



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB5548

by Rep. Timothy L. Schmitz

#### SYNOPSIS AS INTRODUCED:

210 ILCS 50/3.85

Amends the Emergency Medical Services (EMS) Systems Act. Provides that the definition of "ambulance" includes any public or privately owned on-road vehicle that has the capability to carry water for the purposes of operation as a fire truck, but is otherwise primarily designed, constructed, or modified and equipped for the emergency transportation of persons who are sick, injured, wounded, or otherwise incapacitated or helpless or for the non-emergency medical transportation of persons who require the presence of medical personnel to monitor the individual's condition or medical apparatus being used on such individuals.

LRB098 18342 RPS 53477 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Emergency Medical Services (EMS) Systems Act  
5 is amended by changing Section 3.85 as follows:

6 (210 ILCS 50/3.85)

7 Sec. 3.85. Vehicle Service Providers.

8 (a) "Vehicle Service Provider" means an entity licensed by  
9 the Department to provide emergency or non-emergency medical  
10 services in compliance with this Act, the rules promulgated by  
11 the Department pursuant to this Act, and an operational plan  
12 approved by its EMS System(s), utilizing at least ambulances or  
13 specialized emergency medical service vehicles (SEMSV).

14 (1) "Ambulance" means any publicly or privately owned  
15 on-road vehicle that is specifically designed, constructed  
16 or modified and equipped, and is intended to be used for,  
17 and is maintained or operated for the emergency  
18 transportation of persons who are sick, injured, wounded or  
19 otherwise incapacitated or helpless, or the non-emergency  
20 medical transportation of persons who require the presence  
21 of medical personnel to monitor the individual's condition  
22 or medical apparatus being used on such individuals.

23 "Ambulance" includes any public or privately owned on-road

1 vehicle that has the capability to carry water for the  
2 purposes of operation as a fire truck, but is otherwise  
3 primarily designed, constructed, or modified and equipped  
4 for the emergency transportation of persons who are sick,  
5 injured, wounded, or otherwise incapacitated or helpless  
6 or for the non-emergency medical transportation of persons  
7 who require the presence of medical personnel to monitor  
8 the individual's condition or medical apparatus being used  
9 on such individuals.

10 (2) "Specialized Emergency Medical Services Vehicle"  
11 or "SEMSV" means a vehicle or conveyance, other than those  
12 owned or operated by the federal government, that is  
13 primarily intended for use in transporting the sick or  
14 injured by means of air, water, or ground transportation,  
15 that is not an ambulance as defined in this Act. The term  
16 includes watercraft, aircraft and special purpose ground  
17 transport vehicles or conveyances not intended for use on  
18 public roads.

19 (3) An ambulance or SEMSV may also be designated as a  
20 Limited Operation Vehicle or Special-Use Vehicle:

21 (A) "Limited Operation Vehicle" means a vehicle  
22 which is licensed by the Department to provide basic,  
23 intermediate or advanced life support emergency or  
24 non-emergency medical services that are exclusively  
25 limited to specific events or locales.

26 (B) "Special-Use Vehicle" means any publicly or

1 privately owned vehicle that is specifically designed,  
2 constructed or modified and equipped, and is intended  
3 to be used for, and is maintained or operated solely  
4 for the emergency or non-emergency transportation of a  
5 specific medical class or category of persons who are  
6 sick, injured, wounded or otherwise incapacitated or  
7 helpless (e.g. high-risk obstetrical patients,  
8 neonatal patients).

9 (C) "Reserve Ambulance" means a vehicle that meets  
10 all criteria set forth in this Section and all  
11 Department rules, except for the required inventory of  
12 medical supplies and durable medical equipment, which  
13 may be rapidly transferred from a fully functional  
14 ambulance to a reserve ambulance without the use of  
15 tools or special mechanical expertise.

16 (b) The Department shall have the authority and  
17 responsibility to:

18 (1) Require all Vehicle Service Providers, both  
19 publicly and privately owned, to function within an EMS  
20 System.

21 (2) Require a Vehicle Service Provider utilizing  
22 ambulances to have a primary affiliation with an EMS System  
23 within the EMS Region in which its Primary Service Area is  
24 located, which is the geographic areas in which the  
25 provider renders the majority of its emergency responses.  
26 This requirement shall not apply to Vehicle Service

1 Providers which exclusively utilize Limited Operation  
2 Vehicles.

3 (3) Establish licensing standards and requirements for  
4 Vehicle Service Providers, through rules adopted pursuant  
5 to this Act, including but not limited to:

6 (A) Vehicle design, specification, operation and  
7 maintenance standards, including standards for the use  
8 of reserve ambulances;

9 (B) Equipment requirements;

10 (C) Staffing requirements; and

11 (D) License renewal at intervals determined by the  
12 Department, which shall be not less than every 4 years.

13 The Department's standards and requirements with  
14 respect to vehicle staffing must allow for an alternative  
15 rural staffing model for those vehicle service providers  
16 that serve a rural or semi-rural population of 10,000 or  
17 fewer inhabitants and exclusively uses volunteers,  
18 paid-on-call, or a combination thereof.

19 (4) License all Vehicle Service Providers that have met  
20 the Department's requirements for licensure, unless such  
21 Provider is owned or licensed by the federal government.  
22 All Provider licenses issued by the Department shall  
23 specify the level and type of each vehicle covered by the  
24 license (BLS, ILS, ALS, ambulance, SEMSV, limited  
25 operation vehicle, special use vehicle, reserve  
26 ambulance).

1           (5) Annually inspect all licensed vehicles operated by  
2           Vehicle Service Providers.

3           (6) Suspend, revoke, refuse to issue or refuse to renew  
4           the license of any Vehicle Service Provider, or that  
5           portion of a license pertaining to a specific vehicle  
6           operated by the Provider, after an opportunity for a  
7           hearing, when findings show that the Provider or one or  
8           more of its vehicles has failed to comply with the  
9           standards and requirements of this Act or rules adopted by  
10          the Department pursuant to this Act.

11          (7) Issue an Emergency Suspension Order for any  
12          Provider or vehicle licensed under this Act, when the  
13          Director or his designee has determined that an immediate  
14          and serious danger to the public health, safety and welfare  
15          exists. Suspension or revocation proceedings which offer  
16          an opportunity for hearing shall be promptly initiated  
17          after the Emergency Suspension Order has been issued.

18          (8) Exempt any licensed vehicle from subsequent  
19          vehicle design standards or specifications required by the  
20          Department, as long as said vehicle is continuously in  
21          compliance with the vehicle design standards and  
22          specifications originally applicable to that vehicle, or  
23          until said vehicle's title of ownership is transferred.

24          (9) Exempt any vehicle (except an SEMSV) which was  
25          being used as an ambulance on or before December 15, 1980,  
26          from vehicle design standards and specifications required

1 by the Department, until said vehicle's title of ownership  
2 is transferred. Such vehicles shall not be exempt from all  
3 other licensing standards and requirements prescribed by  
4 the Department.

5 (10) Prohibit any Vehicle Service Provider from  
6 advertising, identifying its vehicles, or disseminating  
7 information in a false or misleading manner concerning the  
8 Provider's type and level of vehicles, location, primary  
9 service area, response times, level of personnel,  
10 licensure status or System participation.

11 (10.5) Prohibit any Vehicle Service Provider, whether  
12 municipal, private, or hospital-owned, from advertising  
13 itself as a critical care transport provider unless it  
14 participates in a Department-approved EMS System critical  
15 care transport plan.

16 (11) Charge each Vehicle Service Provider a fee per  
17 transport vehicle, due annually at time of inspection. The  
18 fee per transport vehicle shall be set by administrative  
19 rule by the Department and shall not exceed 100 vehicles  
20 per provider.

21 (Source: P.A. 97-333, eff. 8-12-11; 97-1014, eff. 1-1-13;  
22 98-452, eff. 1-1-14.)