

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT.

The meeting was called to order by Chairperson Nancy Brown at 1:45 p.m. on February 2, 1993 in Room 521-S of the Capitol.

All members were present.

Committee staff present: Michael Heim, Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Lois Hedrick, Committee Secretary

Conferees appearing before the committee: Bob McDaneld, Board of Emergency Medical Services
Tuck Duncan, Medevac Medical Services, Inc.
James Todd, Kansas State Association of Firefighters

Others attending: See Guest List (Attachment 1).

There being no changes or additions to the minutes of the meetings held on January 26, January 27, and January 28, 1993, the minutes were approved.

The Chairman opened the hearing on **HB 2102**, concerning Emergency Medical Services (EMS) Attendants.

Bob McDaneld, of the Board of Emergency Medical Services, a proponent of the bill, stated no substantive changes are being accomplished by this bill other than repealing current separate statutes concerning "First Responder" (see testimony, Attachment 2), which replicate the existing statutes for EMS Attendants.

Representative Powers asked about the origination of the First Responder designation. Mr. McDaneld stated that it was designated by the federal government for firefighters and law enforcement officers. Representative Holmes questioned page 4, line 31 (relating to "omissions") which seemingly expands current statutes on liability. Mr. McDaneld stated that there is no change in liability provisions.

Tuck Duncan, Medevac Medical Services, Inc., a proponent, stated support for **HB 2102**. He repeated his contention that the limited immunity provisions for attendants and first responders should be amended to include their employing units.

James Todd, Kansas State Association of Firefighters, stated the association's support for **HB 2102**.

There were no opponents present to speak. The Chairman then noted for the record receipt of Tom Pollan's (of Sedgwick County) letter testifying to support of **HB 2102** (Attachment 3). Thereupon the hearing on **HB 2102** was closed.

Chairman Brown then opened the hearing on **HB 2104** concerning Emergency Medical Services Instructor Coordinator.

Mr. McDaneld testified in support of the bill (Attachment 4). He stated the bill is being proposed as a result of the EMS Board attempting to change training requirements of instructors by administrative regulation to permit about 200 training officers across the state to qualify as first level instructors. He stated it is the Board's intent, providing this bill is passed, to create a new training program for such training officers in order that qualified instructors are available to any unit throughout the state.

Chairman Brown stated that concerns are being raised by EMS personnel throughout the state that enactment of this bill may authorize any one who may not be qualified to become an instructor. Mr. McDaneld responded that he believed the EMS Board's intent is not to change the classification or training requirements for such instructors.

Representative Bryant stated that testimony has not yet demonstrated a need for the bill. Mr. McDaneld responded that presently there are 170 instructor coordinators and 200 training officers throughout the state. He estimated only about 30 of the 200 officers would choose to take on additional training duties. The purpose of the legislation is to provide additional instructor coordinators to assist smaller communities (such as where community volunteers man emergency services) in their training responsibilities. Cherokee County, Doniphan County, Glasco and Miltonvale have expressed such a need. The Kansas City Fire Department (Jim Beffort) has given strong support to this measure as Kansas City, like other urban department's, believe the measure would allow better utilization of their instructors and help control costs.

Tuck Duncan, Medevac Medical Services, Inc., stated support for enactment of **HB 2104**.

The Chairman then asked if there were any other proponents present to be heard. There was none. She then asked if there were any opponents to be heard. There was none.

Chairman Brown then directed the Committee's attention to Tom Pollan's letter of testimony (Attachment 3) which supports enactment of **HB 2104**.

Chairman Brown stated that **HB 2102** and **HB 2104** will be discussed and possible action considered on Monday, February 8.

The Chairman also reminded member's that Friday, February 5, is the legislative deadline for introduction of individual bills.

The meeting adjourned at 2:20 p.m. The next meeting is scheduled at 1:30 p.m., February 3, 1993, in Room 521-S of the State Capitol.

GUEST LIST

COMMITTEE: House Local Government

DATE: February 2, 1993

[illegible]



Bob McDanel
Administrator

State of Kansas

BOARD OF EMERGENCY MEDICAL SERVICES


109 S.W. 6TH STREET, TOPEKA, KS 66603-3805

(913) 296-7296 Administration
(913) 296-7403 Education & Training
(913) 296-7299 Examination & Certification
(913) 296-7408 Planning & Regulation

Joan Finney
Governor

DATE: February 2, 1993

TO: House Local Government Committee

FROM: Bob McDanel 

SUBJECT: Testimony in Support of HB 2102

The Board of Emergency Medical Services is the state agency which regulates pre-hospital emergency medical services. Agency responsibilities include the licensing of ambulance services and vehicles and the training, examination and certification of ambulance attendants.

HB 2102 amends current statutes by including "first responder" as a level of "attendant" certification. K.S.A. 65-6112 defines attendant as "an emergency medical technician, an emergency medical technician-intermediate, an emergency medical technician-defibrillator or a mobile intensive care technician whose primary function is ministering to the needs of persons requiring emergency medical services."

K.S.A. 65-6141 through 65-6143, 65-6145 and 65-6146 apply only to first responders but replicate language used for attendants. HB 2102 repeals these statutes, without changing requirements for authorization or regulations of first responder. The proposed amendments are technical in nature.

The first responder classification was created by the Legislature more than ten years after development of the attendant statutes. At that time, it was assumed first responders would not work directly with, or for, ambulance services and should not be included within the definition of attendant. This has changed.

First responders are involved in emergency medical services in a number of significant ways, including fire services, law enforcement, rescue squads and ambulance services. Their primary function, as with attendants, is "ministering to the needs of persons requiring emergency medical services." A first responder and an emergency medical technician are now the required minimum staffing on an ambulance. The reasons for having a separate set of statutes no longer exist.

The Board of Emergency Medical Services supports HB 2102 and requests committee support of the bill.

RM/st

ATTACHMENT 2
2-2-93

FEB.02, '93 10:41 SEDGWICK COUNTY EMS 3163837338 P.2/2

To: Chairperson Brown and Honorable Members of the House
Committee on Local Government

From: Tom Pollan (Ph 1-316-383-7239)

Date: February 2, 1993

Re: House Bills #2102 and #2104

First, allow me to apologize for not being able to attend your hearing on HB #2102 and #2104. I don't oppose HB #2102, but I do oppose HB #2104. I will forward the following as my testimony on HB #2104.

As you're aware the impetus for these bills was the establishment, now nearly three years ago, of Rules and Regulations that required Type II ambulance services to staff their ambulances with one Emergency Medical Technician and one First Responder as a minimum. No real substantive opposition has occurred, except in three areas of the State. All of these three areas were either small towns or rural counties. All other areas of the State, including nearly 200 ambulance services, complied with the K.A.R.'s. Of those who complied, many were smaller communities with less resources than those who were in opposition. To enact legislation that is focused at a very few, is a slap in the face to the vast majority who complied willingly.

However, most important is the fact that HB #2104 will completely change the qualifications of trainers or the training of instructors of EMS education. Currently, to be a certified instructor-coordinator (I/C), you must complete a course of training established by the Kansas Board of EMS (Board). In effect, this training program establishes a standard for both I/C's and the student attendants who take the programs approved by the Board. House Bill #2104 will open up that process and will potentially impact the standard of training programs. Noting the pressures that have brought by only three areas of the State to spur HB #2104. I see HB #2104 as opening Pandora's box. This will not assist those who want to meet established standards, it will only encourage those who do not want to meet minimum standards.

To answer one question that might arise, I am not an I/C or a Training Officer. My concern is generated because I am a potential user of emergency medical care, as you are, and I want someone who meets at least the minimum to render that care when I need that care.

Thank you for your time and consideration of this issue. Should you have any questions, please feel free to contact me.

Sincerely,


T. W. Pollan

ATTACHMENT 3
2-2-93



Bob McDanel
Administrator

State of Kansas

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Joan Finney
Governor

DATE: February 2, 1993
TO: House Local Government Committee
FROM: Bob McDanel *BM*
SUBJECT: Testimony in Support of HB 2104

The Board of Emergency Medical Services is the state agency which regulates pre-hospital emergency medical services. Agency responsibilities include the licensing of ambulance services and vehicles and the training, examination and certification of ambulance attendants.

HB 2104 amends current statutes to permit the board to approve individuals other than instructor-coordinators to conduct initial training programs. The objective of the board is to adopt regulations which would allow board approved training officers, who successfully complete an additional training program, to instruct and coordinate first responder training programs.

Training officers currently provide approved continuing education for attendant certification renewal programs throughout the state. Every training officer is certified as an emergency medical technician or higher and has been designated by an ambulance service, fire department or educational institution as a training officer. Training officers complete a three day training program conducted by board staff; the training program must be repeated annually to maintain approval.

First responder programs are approximately 50-70 hours in length. All training programs are individually approved by the board and are monitored by board staff. The board believes these requirements would ensure Kansas emergency medical services standards for training programs are maintained.

The Board of Emergency Medical Services supports HB 2104 and requests committee support of the bill. I have enclosed a copy of a supportive resolution adopted by the board on October 1, 1992. If HB 2104 becomes law, the board will have the flexibility to ensure quality first responder training can be provided to areas of Kansas which currently need, but cannot obtain, qualified instructors.

RM/st
enc.

ATTACHMENT 4-1
2-2-93



Bob McDanel
Administrator

State of Kansas

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Joan Finney
Governor

TRAINING OFFICER RESOLUTION

Whereas, the board recognizes that the training officer program is a valuable resource for Kansas emergency medical services; and

Whereas, these men and women have received approved training in adult education and have provided approved continuing education for attendant certification renewal since the creation of the training officer program in 1986; and

Whereas, the board also recognizes a need exists in many communities for first responder training which is not being met by the network of instructor-coordinators, who are currently the only persons approved by statute to provide initial training programs; and

Whereas, the board has a vital interest in ensuring adequate training is available to meet the needs of Kansas communities;

Therefore, be it resolved the Kansas Board of Emergency Medical Services requests that the Kansas Legislature adopt enabling legislation which would permit training officers to coordinate and instruct first responder training programs. This enabling legislation would provide the board the authority to adopt administrative regulations which would meet the needs of Kansas emergency medical services.

Adopted by the Kansas Board of Emergency Medical Services on October 1, 1992.

Bob McDanel
Administrator

RM/st

ATTACHMENT 4-2
2-2-93