

**Introduced by Senator Berryhill**

February 27, 2015

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An act to amend Section 1797.172 of the Health and Safety Code, relating to emergency medical services.

LEGISLATIVE COUNSEL'S DIGEST

SB 700, as introduced, Berryhill. Emergency medical services.

Under existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, the Emergency Medical Services Authority is responsible for establishing minimum standards and promulgating regulations for the training and scope of practice for emergency medical technician-paramedic (EMT-P).

This bill would make technical, nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 1797.172 of the Health and Safety Code
- 2 is amended to read:
- 3 1797.172. (a) The authority shall develop and, after approval
- 4 by the commission pursuant to Section 1799.50, adopt minimum
- 5 standards for the training and scope of practice for EMT-P.
- 6 (b) The approval of the director, in consultation with a
- 7 committee of local EMS medical directors named by the EMS
- 8 Medical Directors Association of California, is required prior to
- 9 implementation of any addition to a local optional scope of practice

1 for EMT-Ps proposed by the medical director of a local EMS  
2 agency.

3 (c) Notwithstanding any other ~~provision of law~~, the authority  
4 shall be the agency solely responsible for licensure and licensure  
5 renewal of EMT-Ps who meet the standards and are not precluded  
6 from licensure ~~because of any of the reasons listed in~~ *pursuant to*  
7 subdivision ~~(d)~~ (i) of Section 1798.200. Each application for  
8 licensure or licensure renewal shall require the applicant's social  
9 security number in order to establish the identity of the applicant.  
10 The information obtained as a result of a state and federal level  
11 criminal offender record information search shall be used in  
12 accordance with Section 11105 of the Penal Code, and to determine  
13 whether the applicant is subject to denial of licensure or licensure  
14 renewal pursuant to this division. Submission of fingerprint images  
15 to the Department of Justice may not be required for licensure  
16 renewal upon determination by the authority that fingerprint images  
17 have previously been submitted to the Department of Justice during  
18 initial licensure, or a previous licensure renewal, provided that the  
19 license has not lapsed and the applicant has resided continuously  
20 in the state since the initial licensure.

21 (d) The authority shall charge fees for the licensure and licensure  
22 renewal of EMT-Ps in an amount sufficient to support the  
23 authority's licensure program at a level that ensures the  
24 qualifications of the individuals licensed to provide quality care.  
25 The basic fee for licensure or licensure renewal of an EMT-P shall  
26 not exceed one hundred twenty-five dollars (\$125) until the  
27 adoption of regulations that specify a different amount that does  
28 not exceed the authority's EMT-P licensure, license renewal, and  
29 enforcement programs. The authority shall annually evaluate fees  
30 to determine if the fee is sufficient to fund the actual costs of the  
31 authority's licensure, licensure renewal, and enforcement programs.  
32 If the evaluation shows that the fees are excessive or are insufficient  
33 to fund the actual costs of the authority's EMT-P licensure,  
34 licensure renewal, and enforcement programs, then the fees shall  
35 be adjusted accordingly through the rulemaking process described  
36 in the Administrative Procedure Act (Chapter 3.5 (commencing  
37 with Section 11340) of Part 1 of Division 3 of Title 2 of the  
38 Government Code). Separate additional fees may be charged, at  
39 the option of the authority, for services that are not shared by all

1 applicants for licensure and licensure renewal, including, but not  
2 limited to, any of the following services:

3 (1) Initial application for licensure as an EMT-P.

4 (2) Competency testing, the fee for which shall not exceed thirty  
5 dollars (\$30), except that an additional fee may be charged for the  
6 cost of ~~any~~ services that provide enhanced availability of the exam  
7 for the convenience of the EMT-P, ~~such as~~ *including, but not*  
8 *limited to*, on-demand electronic testing.

9 (3) Fingerprint and criminal record check. The applicant shall,  
10 if applicable according to subdivision (c), submit fingerprint images  
11 and related information for criminal offender record information  
12 searches with the Department of Justice and the Federal Bureau  
13 of Investigation.

14 (4) Out-of-state training equivalency determination.

15 (5) Verification of continuing education for a lapse in licensure.

16 (6) Replacement of a lost licensure card. The fees charged for  
17 individual services shall be set so that the total fees charged to  
18 EMT-Ps shall not exceed the authority's actual total cost for the  
19 EMT-P licensure program.

20 (e) The authority may provide nonconfidential, nonpersonal  
21 information relating to EMS programs to interested persons upon  
22 request, and may establish and assess fees for the provision of this  
23 information. These fees shall not exceed the costs of providing the  
24 information.

25 (f) At the option of the authority, fees may be collected for the  
26 authority by an entity that contracts with the authority to provide  
27 any of the services associated with the EMT-P program. All fees  
28 collected for the authority in a calendar month by ~~any~~ *an* entity  
29 designated by the authority pursuant to this section to collect fees  
30 for the authority shall be transmitted to the authority for deposit  
31 into the Emergency Medical Services Personnel Fund within 30  
32 calendar days following the last day of the calendar month in which  
33 the fees were received by the designated entity, unless the contract  
34 between the entity and the authority specifies a different timeframe.