics and measures, among other things, the rate of inflation.
4. Section 227.114 (1) (a), Stats., which defines "small business" as a business entity, including its affiliates, which is independently owned and operated and not dominant in its field, and which employees 25 or fewer full-time employees or which has gross annual sales of less than \$5,000,000.

Analysis and supporting documents used to determine effect on small business:

In Wisconsin there are approximately 430 ambulance service providers. Approximately 80% are volunteer (not for profit) or owned by private for profit entities. The remaining 20% are government owned. A total of 129 ambulance service providers and 2812 licensed individuals in 48 counties currently provide emergency medical services at the EMT-basic-IV (74) or EMT-provisional intermediate (55) level to approximately 2.65 million Wisconsin residents.

The provider industry estimates that these ambulance service providers are losing approximately \$1.5 million dollars in reimbursement revenues annually due to the codification of the EMT-basic IV services in ch. HFS 110 as basic life support. The loss is likely to increase when the provisional EMT-intermediate is renamed EMT-basic IV effective July 1, 2006, and an estimated 95% of the individuals who are currently licensed and titled as provisional EMT-intermediate will be renamed EMT-basic IV. Consequently, the level of emergency medical services provided in over half of the state's 72 counties may be reduced or become non-existent unless the proposed changes are implemented.

The department believes the proposed changes will have a positive fiscal effect on ambulance service providers as the proposed changes are likely to increase revenues through increased reimbursement. The proposed rules do not require any additional reporting or record keeping, or other requirements that may increase costs or decrease revenues.

Effect on small business:

Pursuant to the foregoing analysis the proposed rules will have a positive fiscal effect on ambulance service providers, including those that may be small businesses.

Agency contact person:

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Place where comments are to be submitted and deadline for submission:

Comments may be submitted to the agency contact person that is listed above and via the Wisconsin Administrative Rules website at <http://adminrules.wisconsin.gov> until 4:30 p.m. on July 31, 2006. Three public hearings will be held as follows:

Hearing Date and Time	Hearing Location
July 25, 2006 1:00 PM to 3:00 PM	Department of Health & Family Services 1 W. Wilson St., Rm. B139 Madison, WI
July 26, 2006 6:00 PM to 8:00 PM	Business Education Center Chippewa Valley Technical College Room 100A (RCU Community Room) 620 West Clairemont Avenue Eau Claire, WI
July 27, 2006 6:00 PM to 8:00 PM	Northwest Technical College Business Center Room 213 2740 West Mason Street Green Bay, WI

The notice of public hearing is posted on the Wisconsin Administrative Rules website at <http://adminrules.wisconsin.gov>.

TEXT OF PROPOSED RULE

SECTION 1. Chapter HFS 110 (title) is amended to read:

Chapter HFS 110 LICENSING OF AMBULANCE SERVICE PROVIDERS AND EMERGENCY MEDICAL TECHNICIANS-BASIC ~~AND BASIC-IV~~

SECTION 2. HFS 110.01 and 110.02 are amended to read:

HFS 110.01 Authority and purpose. This chapter is promulgated under the authority of ss. 146.50 (5) (b) and (d) 1., (6) (b) 2. and (c) (intro.), (6n), (8m) and (13) (a) and (c) and 250.04 (7), Stats., to protect members of the public who require emergency medical care in prehospital or interfacility settings by establishing standards for licensing and operations of ambulance service providers; ~~including standards for the operation of ambulance services~~; standards for licensing emergency medical technicians-basic ~~and~~; standards for certifying centers to provide EMT-basic ~~or EMT-basic-IV~~ training and for approving training courses and instructor-coordinators; ~~and by specifying~~ to specify the required elements of an EMT-basic ~~or EMT-basic-IV~~ operational plan.

HFS 110.02 Applicability. This chapter applies to all applicants for and holders of an ambulance service provider license, an EMT-basic ~~or EMT-basic-IV~~ license or an EMT-basic ~~or EMT-basic-IV~~ training permit, certified training centers, and instructor-coordinators.

SECTION 3. HFS 110.03 (10), (19), (20), (23), (35), (38), (42m), (49), (52), and (54) are amended to read:

HFS 110.03 (10) "Certified training center" means any organization, including a medical or educational institution, approved by the department under s. HFS 110.07 (1) to conduct EMT-basic ~~or EMT-basic-IV~~ training.

(19) "EMT-basic ~~or EMT-basic-IV~~ operational plan" means the plan required under s. HFS 110.08 for training and using EMTs-basic to deliver emergency medical care in a specified service area.

(20) "EMT-basic ~~or EMT-basic-IV~~ refresher training" means training required for EMTs-basic under s. HFS 110.05 (5) as a condition for license renewal.

(23) ~~"EMT-intermediate~~ EMT-intermediate technician", "emergency medical technician-intermediate technician", or EMT-ITECH means ~~a person~~ an individual who is licensed under s. 146.50, Stats., and ch. HFS 111 to perform the functions specified in ch. HFS 111.04 (4) relating to the administration of emergency medical procedures in a prehospital or interfacility setting and relating to the handling and transporting of sick, disabled or injured persons. This title and license level applies to EMTs-intermediate technician who were trained and licensed based on the 2001 Wisconsin revision of the 1989 or earlier edition of the national standard curriculum for training EMTs-intermediate.

(35) "Non-affiliated EMT-basic" means a licensed EMT-basic or ~~EMT-basic-IV~~ who is not affiliated with an approved ambulance service provider and therefore does not have medical direction to perform any advanced skills.

(38) "On-line medical direction" means medical direction of the activities of an EMT-basic or ~~EMT-basic-IV~~ that involves voice communication provided to the EMTs, by the medical director or by a physician designated by the medical director.

(42m) "Preceptor" means an individual licensed as an ~~EMT-basic-IV~~, EMT-intermediate technician, EMT-intermediate, EMT-paramedic, a physician, a registered nurse or a physician assistant who meets the requirements listed in s. HFS 110.07 (1) (c) 6m. and who provides supervision of clinical or field experiences for individuals with an ~~EMT-basic-IV~~-training permit.

(49) "Restricted" means a determination by the medical director that an EMT-basic or ~~EMT-basic-IV~~ may not perform some or all of the skills that require medical director authorization.

(52) "Training center medical director" means the physician who is responsible for medical coordination, direction and conduct of an EMT-basic or ~~EMT-basic-IV~~ training program.

(54) "Wisconsin standard curriculum for training ~~EMT-basic-IV~~ personnel EMTs-intermediate technician" means the curriculum developed and approved by the department as essential for training ~~EMT-basic-IV~~ EMT-intermediate technician personnel.

SECTION 4. HFS 110.03 (18) is repealed.

SECTION 5. HFS 110.03 (22) is repealed and recreated to read:

(22) "EMT-intermediate technician training" means a department-approved training course consisting of classroom and supervised clinical or field experience which will qualify the student for examination and an EMT-intermediate technician license.

SECTION 5m. HFS 110.03 (23) Note is created to read:

HFS 110.03 (23) Note: The EMT-intermediate technician title and license level applies to EMTs-intermediate technician who were trained and licensed based on the 2001 Wisconsin revision of the 1989 or earlier edition of the national standard curriculum for training EMTs-intermediate.

SECTION 6. HFS 110.04 (1) (b) 3. and Note are repealed.

SECTION 7. HFS 110.04 (1) (d) is amended to read:

HFS 110.04 (1) (d) Submit to the department an operational plan that meets all the requirements for the EMT-basic, ~~EMT-basic-IV~~ EMT-intermediate technician, EMT-intermediate or EMT-paramedic license level being requested. An EMT-basic or ~~EMT-basic-IV~~ operational plan shall meet the requirements set out in ~~s. HFS 110.08~~ and in s. HFS 110.04 (1) (b) and (c) and 110.08.

SECTION 8. HFS 110.045 (4) (a) (intro.), 1. and 11. are amended to read:

HFS 110.045 Qualifications of ambulance service medical directors. (4) **MEDICAL DIRECTOR RESPONSIBILITIES.** (a) *Medical supervision.* An emergency medical technician-basic program shall be under the medical supervision of a medical director identified in the EMT-basic or

~~EMT-basic IV~~ operational plan. Upon signing the EMT-basic or ~~EMT-basic IV~~ operational plan, the medical director shall be responsible for the medical aspects of implementing the emergency medical technician training and operations carried out under the plan and shall do all of the following:

1. Select, approve or designate the personnel who will train and medically supervise emergency medical technician personnel, the program coordinator and the training course instructor if the course is offered outside of an approved EMT-basic or ~~EMT-basic IV~~ or refresher course.

11. Withdraw medical approval from any EMT-basic or ~~EMT-basic IV~~ to perform EMT-basic or ~~EMT-basic IV~~ skills, including approved advanced skills, if the EMT-basic or ~~EMT-basic IV~~ is found to have engaged in conduct dangerous or detrimental to the health or safety of a patient or to members of the general public while operating or performing under the scope of the license or is found to need remedial training to properly treat patients. Upon withdrawing medical approval, the medical director and ambulance service director must also develop a course of action for remediation of the EMT, with a timeline for completion and return to full service. The EMT-basic or ~~EMT-basic IV~~ shall be restricted in providing EMT-basic or ~~EMT-basic IV~~ service until the medical director has reviewed the individual's performance and approves the individual to return to full service. The medical director shall immediately inform the department in writing of the restriction on the individual and shall inform the department of the date the individual is returned to full service.

SECTION 9. HFS 110.05 (title), (1) (intro.), (d) and (f), (2), (3) (a) and (b), (4) (title) and (e) Note, (5) (b) (intro.) and 3., (c), (d) 1. c. and 2., (e) 1. c. and e., 2. and 3., (f) (intro.), 1., 2., and Note, and (6) (a) (intro.) and (e) are amended to read:

HFS 110.05 Licensing of EMTs-basic and ~~EMT-basic IV~~ personnel. (1) APPLICATION. An individual requesting a license to act as an EMT-basic or ~~EMT-basic IV~~ shall comply with all of the following:

(d) Present documentation of successful completion of department-approved EMT-basic or ~~EMT-basic IV~~ training taken within 24 months prior to application or proof of current national registry of EMTs registration or proof of equivalent training and current licensure from another state. The training shall include training for responding to acts of terrorism.

(f) Present documentation of successful completion of a department-approved written and practical skills examination under s. 146.50 (6) (a) 3., Stats., taken after successful completion of EMT-basic or ~~EMT-basic IV~~ training.

(2) ACTION BY THE DEPARTMENT. Within 60 business days after receiving a complete application for an EMT-basic or ~~EMT-basic IV~~ license, the department shall either approve the application and issue the license or deny the application. If the application for a license is denied, the department shall give the applicant reasons, in writing, for the denial and shall inform the applicant of the right to appeal that decision under s. HFS 110.09 (5). In this section, "complete application" means a completed application form and documentation that the requirements of sub. (1) (b) to (h) are met.

(3) EXAMINATION. (a) An examination for an EMT-basic or ~~EMT-basic IV~~ license shall consist of a written part and a practical skills part.

(b) An individual who fails to pass the written examination after 3 attempts may not participate in another examination until having presented to the department satisfactory documentation of successful completion of at least EMT-basic or ~~EMT-basic IV~~ refresher training taken following the third failure.

(4) AUTHORIZED ACTIONS OF ~~EMT~~~~SEMTs~~-BASIC AND ~~EMT-BASIC IV~~ PERSONNEL. (e)

Note: Non-affiliated ~~EMTs~~-basic or ~~EMT~~-basic IV personnel may not perform any advanced skills because they are not affiliated with an approved ambulance service provider and therefore do not have medical direction.

(5) RENEWAL OF A LICENSE. (b) *Requirements for renewal.* To renew an ~~EMT~~-basic or ~~EMT~~-basic IV license, a licensee shall, by June 30 of the even-numbered year following initial licensing and every 2 years thereafter, submit all of the following to the department:

3. Documentation that the licensee has, during the biennial licensing period immediately preceding the license expiration date, successfully completed ~~EMT~~-basic refresher training as described in s. HFS 110.07 (3) (c) and ~~EMT~~-basic IV refresher training if licensed at the ~~EMT~~-basic IV level or equivalent training approved by the department.

(c) *Failure to submit materials by license expiration date.* A licensee who fails to submit the materials described in par. (b) by the renewal date may not represent himself or herself as, function as or perform the duties of a licensed ~~EMT~~-basic or ~~EMT~~-basic IV after the date of license expiration.

(d) *Late renewal.* 1. c. Documentation that the licensee has, during the biennial licensing period immediately preceding the license expiration date, successfully completed ~~EMT~~-basic refresher training as described in s. HFS 110.07 (3) (c) and ~~EMT~~-basic IV refresher training if licensed at the ~~EMT~~-basic IV level.

2. Granting of late renewal under this paragraph does not exempt the licensee from the responsibility to complete department-approved ~~EMT~~-basic or ~~EMT~~-basic IV refresher training within the biennial licensing period for which the renewal license is issued in order to qualify for renewal on the next renewal date.

(e) *Reinstatement of lapsed license.* 1. c. Documentation that the licensee has, during the biennial licensing period immediately preceding the license expiration date, successfully completed ~~EMT~~-basic refresher training as described in s. HFS 110.07 (3) (c) and ~~EMT~~-basic IV refresher training if licensed at the ~~EMT~~-basic IV level.

e. Documentation that the applicant has successfully completed a written and practical skills examination approved by the department following successful completion of the ~~EMT~~-basic refresher training and ~~EMT~~-basic IV refresher training if licensed at the ~~EMT~~-basic IV level.

2. Being granted reinstatement of a license under this paragraph does not exempt the licensee from the responsibility to complete ~~EMT~~-basic, and ~~EMT~~-basic IV, if licensed at the ~~EMT~~-basic IV level, refresher training within the biennial licensing period for which the reinstated license is issued in order to qualify for renewal on the next renewal date.

3. A license that has been expired for 3 or more years may be reinstated only if the applicant has successfully completed the training and examination requirements for the initial ~~EMT~~-basic or ~~EMT~~-basic IV license within the 24 months immediately preceding application for reinstatement.

(f) *Completion of other emergency medical technician training.* A licensee may substitute either of the following for the required ~~EMT~~-basic or ~~EMT~~-basic IV refresher training:

1. Documentation of successful completion, within the 24 months immediately preceding the license expiration date, of an ~~EMT~~-basic or ~~EMT~~-basic IV EMT-intermediate technician,

EMT-intermediate or EMT-paramedic training course, including the knowledge and skills objectives of the national standard curriculum for training EMTs-basic, the Wisconsin standard curriculum for training ~~EMT-basic-IV~~ EMT-intermediate technician personnel, the national standard curriculum for training EMTs-intermediate, as defined in s. HFS 111.03, or the national standard curriculum for training EMTs-paramedic, as defined in s. HFS 112.03.

2. If an EMT-basic ~~or EMT-basic-IV~~ is required to be licensed in 2 states to be affiliated with a particular ambulance service, refresher training received to meet the requirements of the other state if the training meets at least the minimum requirements for license renewal under this chapter.

Note: For a copy of the application form for renewal or reinstatement of an EMT-basic ~~or EMT-basic-IV~~ license, write: EMS Systems and Licensing Section, Division of Public Health, P.O. Box 2659, Madison, WI 53701-2659 or download the form from the DHFS website at www.dhfs.state.wi.us/DPH_EMSIP/index.htm.

(6) CONTINUING EDUCATION. (a) An EMT-basic ~~or EMT-basic-IV~~ authorized to use one or more advanced skills shall, in addition to meeting license renewal requirements, participate in a continuing education program. Continuing education shall include:

(e) If the required continuing education is received outside of an EMT-basic ~~or EMT-basic-IV~~ refresher course, the ambulance service provider shall retain documentation for a period of 2 years establishing that each emergency medical technician affiliated with the service has satisfied the continuing education requirements for advanced skills. The ambulance service provider shall make the documentation available to the department for review upon request.

SECTION 10. HFS 110.05 (1) (intro.) Note, (4) (c), and (6) (a) 4. are repealed.

SECTION 11. HFS 110.06 (title), (3), (5) and Note are amended to read:

HFS 110.06 EMT-basic and EMT-basic-IV training permit. (3) ACTION BY THE DEPARTMENT. Within 40 business days after receiving a complete application for an EMT-basic ~~or EMT-basic-IV~~ training permit, the department shall either approve the application and issue the permit or deny the application. If the application for a permit is denied, the department shall give the applicant reasons, in writing, for the denial and shall inform the applicant of the right to appeal that decision under s. HFS 110.09 (5). In this subsection, "complete application" means a completed application form and documentation that, for an EMT-basic, the requirements of sub. (1) (b) to (f) are met ~~or, for an EMT-basic-IV, the requirements of sub. (2m) (a) to (f) are met.~~

(5) DURATION OF PERMIT. An EMT-basic ~~or EMT-basic-IV~~ training permit shall be issued for 2 years and may not be extended or renewed. A new EMT-basic training permit can be granted if the applicant enrolls in an EMT-basic course and successfully completes the first 46 hours of that course. ~~A new EMT-basic-IV training permit can be granted if the applicant enrolls in an EMT-basic-IV course and successfully completes the classroom portion of the course.~~

Note: Copies of the form required to apply for issuance of an EMT-basic ~~or EMT-basic-IV~~ training permit are available without charge from the EMS Systems and Licensing Section, Division of Public Health, P.O. Box 2659, Madison, WI 53701-2659 or download the form from the DHFS website at www.dhfs.state.wi.us/DPH_EMSIP/index.htm.

SECTION 12. HFS 110.06 (2m) and (4) (b) are repealed.

SECTION 13. HFS 110.07 (title), (1) (a), (b), and (c) 3., 5., 6., 6m. (intro.) and a. to c., 6r., and 8. Note, (e) and (f), (2) (a) (intro.) and 1., (c) and (d) (intro.) and 1., and (3) (a) to (e) are amended to read:

HFS 110.07 EMT–basic and EMT–basic IV training. (1) (a) TRAINING CENTER CERTIFICATION. (a) *Requirement for certification.* EMT–basic training, and EMT–basic refresher training, ~~EMT–basic IV training and EMT–basic IV refresher training~~ shall be provided by training centers certified by the department under this subsection.

(b) *Application for certification.* Any Wisconsin technical college system district, other public or private school or college, hospital or other organization may apply to the department for certification to provide EMT–basic ~~or EMT–basic IV~~ training.

(c) 3. A signed commitment to provide EMT–basic ~~or EMT–basic IV~~ training in accordance with the national standard curriculum for training EMTs–basic ~~or Wisconsin standard curriculum for training EMT–basic IV~~ personnel and to comply with relevant requirements of s. 146.50, Stats., and this chapter.

5. Identification and documentation of the qualifications of the physician who will function as medical director of the training center with responsibility for overall medical quality of the EMT–basic ~~or EMT–basic IV~~ training program. The training course medical director shall have experience in emergency medicine and shall settle questions of medical protocol and serve as a liaison between the training center and the medical community. Materials submitted shall include both of the following:

6. Identification and a listing of the qualifications of the person who will function as instructor–coordinator of the EMT–basic ~~or EMT–basic IV~~ training with specification of that person’s responsibilities.

6m. Identification and a listing of the qualifications of each person who will function as preceptor of ~~EMT–basic IV~~ EMT–basic field training, with specifications of that person’s responsibilities. A copy of the preceptor’s resume shall be kept on file at the training center and made available to the department upon request. The preceptor shall comply with all of the following:

a. Be licensed to at least the ~~EMT–basic IV~~ EMT–basic level. Physicians, registered nurses and physician assistants, with training and experience in the pre–hospital emergency care of patients, shall be considered to be trained to at least the EMT–intermediate technician level.

b. Have a minimum of 2 years experience as a licensed practicing ~~EMT–basic IV~~ EMT–basic or equivalent as determined by the department and be designated by the service medical director.

c. Have responsibility for completing records of the field training of ~~EMT–basic IV~~ EMT–basic students and forwarding them to the training center.

6r. Documentation that field training for ~~EMTs–basic IV~~ EMT–basic will be provided by a Wisconsin licensed ~~EMT–basic IV~~ EMT–basic ambulance provider or providers as evidenced by the signatures of the training center representative, training center medical director and the medical director and operator for all ambulance service providers agreeing to provide supervised field training. A copy of the signed agreement shall be kept on file at the training center and made available to the department upon request.

8. Note: Send an application for certification of an EMT-basic or ~~EMT-basic IV~~ training center to the EMS Systems and Licensing Section, Division of Public Health, P.O. Box 2659, Madison, WI 53701-2659.

(e) *Department action.* Within 60 business days after receiving a complete application for certification of an EMT-basic or ~~EMT-basic IV~~ training center, the department shall either approve the application and issue the certification or deny the application. If the application is denied, the department shall give the applicant reasons, in writing, for the denial and shall inform the applicant of the right to appeal that decision under s. HFS 110.09 (5).

(f) *Certification required prior to initiation of training.* Certification of a proposed training center by the department shall be a prerequisite to the initiation of EMT-basic or ~~EMT-basic IV~~ training and EMT-basic or ~~EMT-basic IV~~ refresher training.

(2) ~~EMT-BASIC AND EMT-BASIC IV INSTRUCTOR-COORDINATOR CERTIFICATION.~~ (a) EMT-basic and ~~EMT-basic IV~~ instructor-coordinators shall be certified by the department under this subsection. EMT-basic and ~~EMT-basic IV~~ instructor-coordinators shall comply with all of the following:

1. Have current certification as an EMT-basic, ~~EMT-basic IV~~, EMT-intermediate or EMT-paramedic by the national registry of emergency medical technicians or a current EMT-ITECH license under ch. HFS 111 or EMT-paramedic license under ch. HFS 112. ~~Instructor-coordinators for EMT-basic IV courses shall have certification as an EMT-basic IV, EMT-intermediate or EMT-paramedic by the national registry of emergency medical technicians or a current EMT-paramedic license under ch. HFS 112.~~

(c) Licensure as an EMT-basic, certification as a CPR instructor and as an EMT-basic or ~~EMT-basic IV~~ instructor-coordinator shall be kept current for maintenance of approval.

(d) To renew certification as an EMT-basic or ~~EMT-basic IV~~ instructor-coordinator, an instructor-coordinator shall submit to the department all of the following:

1. Documentation of current licensure as a Wisconsin EMT and ~~hold~~ current national registry certification or ~~hold~~ a current EMT-ITECH or EMT-intermediate under ch. HFS 111 or EMT-paramedic license under ch. HFS 112. ~~EMT-basic IV instructor-coordinators shall hold a current EMT-basic IV license or higher EMT license.~~

(3) TRAINING COURSE APPROVAL. (a) Each EMT-basic or ~~EMT-basic IV~~ training course and each EMT-basic refresher or ~~EMT-basic IV refresher~~ training course offered by a training center certified under sub. (1) shall be approved by the department under this subsection.

(b) Application for initial course approval at the EMT-basic or ~~EMT-basic IV~~ level shall be made by submitting to the department a statement that indicates all sections of the national standard curriculum and department standards for training EMTs-basic or ~~EMTs-basic IV~~ will be used and ~~which~~ identifies the number of hours devoted to classroom training and supervised clinical or field experience. Applications for approval of an initial course from a Wisconsin technical college system district shall be jointly reviewed by the department and the Wisconsin technical college system board. An application for initial course approval shall include all of the following:

(c) Application for EMT-basic or ~~EMT-basic IV~~ refresher training course approval shall be made by submitting to the department a statement that the national standard curriculum and

department standards for training EMTs–basic shall be the basis for the course. To be approved by the department, EMT–basic refresher training shall meet all of the following criteria:

(d) Within 60 business days after receiving a complete application for approval of an EMT–basic, ~~EMT–basic IV~~, or EMT–basic refresher or ~~EMT–basic IV~~ refresher training course, the department shall either approve the application and issue the certification or deny the application. If the application is denied, the department shall give the applicant reasons, in writing, for the denial and shall inform the applicant of the right to appeal that decision under s. HFS 110.09 (5).

(e) Approval of the proposed course by the department shall be a prerequisite to the initiation of EMT–basic, or EMT–basic refresher, ~~EMT–basic IV~~ or ~~EMT–basic IV~~ refresher training. Approval of the training course shall include approval of curriculum, procedures, administrative details and guidelines necessary to ensure a standardized program.

SECTION 14. HFS 110.07 (3) (c) 5. and (5) are repealed.

SECTION 15. HFS 110.08 (title), (1), (2) (intro.), (f), (h), (i), (o), (q) and Note, (3) (a), (4) (a) and (b), (5), and (6) (a) and (b) are amended to read:

HFS 110.08 EMT–basic or EMT–basic IV operational plan. (1) PLAN SUBMISSION. A county, city, town, village, prospective or licensed ambulance service provider, hospital or any combination of these may operate an EMT–basic or ~~EMT–basic IV~~ ambulance service. Before operating an ambulance service, a county, city, town, village, prospective or licensed ambulance service provider, hospital or any combination of these shall first submit to the department an EMT–basic or ~~EMT–basic IV~~ operational plan for department review and approval. Department approval of the plan shall be a prerequisite to initiation of EMT–basic or ~~EMT–basic IV~~ service provision. Once the plan is approved, any modifications shall be submitted to the department and approved prior to implementation.

(2) REQUIRED ELEMENTS. To be approved, an EMT–basic or ~~EMT–basic IV~~ operational plan shall include all of the following elements:

(f) A description of the communication system for providing medical control to EMT–basic or ~~EMT–basic IV~~ personnel. When installing communications equipment in ambulances, the ambulance service provider shall comply with the specifications and standards of the Wisconsin statewide emergency medical services communications system. All ambulances shall have direct radio contact with a hospital emergency department on the designated ambulance–to–hospital frequency.

(h) A description of the methods by which continuing education and continuing competency of EMT–basic or ~~EMT–basic IV~~ personnel will be assured.

(i) A description of the relationship of the proposed EMT–basic or ~~EMT–basic IV~~ services to other emergency medical and public safety services in the geographic area covered in the plan.

(o) Protocols for EMT–basic or ~~EMT–basic IV~~ use of specific drugs, equipment and skills approved and signed by the medical director, which describe how medical treatment will be provided and at what point in a protocol direct voice authorization of a physician is required.

(q) Evidence that all ambulances to be used by EMTs–basic have been inspected or approved by the Wisconsin department of transportation within the 6 months preceding submission of the plan and that they meet the requirements of ch. Trans 309. An ambulance shall carry equipment and

supplies that comply with ch. Trans 309 and that are necessary to effectively render EMT–basic or ~~EMT–basic–IV~~ services as described in the operational plan.

Note: Send the EMT–basic or ~~EMT–basic–IV~~ operational plan to the EMS Systems and Licensing Section, Division of Public Health, P.O. Box 2659, Madison, WI 53701–2659.

(3) REVIEW AND DECISION. (a) The department shall, within 60 business days following receipt of a complete EMT–basic or ~~EMT–basic–IV~~ operational plan, either approve the plan or disapprove the plan. If the plan is disapproved, the department shall give the applicant reasons, in writing, for disapproval.

(4) IMPLEMENTATION. (a) Following department approval of an EMT–basic or ~~EMT–basic–IV~~ operational plan, all persons named in the plan may implement the program.

(b) The department shall be informed immediately of any changes to the operational plan that alter the hospital, medical director or ambulance service provider involved, or the training program or EMT–basic or ~~EMT–basic–IV~~ program operations included in an approved plan. The changes shall be approved by the department for the operational plan to be revised.

(5) CONTINUED APPROVAL. Continuation of approval of an EMT–basic or ~~EMT–basic–IV~~ operational plan shall depend on continuous conformance of the plan with the requirements in subs. (2) and (4), as determined by a joint review of the plan by the department and the ambulance service provider every 2 years.

(6) SPECIAL EVENT EMT–BASIC OR ~~EMT–BASIC–IV~~ NOTIFICATION. (a) In this subsection, “special event EMT–basic or ~~EMT–basic–IV~~ coverage” means prehospital EMT–basic or ~~EMT–basic–IV~~ service provided at a specific site outside the ambulance service provider’s primary prehospital service area for the duration of a temporary event.

(b) If the special event EMT–basic or ~~EMT–basic–IV~~ coverage is outside an ambulance service provider’s primary prehospital service area, the ambulance service shall notify the local primary emergency response ambulance service provider and address how the ambulance service providing special event coverage will interface with the local provider for dispatch and communications and advanced life support intercept when appropriate. Notification shall take place as soon as possible and no later than 5 days prior to the event.

SECTION 16. HFS 110.09 (1) (title), (intro.), (a), (g) and (i), (2), (3), (5), and (6) are amended to read:

HFS 110.09 Enforcement. (1) DENIAL OF LICENSE, AUTHORIZATION, PERMIT OR CERTIFICATION; NONRENEWAL; SUSPENSION; REVOCATION; OR REPRIMAND OF LICENSEE, PERMIT HOLDER, CERTIFIED TRAINING CENTER OR CERTIFIED EMT–BASIC OR ~~EMT–BASIC–IV~~ INSTRUCTOR–COORDINATOR. The department may deny, refuse to renew, suspend or revoke an ambulance service provider license, an EMT–basic or ~~EMT–basic–IV~~ license, an authorization for an EMT–basic or ~~EMT–basic–IV~~ to use advanced skills, an EMT–basic or ~~EMT–basic–IV~~ training permit, a training center certification or an EMT–basic or ~~EMT–basic–IV~~ instructor–coordinator certification or reprimand a licensee, permit holder, certified training center or certified EMT–basic or ~~EMT–basic–IV~~ instructor–coordinator after providing the applicant, ambulance service provider, EMT–basic or ~~EMT–basic–IV~~ licensee, EMT training permit holder, certified training center or certified EMT–basic or ~~EMT–basic–IV~~ instructor–coordinator with written notice of the proposed action and written notice of opportunity for a hearing under sub. (5), if the department makes a finding of any of the following:

(a) The applicant, licensee, permit holder, certified training center or certified EMT–basic or ~~EMT–basic–IV~~ instructor–coordinator does not meet the eligibility requirements established in s. 146.50, Stats., and this chapter.

(g) As an EMT–basic or ~~EMT–basic–IV~~ licensee or permit holder, the individual has failed to maintain certification in CPR for health care professionals by completing a course approved by the department, and has acted as an EMT.

(i) As a certified training center or EMT–basic or ~~EMT–basic–IV~~ instructor–coordinator, the center or EMT–basic or ~~EMT–basic–IV~~ instructor–coordinator has failed to adhere to the requirements under s. HFS 110.07.

(2) EMERGENCY SUSPENSION OF LICENSE, PERMIT OR CERTIFICATION. (a) The department may summarily suspend an ambulance service provider license, EMT–basic or ~~EMT–basic–IV~~ license, authorization for an EMT–basic or ~~EMT–basic–IV~~ to use advanced skills, EMT–basic or ~~EMT–basic–IV~~ training permit, training center certification or EMT–basic or ~~EMT–basic–IV~~ instructor–coordinator certification when the department has probable cause to believe that the licensee, permit holder, certified training center or certified EMT–basic or ~~EMT–basic–IV~~ instructor–coordinator has violated the provisions of s. 146.50, Stats., or this chapter, and that it is necessary to suspend the license or permit immediately, without advance written notice, to protect the public health, safety or welfare.

(3) EFFECT ON THE LICENSE OF AN EMT–BASIC OR ~~EMT–BASIC–IV~~ WHEN MEDICAL AUTHORIZATION IS WITHDRAWN TO USE ADVANCED SKILLS. The medical director may withdraw medical approval from any EMT–basic or ~~EMT–basic–IV~~ to perform EMT–basic or ~~EMT–basic–IV~~ and or advanced skills if the licensee has engaged in conduct dangerous or detrimental to the health or safety of a patient or to members of the general public while operating or performing under the scope of the license or needs remedial training to properly treat patients. The EMT–basic or ~~EMT–basic–IV~~ may be restricted from providing EMT–basic or ~~EMT–basic–IV~~ service until the medical director has reviewed the individual's performance and approves the individual to return to full service. The medical director shall immediately inform the department in writing of the restriction on the individual and shall inform the department of the date the individual is returned to full service. An action taken by the medical director under this subsection does not affect an emergency medical technician's license unless action is also taken under sub. (1) or (2) against the individual holding that license.

(5) APPEAL. If, under sub. (1), the department denies, refuses to renew, suspends or revokes an ambulance service provider license, an EMT–basic or ~~EMT–basic–IV~~ license or training permit or a training center certification or an EMT–basic or ~~EMT–basic–IV~~ instructor–coordinator certification, or reprimands a licensee, permit holder, certified training center or certified EMT–basic instructor–coordinator, the department shall send written notice of the action within 48 hours after the action takes place. Receipt of the notice is presumed within 5 days of the date the notice is mailed. The applicant, licensee, permit holder, certified training center or certified EMT–basic instructor–coordinator may request a hearing under s. 227.42, Stats. The request for a hearing shall be submitted in writing to and received by the department of administration's division hearings and appeals within 30 days after the date of the notice required under sub. (1). A request is considered filed when received by the division of hearings and appeals. The division of hearings and appeals shall hold the hearing no later than 30 days after receiving the request for the hearing unless both parties agree to a later date and shall provide at least 10 days prior notification of the date, time and place for the hearing. The hearing examiner shall issue a proposed or final decision within 10 days after the hearing. The denial, refusal to renew, suspension or revocation shall remain in effect until a final decision is rendered.

(6) REPRIMANDS. The department may reprimand a licensee, permit holder, certified training center or certified EMT–basic or ~~EMT–basic IV~~ instructor–coordinator if the department finds that the licensee, permit holder, certified training center or certified EMT–basic or ~~EMT–basic IV~~ instructor–coordinator falls within any of the circumstances specified in sub. (1) (a) to (h). The department’s issuance of the reprimand shall constitute the final decision of the department and is not subject to a hearing under sub. (5).

SECTION 17. HFS 111 (title) is amended to read:

Chapter HFS 111 (title) LICENSING OF EMERGENCY MEDICAL
TECHNICIANS–INTERMEDIATE TECHNICIANS AND EMERGENCY MEDICAL TECHNICIANS–
INTERMEDIATE AND APPROVAL OF EMERGENCY MEDICAL TECHNICIAN–INTERMEDIATE
TECHNICIAN AND EMERGENCY MEDICAL TECHNICIAN-INTERMEDIATE OPERATIONAL PLANS

SECTION 18. HFS 111.01 and 111.02 are amended to read:

HFS 111.01 Authority and purpose. This chapter is promulgated under the authority of ss. 146.50 (4) (c), (5) (b) , (6) (b) 2., (6n) and (13) and 250.04 (7), Stats., to protect members of the public who require emergency medical care in prehospital or interfacility settings by establishing standards for licensing emergency medical technicians-intermediate technician (EMTs-intermediate technician), emergency medical technicians–intermediate (EMTs–intermediate) and for approving county, city, town, village and hospital emergency medical service plans that propose to use EMTs–intermediate technicians or EMTs-intermediate to deliver emergency medical care.

HFS 111.02 Applicability. This chapter applies to any person who applies for or holds an EMT–intermediate technician or EMT-intermediate license or training permit; to any organization applying for certification or certified to offer EMT–intermediate technician or EMT-intermediate training; and to any county, city, town, village, hospital or ambulance service provider, or any combination of these, wanting to use or using EMTs–intermediate technician or EMT-intermediate to deliver emergency medical care.

SECTION 19. HFS 111.03 (1), (8), (11), (13), (14), (16), (25), (27), (28), (32), (35), (39), (43) and (44) are amended to read:

HFS 111.03 (1) “Advanced life support” or “ALS” means use, by appropriately trained and licensed personnel, in prehospital and interfacility emergency care and transportation of patients, of the medical knowledge, skills and techniques included in the department–approved training required for licensure of emergency medical technicians–paramedic under ch. HFS 112 or emergency medical technicians–intermediate or emergency medical technicians-intermediate technicians under this chapter and which are not included in basic life support.

(8) “Certified training center” means any organization, including a medical or educational institution, approved by the department under s. HFS 111.06 (1) to conduct EMT–intermediate technician or EMT-intermediate training.

(11) “EMT-intermediate” or “emergency medical technician-intermediate” or “EMT-I” means an individual who is licensed under s. 146.50, Stats., and this chapter to perform the functions specified in this chapter relating to the administration of emergency medical procedures in a prehospital or interfacility setting and relating to the handling and transporting of sick, disabled or injured persons. This title and license level applies to EMTs-intermediate who were trained and licensed based on the

2001 Wisconsin revision of the 1999 edition of the national standard curriculum for training EMTs-intermediate.

(13) “EMT-intermediate instructor-coordinator” means a person approved by the department or, if employed by the Wisconsin technical college system board, jointly approved by the department and the Wisconsin technical college system board, who meets or exceeds the requirements identified under ~~s. HFS 111.06 (1) (c) 4.~~ s. HFS 111.06 (2), including advanced cardiac life support training and is the lead instructor for an approved course.

(14) “EMT-intermediate technician or EMT-intermediate operational plan” means the plan required under s. 146.55 (2) (a), Stats., for training and using EMTs-intermediate technician or EMTs-intermediate to deliver emergency medical care in a specified primary service area.

(16) “EMT-intermediate technician or EMT-intermediate training course” means a training course approved by the department under s. HFS 111.06 (2) that consists of classroom, clinical and supervised field training and experience to qualify an individual for examination and an EMT-intermediate technician or EMT-intermediate license.

(25) “National standard curriculum for training EMTs-intermediate” or “national standard curriculum” means the emergency medical technician-intermediate: national standard curriculum, 1985, 1989, or 1999 edition, published by the national highway traffic safety administration of the U.S. department of transportation.

(27) “On-line medical control” means medical direction of the activities of an EMT-intermediate technician or EMT-intermediate that involves voice communication provided to EMTs by the medical director or a physician designated by the medical director.

(28) “On-line medical control physician” means a physician who is designated by the medical director to provide voice communicated medical direction to EMT-intermediate technician or intermediate personnel and to assume responsibility for the care provided by EMT-intermediate technician or EMT-intermediate personnel in response to that direction.

(32) “Preceptor” means an individual licensed as an EMT-intermediate technician, EMT-intermediate, ~~an EMT-paramedic, or a physician, a registered nurse or a physician assistant~~ and who meets the requirements listed in ~~s. HFS 111.06 (1) (c) 5.~~ and who provides supervision of clinical or field experiences for individuals with an EMT-intermediate technician or EMT-intermediate training permit.

(35) “Protocol” means a written statement signed and dated by the medical director and approved by the department that lists and describes the steps an EMT-intermediate technician or EMT-intermediate is to follow in assessing and treating a patient.

(39) “Restricted” means a determination by the medical director that an EMT-intermediate technician or EMT-intermediate may not perform some or all of the skills that require medical director authorization.

(43) “Training center medical director” means the physician who is responsible for medical coordination, direction and conduct of an EMT-intermediate technician or EMT-intermediate training program.

(44) “2001 Wisconsin revision of the national standard curriculum for training EMTs-intermediate technician or EMTs-intermediate” means the curriculum essential for training EMTs-intermediate technicians or EMTs-intermediate that is based on the national standard curriculum for training EMTs-intermediate with adaptations and modifications approved by the department.

SECTION 20. HFS 111.03 (12) and (36) are repealed.

SECTION 21. HFS 111.03 (11m) and Note, (13m), and (15m) are created to read:

(11m) “EMT-intermediate technician”, “emergency medical technician–intermediate technician”, or “EMT-ITECH” means an individual who is licensed under s.146.50, Stats., and ch. HFS 111 to perform the functions specified in ch. HFS 111.04 (4) relating to the administration of emergency medical procedures in a prehospital or interfacility setting and relating to the handling and transporting of sick, disabled or injured persons.

Note: The EMT-intermediate technician title and license level applies to EMTs–intermediate technician who were trained and licensed based on the 2001 Wisconsin revision of the 1989 or earlier edition of the national standard curriculum for training EMTs-intermediate.

(13m) “EMT–intermediate technician instructor–coordinator” or “EMT-ITECH instructor-coordinator” means a person approved by the department or, if employed by the Wisconsin technical college system board, jointly approved by the department and the Wisconsin technical college system board, who meets or exceeds the requirements identified under s. HFS 111.06 (2). This person may act as the lead instructor for an approved course.

(15m) “EMT–intermediate technician refresher training” means training required for EMTs–intermediate technician under s. HFS 111.04 (5) (f) 1., as a condition for license renewal.

SECTION 22. HFS 111.04 (title), (1) (intro.), (e), (f), and (h), (2) (a) and (b), (3), (4) (title), (intro.) and (a), (5) (b) (intro.), 3., 4. and 5., (c), (d) 1. d. and e., (e) 1. d. and e., and (f) 2. are amended to read:

HFS 111.04 Licensing of EMTs–intermediate technician and EMTs-intermediate. (1)

APPLICATION. An individual requesting a license to act as an ~~EMT–intermediate~~ EMT-ITECH or EMT-intermediate shall comply with all of the following:

(e) Present documentation that verifies the successful completion of classroom, clinical and field experience training offered by a department approved ~~EMT–intermediate~~ EMT-ITECH or EMT-intermediate training course within 24 months prior to application, or equivalent training in all areas listed under s. HFS 111.06 (4) and is deemed to be comparable by the department. The training shall include training for responding to acts of terrorism.

(f) Present documentation of passing a department–approved examination under s. 146.50 (6) (a) 3., Stats., taken after successful completion of ~~EMT–intermediate~~ EMT-ITECH or EMT-intermediate training.

(h) If affiliated with an ~~EMT–intermediate~~ EMT-ITECH or EMT-intermediate ambulance service, present a signed statement from the medical director certifying acceptance of the applicant in the ~~EMT–intermediate~~ EMT-ITECH or EMT-intermediate program and endorsing the application.

(2) EXAMINATION. (a) The examination for an ~~EMT–intermediate~~ EMT-ITECH or EMT-intermediate license shall be administered by the department or the department’s designee, at a time

and place fixed by the department. The examination shall be based on the content of the 2004 most current Wisconsin revision of the national standard intermediate technician or intermediate curriculum to under which the candidate has been trained.

(b) An individual who fails to pass the written examination after 3 attempts may not participate in another examination until having presented the department satisfactory documentation of successful completion of at least ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate refresher training taken following the third failure. The individual shall pass the examination within 24 months of ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate course completion. An individual who fails a fourth examination shall repeat the entire ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate training program in order to reapply to take an examination.

(3) ACTION BY THE DEPARTMENT. Within 60 business days after receiving a complete application for an ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate license, the department shall either approve the application and issue the license or deny the application. If the application for a license is denied, the department shall explain in writing why the application was denied and shall inform the applicant of the right to appeal that decision under s. HFS 111.08 (5). In this subsection, "complete application" means a completed application form and documentation that the requirements of sub. (1) (b) to (i) are met.

(4) AUTHORIZED ACTIONS OF EMTS-INTERMEDIATE TECHNICIAN AND EMTS-INTERMEDIATE. An ~~emergency medical technician-intermediate~~ EMT-ITECH or EMT-intermediate may perform only the following actions as supported and directed by the curricula for training and scope of practice documents for each level:

(a) Administration of basic life support in accordance with skills and medications covered in the current national standard curriculum for training EMTs-basic as defined in s. HFS 110.03 (34), ~~administration of basic IV life support in accordance with skills and medications covered in the Wisconsin standard curriculum for training EMTs-basic IV as defined in s. HFS 110.03 (54),~~ and any additional basic life support skills authorized by the medical director and approved by the department.

(5) (b) *Requirements for renewal.* To renew an ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate license, a licensee shall, by June 30 of the even-numbered year following initial licensing and every 2 years thereafter, submit to the department all of the following:

3. Documentation that the licensee has, during the biennial licensing period immediately preceding the license application date, successfully completed the refresher training requirements specified under par. (f) 4.

4. If affiliated with an ~~intermediate~~ EMT-ITECH or EMT-intermediate ambulance service provider, a statement from the medical director of the approved ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate program in which the licensee functions, attesting to the fact that the licensee retains proficiency in basic life support as defined in s. HFS 111.03 (5) and in ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate skills and is authorized by the medical director of the ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate program in which the licensee functions to use those skills.

5. ~~Documentation~~ If an EMT-intermediate, documentation of current training in advanced cardiac life support, which meets the standards established by the American heart association.

(c) *Failure to submit materials by license expiration date.* A licensee who fails to submit the materials described in par. (b) by the license expiration date may not represent himself or herself as,

function as, or perform the duties of a licensed ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate after the date of license expiration.

(d) *Late renewal.* 1. d. If affiliated with an ~~intermediate~~ EMT-ITECH or EMT-intermediate ambulance service provider, a signed statement from the medical director of the approved ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate operational program attesting to the fact that the licensee retains proficiency in basic life support as defined in s. 146.50 (1) (d), Stats., and in ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate skills and is authorized by the medical director of the ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate program in which the licensee functions to use those skills.

e. ~~Documentation~~ If an EMT-intermediate, documentation of current training in advanced cardiac life support, which meets the standards established by the American heart association.

(e) *Reinstatement of expired license.* 1. d. If affiliated with an ~~intermediate~~ ambulance service provider who provides EMT-intermediate services, a signed statement from the medical director of the approved ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate program in which the licensee functions, attesting to the fact that the licensee retains proficiency in basic life support and in ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate skills and is authorized to use those skills by the medical director of the ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate program in which the licensee functions.

e. ~~Present~~ If an EMT-intermediate, documentation of current training in advanced cardiac life support, which meets the standards established by the American heart association.

(f) 2. A licensee who submits evidence of having successfully completed, within the 24 months immediately preceding the license renewal date, an ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate course, including the knowledge and skills objectives of the national standard curriculum for training ~~EMTs-intermediate~~ EMTs-ITECH or EMTs-intermediate, as approved by the department, shall be considered to have met the requirement of subd. 4. ~~b~~ 1m. b.

SECTION 23. HFS 111. 04 (4) (b), (5) (f) 1., and (5) (g) (title), (intro.), 1. and 2. are renumbered HFS 111.04 (4) (bm), (5) (f) 1m., and (5) (g) (title), 1. (intro.), a. and b. and HFS 111.04 (5) (g) (title), 1. (intro.) and a. as renumbered are amended to read:

HFS 111.04 (5) (g) *Granting of emergency medical technician-basic or* ~~EMT-basic-IV~~ EMT-intermediate technician license. 1. A licensee who does not renew an ~~EMT-intermediate~~ EMT-ITECH license may become licensed as an emergency medical technician-basic or ~~EMT-basic-IV~~ if, prior to expiration of the ~~EMT-intermediate~~ EMT-ITECH license, the licensee does all of the following:

a. Completes all refresher training required under s. HFS 110.05 (5) for the license sought or completes all refresher training required for renewal of an ~~EMT-intermediate~~ EMT-ITECH license.

SECTION 24. HFS 111.04 (4) (b) and (5) (f) 1. and (g) 2. are created to read:

HFS 111.04 (4) (b) Administration of the following additional advanced skills and medications if the individual is licensed as an ~~EMT-intermediate~~ EMT-ITECH, is authorized to administer those skills and medications by the ambulance service medical director and is affiliated with an ~~EMT-intermediate~~ EMT-ITECH ambulance service operating under a department-approved plan:

1. Five percent dextrose in water.

2. Lactated Ringers solution.
3. Normal saline solution.
4. Fifty percent dextrose solution.
5. Naloxone (Narcan), administered intravenously or subcutaneously.
6. Epinephrine 1:1000, administered subcutaneously.
7. Nitroglycerin 0.4mg, administered sublingually.
8. Atrovent.
9. Use of peak flow meter.
10. Blood glucose analysis.
11. Use of an endotracheal tube if special training module is completed. Use of end tidal carbon dioxide detector in conjunction with an endotracheal tube.

(5) (f) *Refresher training requirements.* 1. a. An ~~EMT-intermediate~~ EMT-ITECH authorized to use one or more advanced skills shall, in addition to meeting license renewal requirements, participate in a continuing education program. The program shall include an additional 12 hours of training based on and including the knowledge and skills objectives of the 2001 Wisconsin revision of the national standard curriculum for training EMTs-intermediate technician. The medical director may require additional continuing education of emergency medical technician personnel functioning under an operational plan.

b. The continuing education required under subd. 1. a. may be taken as part of the refresher course required for license renewal.

c. If the required continuing education is received outside of an ~~EMT-intermediate~~ EMT-ITECH refresher course, the ambulance service provider shall retain documentation for a period of 2 years establishing that each emergency medical technician affiliated with the service has satisfied the continuing education requirements for advanced skills. The ambulance service provider shall make the documentation available to the department for review upon request.

(g) 2. A licensee who does not renew an EMT-intermediate license may become licensed as an EMT-basic or ~~EMT-intermediate~~ EMT-ITECH if, prior to expiration of the EMT-intermediate license, the licensee does all of the following:

a. Completes all refresher training required under s. HFS 110.05 (5) for the license sought or completes all refresher training required for renewal of an ~~EMT-intermediate~~ EMT-ITECH license.

b. Files an application for renewal of the license sought that meets the requirements specific in s. 146.50, Stats., and s. HFS 110.05 (5) or 111.04 (5), as appropriate.

SECTION 25. HFS 111.045 is repealed.

SECTION 26. HFS 111.05 (title), (1) (intro.) and (e), (2), (3) (a) and (b), and (4) (a) and (b) are amended to read:

HFS 111.05 EMT–intermediate technician and EMT-intermediate training permits. (1) APPLICATION. An individual requesting an ~~EMT–intermediate~~ EMT-ITECH or EMT-Intermediate training permit shall comply with all of the following:

(e) Present documentation of enrollment in department–approved ~~EMT–intermediate~~ EMT-ITECH or EMT-intermediate training as evidenced by the course registration list.

(2) ACTION BY THE DEPARTMENT. Within 40 business days after receiving a complete application for an ~~EMT–intermediate~~ EMT-ITECH or EMT-intermediate training permit, the department shall either approve the application and issue the permit or deny the application. If the application for a permit is denied, the department shall explain in writing why the application was denied and shall inform the applicant of the right to appeal that decision under s. HFS 111.08 (5). In this subsection, “complete application” means a completed application form and documentation that the requirements of sub. (1) (b) to (f) are met.

(3) RESTRICTIONS. (a) An individual holding an ~~EMT–intermediate~~ EMT-ITECH or EMT-intermediate training permit may perform the actions authorized for an ~~EMT–intermediate~~ EMT-ITECH or EMT-intermediate only if the medical director or a preceptor designated by the medical director or training center medical director is present at the scene and giving direction.

(b) An individual holding an ~~EMT–intermediate~~ EMT-ITECH or EMT-intermediate training permit is not considered licensed as an ~~EMT–intermediate~~ EMT-ITECH or EMT-intermediate for purposes of s. HFS 111.07 (2) (u).

(4) DURATION OF PERMIT. (a) An ~~EMT–intermediate~~ EMT-ITECH or EMT-intermediate training permit shall be valid for up to 2 years and may be renewed for one additional year by application made on a form provided by the department and with verification acceptable to the department that the individual is satisfactorily participating in an approved EMT–intermediate technician or EMT-intermediate training course.

(b) An ~~EMT–intermediate~~ EMT-ITECH or EMT-intermediate training permit that has been in force for 36 months shall expire and may not be further extended or renewed unless the individual enrolls in another ~~EMT–intermediate~~ EMT-ITECH or EMT-intermediate training course.

SECTION 27. HFS 111.06 (title), (1) (a), (b), and (c) 1., 2., 4., 5., 6. (intro.), a., b., and Note, c. and d., 7. and Note, and (d) and (e), (2) (title), (a) 2., 3., 5., and (c), and (3) (a), (b) 1. (intro.), 2. e. and Note, and (c) and (d) are amended to read:

HFS 111.06 EMT–intermediate technician and EMT-intermediate training. (1) TRAINING CENTER CERTIFICATION. (a) EMT–intermediate technician or EMT-intermediate training shall be provided by training centers certified by the department under this subsection.

(b) Any organization may apply to the department for certification to provide ~~EMT–intermediate~~ EMT-ITECH or EMT-intermediate training or to offer ~~EMT–intermediate~~ EMT-ITECH or EMT-intermediate training courses.

(c) 1. A description of the capabilities of the organization to train ~~EMTs–intermediate~~ EMTs-ITECH or EMTs-intermediate in the provision of emergency medical care in pre–hospital, interfacility

and hospital settings. The training shall include training covered in the national standard curriculum for training ~~EMTs-intermediate~~ EMTs-ITECH or EMT-intermediate and shall include additional training approved by the department, including instruction on responding to acts of terrorism. Completion of an NT100 terrorism and hazardous materials awareness training course that meets the requirement for training for response to acts of terrorism. Course material for training for response to acts of terrorism shall be included in all initial and refresher EMT courses beginning January 1, 2003 and shall also be available as a stand-alone course module for EMTs who received training before January 2003. After June 30, 2004, the required refresher training for acts of terrorism shall no longer be the full NT100 terrorism and hazardous materials awareness training course. Prior to June 30, 2004, the ongoing training requirement shall be determined by the department, in consultation with the EMS advisory board and the Wisconsin technical college system board. The department shall disseminate information on the ongoing training requirement to ambulance providers and training centers and offer multiple training methods.

2. A commitment, signed by a representative of the training center, to provide ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate training in accordance with the 2001 Wisconsin revision of the national standard curriculum for training ~~EMTs-intermediate~~ EMT-ITECH or EMTs-intermediate and to comply with relevant requirements of s. 146.50, Stats., and this chapter.

4. Identification and documentation of the qualifications of the Wisconsin-licensed physician with responsibility for medical coordination, direction and conduct of the ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate training program in his or her role as medical director of the training center. The medical director of the ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate operational plan program may serve also as the training center medical director. Materials submitted shall include all of the following:

5. Identification and qualifications of the person who will function as lead ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate instructor-coordinator for ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate training with specifications of that person's responsibilities, including a copy of that person's resume.

6. Identification and a listing of the qualifications of each person who will function as preceptor of ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate field training, with specifications of that person's responsibilities. A copy of the preceptor's resume shall be kept on file at the training center and made available to the department upon request. The preceptor shall comply with all of the following:

a. Be licensed to at least the ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate level, with knowledge of and experience in using ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate skills in the emergency setting. Physicians, registered nurses and physician assistants, with training and experience in the pre-hospital emergency care of patients, shall be considered to be trained to at least the ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate level.

b. Have a minimum of 2 years experience as a licensed practicing ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate at the 2001 ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate scope of practice or equivalent as determined by the department and be designated by the service medical director.

Note: The 2004 2005 ~~EMT-intermediate~~ EMT-ITECH and EMT-intermediate Scope of Practice is available without charge from the EMS Systems and Licensing Section, Division of Health, P.O. Box 2659, Madison, WI 53701-2659 or by calling (608) 266-1568.

c. ~~Present~~ If an EMT-intermediate, present documentation of current training in advanced cardiac life support that meets the standards established by the American heart association.

d. Have responsibility for completing records of the field training of ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate students and forwarding them to the training center.

7. Documentation that field training will be provided by a Wisconsin licensed ~~EMT-intermediate~~ EMT-ITECH, EMT-intermediate, or EMT-paramedic provider or providers as evidenced by the signatures of the training center representative, training center medical director and the medical director and operator for all ambulance service providers agreeing to provide supervised field training. A copy of the signed agreement shall be kept on file at the training center and made available to the department upon request.

Note: An application for certification of an ~~EMT-intermediate~~ technician or EMT-intermediate training center should be sent to the EMS Systems and Licensing Section, Division of Public Health, P.O. Box 2659, Madison, WI 53701-2659.

(d) Within 60 business days after receiving a complete application for certification of an ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate training center, the department shall either approve the application and issue the certification or deny the application. If the application is denied, the department shall explain in writing why the application was denied and shall inform the applicant of the right to appeal that decision under s. HFS 111.08 (5).

(e) An ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate training center may not provide ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate training until the department has certified the training center under par. (d).

(2) EMT-INTERMEDIATE TECHNICIAN OR EMT-INTERMEDIATE INSTRUCTOR-COORDINATOR CERTIFICATION. (a) 2. ~~Have~~ If an EMT-ITECH or an EMT-intermediate, have a minimum of 2 years experience as a licensed practicing ~~EMT-intermediate~~ emergency medical services at or above the level of instructor-coordinator being sought or equivalent critical care experience as determined by the department.

3. ~~Have~~ If an EMT-intermediate instructor-coordinator, have a minimum of 150 hours of prior teaching experience at the EMT-intermediate level or above. EMT-intermediate training experience must have occurred while teaching the 1999 EMT-intermediate standard curriculum or EMT-paramedic standard curriculum. If an EMT-intermediate technician instructor-coordinator, have experience teaching at least one EMT-intermediate technician course or at least one EMT-intermediate-technician refresher course.

5. ~~Have~~ If an EMT-intermediate instructor coordinator, have current certification as an instructor in advanced cardiac life support by the American heart association or an equivalent organization recognized and approved by the department for providing advanced cardiac life support instruction to health care professionals.

(c) ~~Licensure~~ To maintain certification as an EMT-intermediate instructor-coordinator, the instructor-coordinator shall keep his or her licensure as an EMT-intermediate or paramedic and certification as a CPR instructor, advanced cardiac life support instructor, and as an EMT-intermediate instructor-coordinator shall be kept current for maintenance of certification.

(3) TRAINING COURSE APPROVAL. (a) Each ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate training course offered by a training center certified under sub. (1) is subject to approval by the department under this subsection.

(b) 1. A statement that, at a minimum, all of the items included in the 2001 Wisconsin revision of the national standard ~~intermediate~~ curriculum for training EMTs-intermediate or EMTs-intermediate technician will be included in the ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate training course and identification of the number of hours that will be devoted to classroom training, clinical training and supervised field experience. If a copy of the course curriculum is submitted, it shall include all of the following:

2. e. How the supervised field experience will be conducted, the content of the field experience, and the qualifications of the person who will supervise the field experience, who may be a physician, a registered nurse, a physician assistant or, if approved in writing by the training center medical director, an ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate, depending on course level, experienced in providing emergency care.

Note: The materials that comprise an application for EMT-intermediate technician or EMT-intermediate course approval should be sent to the EMS Systems and Licensing Section, Division of Public Health, P.O. Box 2659, Madison, WI 53701-2659. Copies of the form for documenting the clinical experience received by students may be obtained from the same office by mail request or by calling 608-266-1568.

(c) Within 60 business days after receiving a complete application for approval of an ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate training course, the department shall either approve the application and issue the certification or deny the application. If the application is denied, the department shall give the applicant reasons, in writing, for the denial and shall inform the applicant of the right to appeal that decision under s. HFS 111.08 (5).

(d) Approval by the department of the proposed training course shall be a prerequisite for initiation of ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate training. Approval of the training course includes approval of curriculum, procedures, administrative details and guidelines necessary to ensure a standardized program of instruction.

SECTION 28. HFS 111.06 (2) (a) 1. and (d) are renumbered HFS 111.06 (2) (a) 1m. and (dm) and HFS 111.06 (2) (a) (1m), as renumbered, is amended to read:

HFS 111.06 (2) (a) 1m. ~~Have~~ If EMT-intermediate instructor coordinator, have current certification as an EMT-intermediate by the national registry of emergency medical technicians or be eligible for licensure as an EMT-intermediate in Wisconsin based on successful completion of an EMT-intermediate course utilizing the 2001 Wisconsin revision of the national standard curriculum for training EMTs-intermediate curriculum. A Wisconsin licensed EMT-paramedic may also serve as an instructor coordinator if certified through the national registry of emergency medical technicians.

SECTION 29. HFS 111.06 (2) (a) 1., (bm), and (d) are created to read:

HFS 111.06 (2) (a) 1. If an EMT-ITECH instructor coordinator, have current certification as an EMT-ITECH or be eligible for licensure as an EMT-intermediate technician. A Wisconsin licensed EMT-intermediate or EMT-paramedic with current national registry may also serve as an instructor coordinator.

(bm) To maintain certification as an EMT-ITECH instructor-coordinator, the instructor-coordinator shall keep his or her licensure as an EMT-ITECH and certification as a CPR instructor and certification as an EMT-ITECH instructor-coordinator current.

(d) To renew certification as an EMT-ITECH instructor-coordinator, the instructor-coordinator shall submit to the department documentation of all of the following:

1. Current licensure as an EMT-ITECH, EMT-intermediate, or EMT-paramedic.
2. Current certification as a CPR instructor by the American heart association, American red cross or an equivalent organization recognized and approved by the department for providing CPR instruction to health care professionals.
3. Continued employment or affiliation with an approved EMT-ITECH training center.

SECTION 30. HFS 111.06 (4) is repealed and recreated to read:

HFS 111.06 (4) TRAINING COURSE CONTENT AND HOURS. (a) *EMT-intermediate technician training course content and hours.* An EMT-ITECH training course shall include a minimum of 60 hours of instruction. At least 35 of these hours shall be spent in the classroom setting and at least 25 of these hours shall be spent in the patient care setting. The clinical and supervised field training shall meet the minimum skill and patient assessment competency requirements and the 2001 Wisconsin revision of the national standard curriculum for training EMTs- intermediate technician as identified by the department. Training on skills or medications that are not included in the 2001 Wisconsin revision of the national standard curriculum for training EMTs-ITECH shall be approved by the department before the training in those skills or medications may be included in the course.

(b) *EMT-intermediate training course content and hours.* An EMT-intermediate training course shall include a minimum of 335 hours of instruction. At least 225 of these hours shall be spent in the classroom setting and at least 110 of these hours shall be spent in the patient care setting. The clinical and supervised field training shall meet the minimum skill and patient assessment competency requirements and the 2001 Wisconsin revision of the national standard curriculum for training EMTs-intermediate as identified by the department. Training on skills or medications that are not included in the 2001 Wisconsin revision of the national standard curriculum for training EMTs-intermediate shall be approved by the department before the training in those skills or medications may be included in the course.

SECTION 31. HFS 111.07 (title), (1) (a), Note, and (b), (2) (title), (intro.), (e), (f), (i), (j), (o), (q), and (u) (intro.), 1. a. and b., and 3. and 4. , (3) (title), (a), (b) (intro.), 1. and 2., and (c), (4) (a) to (c) and (d) (intro.), (5) (title) and (a) to (c), (6) (title) and (a) to (c) and (d) (intro.), 1. a., 3. (intro.), a. and b., 5., and 7., (7) (a) (intro.), 1., 4., 8., 9., and 10., (8) (a), (9) (a) and (b), and (10) are amended to read:

HFS 111.07 EMT-intermediate technician and EMT-intermediate operational plans.

(1) PLAN SUBMISSION. (a) A county, city, town, village, hospital, ambulance service provider or any combination of these that seek to use ~~EMTs-intermediate~~ EMTs-ITECH or EMTs-intermediate for the delivery of emergency care and transportation shall first submit to the department an ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate operational plan, as applicable, with contents as specified in sub. (2) for department review and approval. Prior to plan submission, the provider shall complete a feasibility study to determine the need for and cost of an ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate service and hold a community meeting to receive input from local residents.

Note: Information on what is included in a feasibility study is provided in the “Wisconsin ~~EMT-Intermediate~~ Community Planning Guide.” The Guide may be obtained from the EMS Systems and Licensing Section, Division of Public Health, P.O. Box 2659, Madison, WI 53701-2659 or by calling 608-266-1568.

(b) ~~For provision of EMT-intermediate technician or EMT-intermediate care, there shall be an operational plan and the provider shall be licensed under s. HFS 110.04. Department approval of the operational plan and issuance of the an ambulance service provider license under s. HFS 110.04 are conditions for initiation of~~ required before EMT-intermediate EMT-ITECH or EMT-intermediate service may be provided.

(2) REQUIRED ELEMENTS OF EMT-INTERMEDIATE TECHNICIAN OR EMT-INTERMEDIATE OPERATIONAL PLAN. To be approved, an ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate operational plan shall include all of the following elements:

(e) A description of how the licensed ambulance service provider will use ~~EMTs-intermediate~~ EMTs ITECH or EMTs-intermediate in the system and the service area covered by the provider. A map of the service area shall be included.

(f) A description of the communication system for providing medical control to ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate personnel. When installing communications equipment in ambulances, the ambulance service provider shall comply with the specifications and standards of the Wisconsin statewide emergency medical services communications system. All ambulances shall have direct radio contact with a hospital emergency department on the designated ambulance-to-hospital frequency. There shall be 2-way voice communication between every ambulance and the medical control physician, including, in addition to a mobile radio in the ambulance, a portable means of communication capable of being operated from the patient’s side.

(i) A description of the relationship of the proposed ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate services to other emergency medical and public safety services in the geographic area covered in the plan.

(j) A description of the integration of the ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate service with the local, county or regional disaster preparedness plan.

(o) Protocols for ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate use of specific drugs, equipment and skills approved and signed by the medical director, that describe how medical treatment will be provided and at what point in a protocol direct voice authorization of a physician is required.

(q) Evidence that all ambulances to be used by ~~EMTs-intermediate~~ EMT-ITECH or EMTs-intermediate have been inspected or approved by the Wisconsin department of transportation within the 6 months preceding submission of the plan and meet the requirements of ch. Trans 309. An ambulance shall carry equipment and supplies that comply with ch. Trans 309 and that are necessary to effectively render ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate services as described in the operational plan.

(u) Written commitment by an ambulance service provider using ~~EMTs-intermediate~~ EMTs-ITECH or EMTs-intermediate to staff an ambulance to meet the following ~~EMT-intermediate~~ technician or EMT-intermediate requirements:

1. a. Any 2 ~~EMTs-intermediate~~ EMTs-ITECH or EMTs-intermediate, licensed registered nurses, licensed physician assistants or physicians, trained in the use of all skills the service is authorized to provide and designated by the medical director, or any combination thereof.

b. One ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate, licensed registered nurse, licensed physician assistant or physician trained in the use of all skills the service is authorized to provide and designated by the medical director and one EMT-basic.

3. The ambulance service provider shall ensure that a licensed ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate, licensed registered nurse, licensed physician assistant or physician who is trained in the use of all skills the service is authorized to provide is in the patient compartment with the patient at all times during the transportation of a patient requiring ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate equipment and treatment skills.

4. The provider shall ensure that 24 hour per day, 7 day per week ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate emergency ambulance response is available to the primary service area covered by the ambulance service, except as provided in subs. (4) to (7). The assurance requires a roster of sufficient licensed staff to operate the proposed ambulance service in conformance with the requirements of s. 146.50, Stats., and this chapter.

(3) ~~EMT-INTERMEDIATE 24-MONTH PHASE-IN OF FULL-TIME COVERAGE.~~ (a) An applicant developing an ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate operational plan to provide full-time year around service may, if a hardship can be documented, request approval by the department of a phase-in period of up to 24 months for an EMT-intermediate service or up to 12 months for an EMT-ITECH service to achieve provision of full-time ~~EMT-intermediate~~ coverage. Phase-in of ~~EMT-intermediate~~ coverage requires that the provider submit an ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate operational plan and that the provider be licensed under s. HFS 110.04.

(b) An applicant wanting to provide ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate coverage over a phase-in period shall submit an operational plan to the department that includes all the elements under sub. (2), except for the requirement to provide continuous coverage under sub. (2) (u) 4. In addition, the applicant shall submit all of the following:

1. A description, in detail, of why the phase-in period is necessary, how the phase-in will be accomplished and the specific date, not to exceed 24 months for an EMT-intermediate service or 12 months for an EMT-ITECH service from the initiation of the part-time intermediate service, that full-time intermediate service will be achieved.

2. A description of how quality assurance ~~intermediate~~ for EMT-ITECH or EMT-intermediate skill proficiency will be evaluated.

(c) If the department approves an ambulance service provider to provide ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate service during a phase-in period, the department shall issue a provisional license for the duration of the phase-in period. An ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate ambulance service provider that does not achieve full-time coverage within the approved phase-in period, ~~24 months maximum~~, shall cease providing ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate service until able to provide full-time coverage and shall revert back to providing ~~EMT-basic IV or EMT-basic~~ service at the level previously licensed.

(4) INTERFACILITY INTERMEDIATE TECHNICIAN OR INTERMEDIATE PLAN. (a) In this subsection, "~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate interfacility coverage" means

scheduled or prearranged transportation and non-emergent care of a patient between health care facilities. Interfacility transports may also include emergency transports between health care facilities based on local protocol.

(b) To provide ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate interfacility coverage, an ambulance service provider shall be licensed under s. HFS 110.04 and shall operate under the operational plan approved by the department.

(c) If an ambulance service provider wants to provide ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate interfacility coverage, the provider shall submit to the department an operational plan that describes how interfacility ~~intermediate~~ EMT-ITECH or EMT-intermediate services will be provided. An ambulance service already approved to provide prehospital ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate services may amend its existing plan to include interfacility coverage.

(d) To be approved, an ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate interfacility operational plan shall include all the elements under sub. (2) and shall, in addition, do all of the following:

(5) SPECIAL EVENT INTERMEDIATE TECHNICIAN OR INTERMEDIATE PLAN. (a) In this subsection, “special event ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate coverage” means prehospital ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate service provided at a specific site for the duration of a temporary event which is outside the ambulance service provider’s primary service area or at a higher license level.

(b) ~~Special~~ To provide special event ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate coverage requires an operational plan and that the provider, an ambulance service shall be licensed under s. HFS 110.04 and shall operate under an operational plan approved by the department. If the special event ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate license application is at a higher level of care than the service is currently licensed to provide, a specific operational plan for special events shall be submitted and approved that includes all the elements under sub. (2) that differ from the existing approved operational plan.

(c) If the special event ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate coverage is outside an ambulance service provider’s primary prehospital service area, the ambulance service provider shall submit an operational plan that meets all the elements required under sub. (2) that differ from the existing approved operational plan and also addresses how the ambulance service applying for special event coverage will work in conjunction with the primary emergency response ambulance service in the area.

(6) SEASONAL INTERMEDIATE TECHNICIAN OR INTERMEDIATE PLAN. (a) In this subsection, “seasonal ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate coverage” means prehospital ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate service provided during specific times of the year when the population of an area has substantially increased, as described in par. (d), for a minimum of 30 consecutive days and ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate service is maintained on a 24 hour per day, 7 days per week basis for the duration of the population influx.

(b) To provide seasonal ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate coverage, an ambulance service shall be licensed under s. HFS 110.04 and shall operate under an operational plan approved by the department.

(c) An ambulance service provider wanting to provide seasonal ~~intermediate~~ EMT-ITECH or EMT-intermediate coverage shall submit to the department an operational plan that describes how prehospital ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate service will be provided on a seasonal basis. Once the department initially approves a plan for seasonal ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate service, the ambulance service provider shall arrange for renewal of the approval annually by submitting a letter to the department. Any changes to the original plan shall be stated in the letter. The letter shall also include an updated roster of EMTs, proof of insurance coverage and documentation that all vehicles are approved under ch. Trans 309.

(d) To be approved, an ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate operational plan for seasonal intermediate coverage shall meet all the requirements under sub. (2) and, in addition, shall, ~~in addition~~, do all of the following:

1. a. Dates during which population increases take place and ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate service would be available and how the public is notified of the change in level of service.

3. Describe ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate staffing, including all of the following:

a. How ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate personnel will be provided.

b. Number of ~~EMTs-intermediate~~ EMTs-ITECH or EMT-intermediate required to provide full-time coverage.

5. Describe how ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate personnel will be used and how they will maintain proficiency in skills in the off-season.

7. Describe in detail why ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate service is not feasible or necessary in the area on a full-time year-round basis.

(7) MEDICAL DIRECTOR ROLES AND RESPONSIBILITIES. (a) *Medical supervision.* An emergency medical technician-intermediate technician or emergency medical technician-intermediate program shall be under the medical supervision of a medical director identified in the ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate operational plan. Upon signing the ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate operational plan, the medical director shall be responsible for the medical aspects of implementation of the ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate training and operation carried out under the plan and shall do all of the following:

1. Select, approve or designate the personnel who will train and medically supervise emergency medical technician personnel, the program coordinator and the training course instructor for an ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate refresher course if the course is offered outside of a certified ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate training center.

4. Ensure that all aspects of the ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate program are under constant medical supervision and direction.

8. Ensure that the emergency medical services program operates in conformance with the approved plan, this section and within the current scope of ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate authorized actions under s. HFS 111.04 (4).

9. Approve qualified ~~EMTs-intermediate~~ EMT-ITECH or ~~EMTs-intermediate~~ EMT-ITECH or ~~EMTs-intermediate~~ EMT-ITECH to perform any skills that are contained in the list of authorized actions of ~~EMTs-intermediate~~ EMT-ITECH or ~~EMTs-intermediate~~ EMT-ITECH under s. HFS 111.04 (4).

10. Withdraw medical approval from any ~~EMT-intermediate~~ EMT-ITECH or ~~EMT-intermediate~~ EMT-ITECH or ~~EMT-intermediate~~ EMT-ITECH to perform one, more than one, or all ~~EMT-intermediate~~ EMT-ITECH, ~~EMT-intermediate~~ EMT-ITECH, ~~EMT-intermediate~~ EMT-ITECH and/or EMT-basic skills, if the ~~EMT-intermediate~~ EMT-ITECH or ~~EMT-intermediate~~ EMT-ITECH has engaged in conduct dangerous or detrimental to the health or safety of a patient or to members of the general public while operating or performing under the scope of the license or needs remedial training to properly treat patients. Upon withdrawing medical approval, the medical director and ambulance service medical director shall also develop a course of action for remediation of the ~~EMT-intermediate~~ EMT-ITECH or ~~EMT-intermediate~~ EMT-ITECH, with a timeline for completion and return to full service if the ~~EMT-intermediate~~ EMT-ITECH or ~~EMT-intermediate~~ EMT-ITECH wants to return to service. The ~~EMT-intermediate~~ EMT-ITECH or ~~EMT-intermediate~~ EMT-ITECH shall be restricted from providing one, more than one, or all ~~EMT-intermediate~~ EMT-ITECH, ~~EMT-intermediate~~ EMT-ITECH, ~~EMT-intermediate~~ EMT-ITECH or ~~EMT-intermediate~~ EMT-ITECH services until the medical director has reviewed the individual's performance and approves the individual to return to full service. The program medical director or service medical director shall immediately inform the department in writing of the restriction on the individual and shall inform the department of the date the individual is returned to full service.

(8) REVIEW AND DECISION. (a) The department shall, within 60 business days following receipt of a complete ~~EMT-intermediate~~ EMT-ITECH or ~~EMT-intermediate~~ EMT-ITECH operational plan, either approve or disapprove the plan. If the plan is disapproved, the department shall give the applicant reasons, in writing, for disapproval and shall inform the applicant of the right to appeal the decision under s. HFS 111.08 (5).

(9) IMPLEMENTATION. (a) Following department approval of an ~~EMT-intermediate~~ EMT-ITECH or ~~EMT-intermediate~~ EMT-ITECH operational plan, all persons named in the plan may implement the program.

(b) An ambulance service provider shall immediately inform the department of any changes to the operational plan that alter the hospital, medical director or ambulance service provider involved, or the training program or ~~EMT-intermediate~~ EMT-ITECH or ~~EMT-intermediate~~ EMT-ITECH program operations included in an approved plan. The changes shall be approved by the department for the operational plan to be revised.

(10) CONTINUED APPROVAL. Continuation of approval of an ~~EMT-intermediate~~ EMT-ITECH or ~~EMT-intermediate~~ EMT-ITECH operational plan shall depend on continuous conformance of the plan with the requirements in subs. (2) and (4), as determined by a joint review of the plan by the department and the ambulance service provider every 2 years.

SECTION 32. HFS 111.08 (1) (title) and (intro.), (a), (g), (h), (2) (a), (3), (5), and (6) are amended to read:

HFS 111.08 Enforcement. (1) DENIAL OF LICENSE, PERMIT OR CERTIFICATION; NONRENEWAL; SUSPENSION; OR REVOCATION OF LICENSE, PERMIT, TRAINING CENTER CERTIFICATION OR ~~EMT-INTERMEDIATE~~ TECHNICIAN OR ~~EMT-INTERMEDIATE~~ INSTRUCTOR-COORDINATOR CERTIFICATION. The department may deny, refuse to renew, suspend or revoke an ~~EMT-ITECH~~ EMT-ITECH or ~~EMT-intermediate~~ EMT-ITECH license or training permit, a training center certification or an ~~EMT-intermediate~~ EMT-ITECH or ~~EMT-intermediate~~ EMT-ITECH instructor-coordinator certification after providing the applicant, licensee, training permit holder, certified training center or certified ~~EMT-intermediate~~ EMT-ITECH or ~~EMT-intermediate~~ EMT-ITECH instructor-coordinator with written notice

of the proposed action and written notice of opportunity for a hearing under sub. (5) if the department makes a finding of any of the following:

(a) The applicant, licensee, permit holder, certified training center or certified ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate instructor-coordinator does not meet the eligibility requirements established in s. 146.50, Stats., or this chapter.

(g) The licensee or permit holder has acted as an ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate without maintaining certification in CPR for health care professionals as approved by the department.

(h) The certified training center or certified ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate instructor-coordinator has failed to adhere to the requirements under s. HFS 111.06.

(2) EMERGENCY SUSPENSION OF LICENSE, PERMIT OR CERTIFICATION. (a) The department may summarily suspend an ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate license, ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate training permit, training center certification or ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate instructor-coordinator certification when the department has probable cause to believe that the licensee, permit holder, certified training center or certified ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate instructor-coordinator has violated any provision of s. 146.50, Stats., or this chapter, and that it is necessary to suspend the license or permit immediately, without advance written notice, to protect the public health, safety or welfare.

(3) EFFECT ON THE LICENSE OF AN EMT-INTERMEDIATE TECHNICIAN OR EMT-INTERMEDIATE WHEN MEDICAL AUTHORIZATION IS WITHDRAWN TO USE INTERMEDIATE SKILLS. The service medical director may withdraw medical approval from any ~~EMT-intermediate~~ EMT-ITECH, EMT-intermediate or EMT-basic skills if the licensee has engaged in conduct dangerous or detrimental to the health or safety of a patient or to members of the general public while operating or performing under the scope of the license or if the licensee needs remedial training to properly treat patients. The ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate may be restricted from providing one, more than one, or all ~~EMT-intermediate~~ EMT-ITECH, EMT-intermediate or EMT-basic services until the medical director has reviewed the individual's performance and approves the individual to return to full service. The medical director shall immediately inform the department in writing of the restriction on the individual and shall inform the department of the date the individual is returned to full service. An action taken by the medical director does not affect an emergency medical technician's license unless action is also taken under sub. (1) or (2) against the individual holding the EMT license.

(5) APPEAL. If, under sub. (1), the department denies, refuses to renew, suspends or revokes an ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate license or training permit, a training center certification or an ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate instructor-coordinator certification, the department shall send written notice of the action to the affected party within 48 hours after the action takes place. Receipt of the notice is presumed within 5 days of the date the notice is mailed. The applicant, licensee, permit holder, certified training center or certified ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate instructor-coordinator may request a hearing under ch. 227, Stats. The request for a hearing shall be submitted in writing to and received by the department of administration's division of hearings and appeals within 30 days after the date of the notice required under sub. (1). A request is considered filed when received by the division of hearings and appeals. The division of hearings and appeals shall hold the hearing no later than 30 days after receiving the request for the hearing unless both parties agree to a later date and shall provide at least 10 days prior notification of the date, time and place for the hearing. The hearing examiner shall issue a proposed or

final decision within 10 days after the hearing. The denial, refusal to renew, suspension or revocation shall remain in effect until a final decision is rendered.

(6) REPRIMANDS. The department may reprimand a licensee, permit holder, certified training center or certified ~~EMT-intermediate~~ EMT-ITECH or EMT-intermediate instructor-coordinator if the department finds that the licensee, permit holder, certified training center or certified ~~EMT-paramedic~~ instructor-coordinator falls within any of the circumstances specified in sub. (1) (a) to (h). The department's issuance of the reprimand shall constitute the final decision of the department and is not subject to a hearing under sub. (5).

SECTION 33. EFFECTIVE DATE: This rule shall take effect on the first day of the month following publication in the Wisconsin administrative register, as provided in s. 227.22 (2) (intro.), Stats.

Wisconsin Department of Health and Family Services

Dated: October 16, 2006

Helene Nelson, Department Secretary

SEAL: