

AN ACT concerning regulation.

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

Section 5. The Emergency Medical Services (EMS) Systems Act is amended by changing Sections 3.50, 3.60, and 3.85 as follows:

(210 ILCS 50/3.50)

Sec. 3.50. Emergency Medical Technician (EMT) Licensure.

(a) "Emergency Medical Technician-Basic" or "EMT-B" means a person who has successfully completed a course of instruction in basic life support as prescribed by the Department, is currently licensed by the Department in accordance with standards prescribed by this Act and rules adopted by the Department pursuant to this Act, and practices within an EMS System.

(b) "Emergency Medical Technician-Intermediate" or "EMT-I" means a person who has successfully completed a course of instruction in intermediate life support as prescribed by the Department, is currently licensed by the Department in accordance with standards prescribed by this Act and rules adopted by the Department pursuant to this Act, and practices within an Intermediate or Advanced Life Support EMS System.

(c) "Emergency Medical Technician-Paramedic" or "EMT-P"

means a person who has successfully completed a course of instruction in advanced life support care as prescribed by the Department, is licensed by the Department in accordance with standards prescribed by this Act and rules adopted by the Department pursuant to this Act, and practices within an Advanced Life Support EMS System.

(d) The Department shall have the authority and responsibility to:

(1) Prescribe education and training requirements, which includes training in the use of epinephrine, for all levels of EMT, based on the respective national curricula of the United States Department of Transportation and any modifications to such curricula specified by the Department through rules adopted pursuant to this Act.

(2) Prescribe licensure testing requirements for all levels of EMT, which shall include a requirement that all phases of instruction, training, and field experience be completed before taking the EMT licensure examination. Candidates may elect to take the National Registry of Emergency Medical Technicians examination in lieu of the Department's examination, but are responsible for making their own arrangements for taking the National Registry examination.

(2.5) Review applications for EMT licensure from honorably discharged members of the armed forces of the United States with military emergency medical training.

Applications shall be filed with the Department within one year after military discharge and shall contain: (i) proof of successful completion of military emergency medical training; (ii) a detailed description of the emergency medical curriculum completed; and (iii) a detailed description of the applicant's clinical experience. The Department may request additional and clarifying information. The Department shall evaluate the application, including the applicant's training and experience, consistent with the standards set forth under subsections (a), (b), (c), and (d) of Section 3.10. If the application clearly demonstrates that the training and experience meets such standards, the Department shall offer the applicant the opportunity to successfully complete a Department-approved EMT examination for which the applicant is qualified. Upon passage of an examination, the Department shall issue a license, which shall be subject to all provisions of this Act that are otherwise applicable to the class of EMT license issued.

(3) License individuals as an EMT-B, EMT-I, or EMT-P who have met the Department's education, training and examination requirements.

(4) Prescribe annual continuing education and relicensure requirements for all levels of EMT.

(5) Relicense individuals as an EMT-B, EMT-I, or EMT-P every 4 years, based on their compliance with continuing

education and relicensure requirements. An Illinois licensed Emergency Medical Technician whose license has been expired for less than 36 months may apply for reinstatement by the Department. Reinstatement shall require that the applicant (i) submit satisfactory proof of completion of continuing medical education and clinical requirements to be prescribed by the Department in an administrative rule; (ii) submit a positive recommendation from an Illinois EMS Medical Director attesting to the applicant's qualifications for retesting; and (iii) pass a Department approved test for the level of EMT license sought to be reinstated.

(6) Grant inactive status to any EMT who qualifies, based on standards and procedures established by the Department in rules adopted pursuant to this Act.

(7) Charge a fee for EMT examination, licensure, and license renewal.

(8) Suspend, revoke, or refuse to issue or renew the license of any licensee, after an opportunity for an impartial hearing before a neutral administrative law judge appointed by the Director, where the preponderance of the evidence shows one or more of the following:

(A) The licensee has not met continuing education or relicensure requirements as prescribed by the Department;

(B) The licensee has failed to maintain

proficiency in the level of skills for which he or she is licensed;

(C) The licensee, during the provision of medical services, engaged in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public;

(D) The licensee has failed to maintain or has violated standards of performance and conduct as prescribed by the Department in rules adopted pursuant to this Act or his or her EMS System's Program Plan;

(E) The licensee is physically impaired to the extent that he or she cannot physically perform the skills and functions for which he or she is licensed, as verified by a physician, unless the person is on inactive status pursuant to Department regulations;

(F) The licensee is mentally impaired to the extent that he or she cannot exercise the appropriate judgment, skill and safety for performing the functions for which he or she is licensed, as verified by a physician, unless the person is on inactive status pursuant to Department regulations;

(G) The licensee has violated this Act or any rule adopted by the Department pursuant to this Act; or

(H) The licensee has been convicted (or entered a plea of guilty or nolo-contendere) by a court of competent jurisdiction of a Class X, Class 1, or Class

2 felony in this State or an out-of-state equivalent offense.

(9) An EMT who is a member of the Illinois National Guard ~~or~~ an Illinois State Trooper~~r~~ or who exclusively serves as a volunteer for units of local government with a population base of less than 5,000 or as a volunteer for a not-for-profit organization that serves a service area with a population base of less than 5,000 may submit an application to the Department for a waiver of these fees on a form prescribed by the Department.

The education requirements prescribed by the Department under this subsection must allow for the suspension of those requirements in the case of a member of the armed services or reserve forces of the United States or a member of the Illinois National Guard who is on active duty pursuant to an executive order of the President of the United States, an act of the Congress of the United States, or an order of the Governor at the time that the member would otherwise be required to fulfill a particular education requirement. Such a person must fulfill the education requirement within 6 months after his or her release from active duty.

(e) In the event that any rule of the Department or an EMS Medical Director that requires testing for drug use as a condition for EMT licensure conflicts with or duplicates a provision of a collective bargaining agreement that requires testing for drug use, that rule shall not apply to any person

covered by the collective bargaining agreement.

(Source: P.A. 96-540, eff. 8-17-09; 96-1149, eff. 7-21-10; 96-1469, eff. 1-1-11; 97-333, eff. 8-12-11; 97-509, eff. 8-23-11; revised 11-18-11.)

(210 ILCS 50/3.60)

Sec. 3.60. First Responder.

(a) "First Responder" means a person who is at least 18 years of age, who has successfully completed a course of instruction in emergency medical responder ~~first response~~ as prescribed by the Department, and who provides first response services prior to the arrival of an ambulance or specialized emergency medical services vehicle, in accordance with the level of care established in the emergency medical responder ~~first response~~ course. A First Responder who provides such services as part of an EMS System response plan which utilizes First Responders as the personnel dispatched to the scene of an emergency to provide initial emergency medical care shall comply with the applicable sections of the Program Plan of that EMS System.

Persons who have already completed a course of instruction in emergency first response based on or equivalent to the national curriculum of the United States Department of Transportation, or as otherwise previously recognized by the Department, shall be considered First Responders on the effective date of this amendatory Act of 1995.

(a-5) "Provisional First Responder" means a person who is at least 16 years of age, who has successfully completed a course of instruction in emergency medical responder as prescribed by the Department, and who provides first response services prior to the arrival of an ambulance or specialized emergency medical services vehicle, in accordance with the level of care established in the emergency medical responder course. A Provisional First Responder must provide such services as part of an EMS System Response plan that utilizes Provisional First Responders with other EMS personnel dispatched to the scene of an emergency to provide initial emergency medical care and shall comply with the applicable sections of the program plan of that EMS System. A Provisional First Responder may apply to the Department for a First Responder license at the age of 18 upon the EMS Medical Director's written approval.

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

(1) Prescribe education requirements for the First Responder, which meet or exceed the national curriculum of the United States Department of Transportation, through rules adopted pursuant to this Act.

(2) Prescribe a standard set of equipment for use during first response services. An individual First Responder shall not be required to maintain his or her own set of such equipment, provided he or she has access to



such equipment during a first response call.

(3) Require the First Responder to notify the Department of any EMS System in which he or she participates as dispatched personnel as described in subsection (a).

(4) Require the First Responder to comply with the applicable sections of the Program Plans for those Systems.

(5) Require the First Responder to keep the Department currently informed as to who employs him or her and who supervises his or her activities as a First Responder.

(6) Establish a mechanism for phasing in the First Responder requirements over a 5-year period.

(7) Charge each First Responder applicant a fee for testing, initial licensure, and license renewal. A First Responder who exclusively serves as a volunteer for units of local government or a not-for-profit organization that serves a service area with a population base of less than 5,000 may submit an application to the Department for a waiver of these fees on a form prescribed by the Department.

(Source: P.A. 96-1469, eff. 1-1-11.)

(210 ILCS 50/3.85)

Sec. 3.85. Vehicle Service Providers.

(a) "Vehicle Service Provider" means an entity licensed by the Department to provide emergency or non-emergency medical

services in compliance with this Act, the rules promulgated by the Department pursuant to this Act, and an operational plan approved by its EMS System(s), utilizing at least ambulances or specialized emergency medical service vehicles (SEMSV).

(1) "Ambulance" means any publicly or privately owned on-road vehicle that is specifically designed, constructed or modified and equipped, and is intended to be used for, and is maintained or operated for the emergency transportation of persons who are sick, injured, wounded or otherwise incapacitated or helpless, or 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.

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

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

(A) "Limited Operation Vehicle" means a vehicle which is licensed by the Department to provide basic,

intermediate or advanced life support emergency or non-emergency medical services that are exclusively limited to specific events or locales.

(B) "Special-Use Vehicle" means any publicly or privately owned vehicle that is specifically designed, constructed or modified and equipped, and is intended to be used for, and is maintained or operated solely for the emergency or non-emergency transportation of a specific medical class or category of persons who are sick, injured, wounded or otherwise incapacitated or helpless (e.g. high-risk obstetrical patients, neonatal patients).

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

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

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

(2) Require a Vehicle Service Provider utilizing ambulances to have a primary affiliation with an EMS System

within the EMS Region in which its Primary Service Area is located, which is the geographic areas in which the provider renders the majority of its emergency responses. This requirement shall not apply to Vehicle Service Providers which exclusively utilize Limited Operation Vehicles. †

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

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

(B) Equipment requirements;

(C) Staffing requirements; and

(D) Annual license renewal.

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

(4) License all Vehicle Service Providers that have met the Department's requirements for licensure, unless such Provider is owned or licensed by the federal government. All Provider licenses issued by the Department shall specify the level and type of each vehicle covered by the

license (BLS, ILS, ALS, ambulance, SEMSV, limited operation vehicle, special use vehicle, reserve ambulance).†

(5) Annually inspect all licensed Vehicle Service Providers, and relicense such Providers that have met the Department's requirements for license renewal.†

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

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

(8) Exempt any licensed vehicle from subsequent vehicle design standards or specifications required by the Department, as long as said vehicle is continuously in compliance with the vehicle design standards and specifications originally applicable to that vehicle, or

until said vehicle's title of ownership is transferred. ~~+~~

(9) Exempt any vehicle (except an SEMSV) which was being used as an ambulance on or before December 15, 1980, from vehicle design standards and specifications required by the Department, until said vehicle's title of ownership is transferred. Such vehicles shall not be exempt from all other licensing standards and requirements prescribed by the Department. ~~+~~

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

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

(11) Charge each Vehicle Service Provider a fee per transport vehicle, to be submitted with each application for licensure and license renewal. The fee per transport vehicle shall be set by administrative rule by the Department and shall not exceed 100 vehicles per provider.

(Source: P.A. 96-1469, eff. 1-1-11; 97-333, eff. 8-12-11.)