**Section 515.420 System Participation Suspensions**

a) *An EMS MD may suspend from participation within the System any EMS* Personnel, *EMS Lead Instructor (LI), individual, individual provider or other participant considered not to be meeting the requirements of the Program Plan of that approved EMS System.* (Section 3.40(a) of the Act)

b) Except as allowed in subsection (l), the EMS MD shall provide the individual, individual provider or other participant with a written explanation of the reason for the suspension; the terms, length and condition of the suspension; and the date the suspension will commence, unless a hearing is requested. The procedure for requesting a hearing within 15 days through the Local System Review Board shall be provided.

c) Failure to request a hearing within 15 days shall constitute a waiver of the right to a Local System Review Board hearing.

d) *The Resource Hospital shall designate* the *local System review board, for the purpose of providing a hearing to any individual or entity participating within the System who is suspended from participation by the EMS* MD. (Section 3.40(e) of the Act) The review board will consist of at least three members, one of whom is an emergency department physician with knowledge of EMS, one of whom is an EMT and one of whom is of the same professional category as the individual, individual provider or other participant requesting the hearing. The EMS MD shall prepare and post, in a 24-hour accessible location at the Resource Hospital, the System Review Board List.

e) The hearing shall commence as soon as possible, but at least within 21 days after receipt of a written request. *The EMS MD shall arrange for a certified shorthand reporter to make a stenographic record of that hearing and thereafter prepare a transcript of the proceedings. The transcript, all documents or materials received as evidence during the hearing and the local System review board's written decision shall be retained in the custody of the EMS System. The System shall implement a decision of the local System review board unless that decision has been appealed to the State Emergency Medical Services Disciplinary Review Board in accordance with* the *Act and* this Part. (Section 3.40(e) of the Act)

f) The local System review board shall state in writing its decision to affirm, modify or reverse the suspension order. That decision shall be sent via certified mail or personal service to the EMS MD and the individual, individual provider or other participant who requested the hearing within five business days after the conclusion of the hearing.

g) The EMS MD shall notify the Department, in writing, within five business days after the Board's decision to either uphold, modify or reverse the EMS MD's suspension of an individual, individual provider or participant. The notice shall include a statement detailing the duration and grounds for the suspension.

h) *If the local System review board affirms or modifies the EMS MD's suspension order, the* *individual*, individual provider or other participant *shall have the opportunity for a review of the local board's decision of the State EMS Disciplinary Review Board.* (Section 3.40(b)(1) of the Act)

i) *If the local System review board reverses or modifies the EMS MD's suspension order, the EMS MD shall have the opportunity for review of the local board's decision by the State EMS Disciplinary Review Board.* (Section 3.40(b)(2) of the Act)

j) Requests *for review* by the State EMS Disciplinary Review Board *shall be submitted in writing to the Chief of the Department's Division of Emergency Medical Services and Highway Safety, within 10 days after receiving the local board's decision or the EMS MD's suspension order, whichever is applicable.* A copy of the Board's decision or the suspension order *shall be enclosed.* (Section 3.45(h) of the Act)

k) *An EMS MD may immediately suspend* *an EMR, EMD, EMT, EMT-I, A-EMT, Paramedic, ECRN, PHRN, LI, or other individual or entity* *if he or she finds that the continuation in practice by the individual or entity would constitute an imminent danger to the public. The suspended individual or entity shall be issued an immediate verbal notification, followed by a written suspension order by the EMS MD that states the length, terms and basis for the suspension.* (Section 3.40(c) of the Act)

1) *Within 24 hours following the commencement of the suspension, the EMS MD shall deliver to the Department, by messenger, telefax, or other Department-approved electronic communication, a copy of the suspension order and copies of any written materials that relate to the EMS MD's decision to suspend the individual or entity.*

2) *Within 24 hours following the commencement of the suspension, the suspended individual or entity may deliver to the Department, by messenger, telefax, or other Department-approved electronic communication, a written response to the suspension order and copies of any written materials that the individual or entity feels are appropriate.*

3) *Within 24 hours following receipt of the EMS MD's suspension order or the individual's or entity's written response, whichever is later, the Director or the Director's designee shall determine whether the suspension should be stayed pending an opportunity for a hearing or review in accordance with* the *Act, or whether the suspension should continue during the course of that hearing or review. The Director or the Director's designee shall issue this determination to the EMS MD, who shall immediately notify the suspended individual or entity. The suspension shall remain in effect during this period of review by the Director or the Director's designee.* (Section 3.40(c) of the Act)

(Source: Amended at 42 Ill. Reg. 17632, effective September 20, 2018)