1. Call to Order – 12:30 p.m.

2. Review and Approve Agenda – 12:35 p.m.

3. EMSRB Cleanup Bill – Discussion – 12:40 p.m.

4. Adjourn – 2:30 p.m.

*Notice: In accordance with Minnesota Statute § 13D.015, subdivision 4, workgroup members and the public may call into this meeting by dialing: 888-742-5095 and when prompted entering conference code 3908550771#

If you plan to attend the meeting and need accommodations for a disability, please contact Melody Nagy at (651) 201-2802. In accordance with the Minnesota Open Meeting Law and the Internal Operating Procedures of the Emergency Medical Services Regulatory Board, this agenda is posted at: https://mn.gov/emsrb

Next Meeting:

TBD

Attachment Key:
Legislative Language = L 1
A bill for an act

relating to health; modifying certification requirements for certain occupations
regulated by the Emergency Medical Services Regulatory Board; modifying
requirements for education programs and education program primary instructors;
amending Minnesota Statutes 2018, sections 144E.001, by adding a subdivision;
144E.27; 144E.28, subdivisions 1, 3, 7, 8; 144E.283; 144E.285, subdivisions 1,
2, 4, by adding subdivisions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2018, section 144E.001, is amended by adding a subdivision to read:

Subd. 16. Education program primary instructor or primary instructor. "Education program primary instructor" or "primary instructor" means an individual, as approved by the board, who serves as the lead instructor of an emergency medical care initial certification course; and who is responsible for planning or conducting the course according to the most current version of the National EMS Education Standards by the National Highway Transportation Safety Administration (NHTSA), United States Department of Transportation.

Sec. 2. Minnesota Statutes 2018, section 144E.27, is amended to read:

144E.27 EDUCATION PROGRAMS; BOARD APPROVAL EMERGENCY MEDICAL RESPONDER REGISTRATION.

Subdivision 1. Education program instructor. An education program instructor must be an emergency medical responder, EMT, AEMT, paramedic, physician, physician assistant, or registered nurse.
Subd. 1a. Approval required. (a) All education programs for an emergency medical responder must be approved by the board.

(b) To be approved by the board, an education program must:

(i) submit an application prescribed by the board that includes:

(ii) names, addresses, and qualifications of the program medical director, program education coordinator, and instructors;

(iii) admission criteria for students; and

(iv) materials and equipment to be used;

(2) for each course, implement the most current version of the United States Department of Transportation EMS Education Standards, or its equivalent as determined by the board applicable to Emergency Medical Responder registration education;

(3) have a program medical director and a program coordinator;

(4) have at least one instructor for every ten students at the practical skill stations;

(5) retain documentation of program approval by the board, course outline, and student information; and

(6) submit the appropriate fee as required under section 144E.29;

(c) The National EMS Education Standards by the NHTSA, United States Department of Transportation contains the minimal entry level of knowledge and skills for emergency medical responders. Medical directors of emergency medical responder groups may expand the knowledge and skill set.

Subd. 2. Registration. To be eligible for registration with the board as an emergency medical responder, an individual shall complete a board-approved application form and:

(1) successfully complete a board-approved initial emergency medical responder education program. Registration under this clause is valid for two years and expires on October 31 of the United States Department of Transportation course, or its equivalent as approved by the board, specific to the emergency medical responder classification; or

(2) be credentialed as an emergency medical responder by the National Registry of Emergency Medical Technicians. Registration under this clause expires the same day as the National Registry credential; and

(3) complete a board-approved application form.
Subd. 2a. **Registration dates.** Registration expiration dates are as follows:

(1) for initial registration granted between January 1 and June 30 of an even-numbered year, the expiration date is October 31 of the next even-numbered year;

(2) for initial registration granted between July 1 and December 31 of an even-numbered year, the expiration date is October 31 of the second odd-numbered year;

(3) for initial registration granted between January 1 and June 30 of an odd-numbered year, the expiration date is October 31 of the next odd-numbered year; and

(4) for initial registration granted between July 1 and December 31 of an odd-numbered year, the expiration date is October 31 of the second even-numbered year.

Subd. 3. **Renewal.** (a) The board may renew the registration of an emergency medical responder who:

(1) successfully completes a board-approved refresher course; and

(2) successfully completes a course in cardiopulmonary resuscitation approved by the board or the licensee's medical director; and

(3) submits a completed renewal application to the board before the registration expiration date.

(b) The board may renew the lapsed registration of an emergency medical responder who:

(1) successfully completes a board-approved refresher course; and

(2) successfully completes a course in cardiopulmonary resuscitation approved by the board or the licensee's medical director; and

(3) submits a completed renewal application to the board within 12 months after the registration expiration date.

Subd. 5. **Denial, suspension, revocation.** (a) The board may deny, suspend, revoke, place conditions on, or refuse to renew the registration of an individual who the board determines:

(1) violates sections 144E.001 to 144E.33 or the rules adopted under those sections, an agreement for corrective action, or an order that the board issued or is otherwise empowered to enforce;

(2) misrepresents or falsifies information on an application form for registration;
(3) is convicted or pleads guilty or nolo contendere to any felony; any gross misdemeanor relating to assault, sexual misconduct, theft, or the illegal use of drugs or alcohol; or any misdemeanor relating to assault, sexual misconduct, theft, or the illegal use of drugs or alcohol;

(4) is actually or potentially unable to provide emergency medical services with reasonable skill and safety to patients by reason of illness, use of alcohol, drugs, chemicals, or any other material, or as a result of any mental or physical condition;

(5) engages in unethical conduct, including, but not limited to, conduct likely to deceive, defraud, or harm the public, or demonstrating a willful or careless disregard for the health, welfare, or safety of the public;

(6) maltreats or abandons a patient;

(7) violates any state or federal controlled substance law;

(8) engages in unprofessional conduct or any other conduct which has the potential for causing harm to the public, including any departure from or failure to conform to the minimum standards of acceptable and prevailing practice without actual injury having to be established;

(9) provides emergency medical services under lapsed or nonrenewed credentials;

(10) is subject to a denial, corrective, disciplinary, or other similar action in another jurisdiction or by another regulatory authority;

(11) engages in conduct with a patient that is sexual or may reasonably be interpreted by the patient as sexual, or in any verbal behavior that is seductive or sexually demeaning to a patient; or

(12) makes a false statement or knowingly provides false information to the board, or fails to cooperate with an investigation of the board as required by section 144E.30.

(b) Before taking action under paragraph (a), the board shall give notice to an individual of the right to a contested case hearing under chapter 14. If an individual requests a contested case hearing within 30 days after receiving notice, the board shall initiate a contested case hearing according to chapter 14.

(c) The administrative law judge shall issue a report and recommendation within 30 days after closing the contested case hearing record. The board shall issue a final order within 30 days after receipt of the administrative law judge's report.
After six months from the board's decision to deny, revoke, place conditions on, or refuse renewal of an individual's registration for disciplinary action, the individual shall have the opportunity to apply to the board for reinstatement.

Subd. 6. Temporary suspension. (a) In addition to any other remedy provided by law, the board may temporarily suspend the registration of an individual after conducting a preliminary inquiry to determine whether the board believes that the individual has violated a statute or rule that the board is empowered to enforce and determining that the continued provision of service by the individual would create an imminent risk to public health or harm to others.

(b) A temporary suspension order prohibiting an individual from providing emergency medical care shall give notice of the right to a preliminary hearing according to paragraph (d) and shall state the reasons for the entry of the temporary suspension order.

(c) Service of a temporary suspension order is effective when the order is served on the individual personally or by certified mail, which is complete upon receipt, refusal, or return for nondelivery to the most recent address provided to the board for the individual.

(d) At the time the board issues a temporary suspension order, the board shall schedule a hearing, to be held before a group of its members designated by the board, that shall begin within 60 days after issuance of the temporary suspension order or within 15 working days of the date of the board's receipt of a request for a hearing from the individual, whichever is sooner. The hearing shall be on the sole issue of whether there is a reasonable basis to continue, modify, or lift the temporary suspension. A hearing under this paragraph is not subject to chapter 14.

(e) Evidence presented by the board or the individual may be in the form of an affidavit. The individual or the individual's designee may appear for oral argument.

(f) Within five working days of the hearing, the board shall issue its order and, if the suspension is continued, notify the individual of the right to a contested case hearing under chapter 14.

(g) If an individual requests a contested case hearing within 30 days after receiving notice under paragraph (f), the board shall initiate a contested case hearing according to chapter 14. The administrative law judge shall issue a report and recommendation within 30 days after the closing of the contested case hearing record. The board shall issue a final order within 30 days after receipt of the administrative law judge's report.
Sec. 3. Minnesota Statutes 2018, section 144E.28, subdivision 1, is amended to read:

**Subdivision 1. Requirements.** To be eligible for certification by the board as an EMT, AEMT, or paramedic, an individual shall:

1. successfully complete the United States Department of Transportation course, or its equivalent as approved by the board, specific to the EMT, AEMT, or paramedic classification;

2. pass the written and practical examinations approved by the board and administered by the board or its designee, obtain National Registry of Emergency Medical Technicians, or its successor, certification specific to the EMT, AEMT, or paramedic classification; and

3. complete a board-approved application form.

Sec. 4. Minnesota Statutes 2018, section 144E.28, subdivision 3, is amended to read:

**Subd. 3. Reciprocity.** The board may certify an individual who possesses a current National Registry of Emergency Medical Technicians **registration** certification from another jurisdiction if the individual submits a board-approved application form. The board certification classification shall be the same as the National Registry's classification. Certification shall be for the duration of the applicant's **registration** certification period in another jurisdiction, not to exceed two years.

Sec. 5. Minnesota Statutes 2018, section 144E.28, subdivision 7, is amended to read:

**Subd. 7. Renewal.** (a) Before the expiration date of certification, an applicant for renewal of certification as an EMT shall:

1. successfully complete a course in cardiopulmonary resuscitation that is approved by the board or the licensee's medical director;

2. take the United States Department of Transportation EMT refresher course and successfully pass the practical skills test portion of the course, or successfully complete 48 hours of continuing education in EMT programs that are consistent with the United States Department of Transportation National EMS Education Standards or its equivalent as approved by the board or as approved by the licensee's medical director and pass a practical skills test approved by the board and administered by an education program approved by the board. The cardiopulmonary resuscitation course and practical skills test may be included as part of the refresher course or continuing education renewal requirements; and satisfy one of the following requirements:
(i) maintain National Registry of Emergency Medical Technicians certification following the requirements of its National Continued Competency Program, or an equivalent as approved by the board. The cardiopulmonary resuscitation course required under clause (1) shall count toward the continuing education requirements for renewal; or

(ii) for an individual who only holds Minnesota EMT certification and held such certification prior to April 1, 2020, maintain Minnesota certification by completing the required hours of continuing education as determined in the National Continued Competency Program of the National Registry of Emergency Medical Technicians, or its equivalent as approved by the board. The cardiopulmonary resuscitation course required under clause (1) shall count toward the continuing education requirements for renewal. This item expires April 1, 2036; and

(3) complete a board-approved application form.

(b) Before the expiration date of certification, an applicant for renewal of certification as an AEMT or paramedic shall:

(1) for an AEMT, successfully complete a course in cardiopulmonary resuscitation that is approved by the board or the licensee's medical director and for a paramedic, successfully complete a course in advanced cardiac life support that is approved by the board or the licensee's medical director;

(2) successfully complete 48 hours of continuing education in emergency medical training programs, appropriate to the level of the applicant's AEMT or paramedic certification, that are consistent with the United States Department of Transportation National EMS Education Standards or its equivalent as approved by the board or as approved by the licensee's medical director. An applicant may take the United States Department of Transportation Emergency Medical Technician refresher course or its equivalent without the written or practical test as approved by the board, and as appropriate to the applicant's level of certification, as part of the 48 hours of continuing education. Each hour of the refresher course, the cardiopulmonary resuscitation course, and the advanced cardiac life support course counts toward the 48-hour continuing education requirement, and satisfy one of the following requirements:

(i) maintain National Registry of Emergency Medical Technicians certification following the requirements of its National Continued Competency Program, or an equivalent as approved by the board. The cardiopulmonary resuscitation course or advanced cardiac life support course required under clause (1) shall count toward the continuing education requirements for renewal; or
(ii) for an individual who only holds Minnesota AEMT or paramedic certification and held such certification prior to April 1, 2020, maintain Minnesota certification by completing the required hours of continuing education as determined in the National Continued Competency Program of the National Registry of Emergency Medical Technicians, or its equivalent as approved by the board. The cardiopulmonary resuscitation course or advanced cardiac life support course required under clause (1) shall count toward the continuing education requirements for renewal. This item expires April 1, 2036; and

(3) complete a board-approved application form.

c) Certification shall be renewed every two years.

d) If the applicant does not meet the renewal requirements under this subdivision, the applicant's certification expires.

Sec. 6. Minnesota Statutes 2018, section 144E.28, subdivision 8, is amended to read:

Subd. 8. Reinstatement. (a) Within four years of a certification expiration date, a person whose certification has expired under subdivision 7, paragraph (d), may have the certification reinstated upon submission of:

(1) evidence to the board of training equivalent to the continuing education requirements of subdivision 7; and

(2) a board-approved application form.

(b) If more than four years have passed since a certificate expiration date, an applicant must complete the initial certification process required under subdivision 1.

Sec. 7. Minnesota Statutes 2018, section 144E.283, is amended to read:

144E.283 PRIMARY INSTRUCTOR QUALIFICATIONS.

(a) An emergency medical technician education program primary instructor must:

(1) possess valid current Minnesota certification, or registration, or licensure as an EMR, EMT, AEMT, or paramedic, physician, physician assistant, or registered nurse at a level that is equivalent to or higher than the level of certification or registration being taught;

(2) have two years of active emergency medical practical experience if required under this chapter for Minnesota certification or registration, possess National Registry of Emergency Medical Technicians certification or registration as an EMR, EMT, AEMT, or paramedic, at a level that is equivalent to or higher than the level of certification or registration being taught;

Sec. 7.
(3) satisfy one of the following requirements:

(i) hold at least an associate's degree and have been certified for at least three years at a level that is equivalent to or higher than the level of certification or registration being taught; or

(ii) have been certified for at least five years at a level that is equivalent to or higher than the level of certification or registration being taught;

(4) (5) be recommended by a medical director of a licensed hospital, ambulance service, or education program approved by the board;

(5) (6) satisfy one of the following requirements:

(i) successfully complete the United States Department of Transportation Emergency Medical Services Instructor Education Program or its equivalent as approved by the board course; and

(ii) successfully complete the National Association of EMS Educators Instructor level 1 course;

(iii) successfully complete the Fire Instructor I course;

(iv) hold at least a bachelor's degree in education;

(v) hold at least a master's degree in a related field of study;

(vi) have been vetted through the Minnesota State faculty credentialing process; or

(vii) successfully complete an equivalent course or hold an equivalent degree as approved by the board;

(6) complete eight hours of continuing education in educational topics every two years, with documentation filed with the education program coordinator;

(7) complete a board-approved application form; and

(8) receive board approval as a primary instructor.

(b) An emergency medical responder instructor must possess valid registration, certification, or licensure as an EMR, EMT, AEMT, paramedic, physician, physician assistant, or registered nurse.

Sec. 8. Minnesota Statutes 2018, section 144E.285, subdivision 1, is amended to read:

Subdivision 1. **Approval required.** (a) All education programs for an EMR, EMT, AEMT, or paramedic must be approved by the board.
To be approved by the board, an education program must:

1. submit an application prescribed by the board that includes:
   a. type and length of course to be offered;
   b. names, addresses, and qualifications of the program medical director, program education coordinator, and instructors;
   c. names and addresses of clinical sites, including a contact person and telephone number;
   d. admission criteria for students; and
   e. materials and equipment to be used;
2. for each course, implement the most current version of the United States Department of Transportation EMS Education Standards, or its equivalent as determined by the board applicable to EMR, EMT, AEMT, or paramedic education;
3. have a program medical director and a program coordinator;
4. utilize primary instructors who meet the requirements of section 144E.283 for teaching at least 50 percent of the course content. The remaining 50 percent of the course may be taught by guest lecturers approved by the education program coordinator or medical director;
5. have at least one instructor for every ten students at the practical skill stations;
6. maintain a written agreement with a licensed hospital or licensed ambulance service designating a clinical training site;
7. retain documentation of program approval by the board, course outline, and student information;
8. notify the board of the starting date of a course prior to the beginning of a course; and
9. submit the appropriate fee as required under section 144E.29; and
10. maintain a minimum average yearly pass rate as set by the board on an annual basis. The pass rate will be determined by the percent of candidates who pass the exam on the first attempt. An education program not meeting this yearly standard shall be placed on probation and shall be on a performance improvement plan approved by the board until meeting the pass rate standard. While on probation, the education program may continue providing classes if meeting the terms of the performance improvement plan as determined by the board. If an education program having probation status fails to meet the pass rate
standard after two years in which an EMT initial course has been taught, the board may take disciplinary action under subdivision 5.

Sec. 9. Minnesota Statutes 2018, section 144E.285, is amended by adding a subdivision to read:

Subd. 1a. EMR requirements. The National EMS Education Standards established by the National Highway Traffic Safety Administration, United States Department of Transportation specifies the minimum requirements for knowledge and skills for emergency medical responders. A medical director of an emergency medical responder group may establish additional knowledge and skill requirements for EMRs.

Sec. 10. Minnesota Statutes 2018, section 144E.285, is amended by adding a subdivision to read:

Subd. 1b. EMT requirements. In addition to the requirements under subdivision 1, paragraph (b), an education program applying for approval to teach EMTs must:

(1) include in the application prescribed by the board, names and addresses of clinical sites, including a contact person and telephone number;

(2) maintain a written agreement with a licensed hospital or licensed ambulance service designating a clinical training site; and

(3) maintain a minimum average yearly pass rate as set by the board. An education program not meeting this standard shall be placed on probation and shall comply with a performance improvement plan approved by the board until the program meets the pass rate standard. While on probation, the education program may continue to provide classes if the program meets the terms of the performance improvement plan, as determined by the board. If an education program that is on probation status fails to meet the pass rate standard after two years in which an EMT initial course has been taught, the board may take disciplinary action under subdivision 5.

Sec. 11. Minnesota Statutes 2018, section 144E.285, subdivision 2, is amended to read:

Subd. 2. AEMT and paramedic requirements. (a) In addition to the requirements under subdivision 1, paragraph (b), an education program applying for approval to teach AEMTs and paramedics must:

(1) be administered by an educational institution accredited by the Commission of Accreditation of Allied Health Education Programs (CAAHEP).
(2) include in the application prescribed by the board, names and addresses of clinical sites, including a contact person and telephone number; and

(3) maintain a written agreement with a licensed hospital or licensed ambulance service designating a clinical training site.

(b) An AEMT and paramedic education program that is administered by an educational institution not accredited by CAAHEP, but that is in the process of completing the accreditation process, may be granted provisional approval by the board upon verification of submission of its self-study report and the appropriate review fee to CAAHEP.

(c) An educational institution that discontinues its participation in the accreditation process must notify the board immediately and provisional approval shall be withdrawn.

(d) This subdivision does not apply to a paramedic education program when the program is operated by an advanced life support ambulance service licensed by the Emergency Medical Services Regulatory Board under this chapter, and the ambulance service meets the following criteria:

(1) covers a rural primary service area that does not contain a hospital within the primary service area or contains a hospital within the primary service area that has been designated as a critical access hospital under section 144.1483, clause (9);

(2) has tax-exempt status in accordance with the Internal Revenue Code, section 501(c)(3);

(3) received approval before 1991 from the commissioner of health to operate a paramedic education program;

(4) operates an AEMT and paramedic education program exclusively to train paramedics for the local ambulance service; and

(5) limits enrollment in the AEMT and paramedic program to five candidates per biennium.

Sec. 12. Minnesota Statutes 2018, section 144E.285, subdivision 4, is amended to read:

Subd. 4. Reapproval. An education program shall apply to the board for reapproval at least three months prior to the expiration date of its approval and must:

(1) submit an application prescribed by the board specifying any changes from the information provided for prior approval and any other information requested by the board to clarify incomplete or ambiguous information presented in the application; and
(2) comply with the requirements under subdivision 1, paragraph (b), clauses (2) to (10).

(7);

(3) be subject to a site visit;

(4) for education programs that teach EMTs, comply with the requirements in subdivision 1b; and

(5) for education programs that teach AEMTs and paramedics, comply with the requirements in subdivision 2 and maintain accreditation with the Commission on Accreditation of Allied Health Education Programs (CAAHEP).