

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
SECOND REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 1959**

H. P. 1869

House of Representatives, February 25, 1980

Reported by Mr. Higgins from the Joint Subcommittee Studying the Provisions of Emergency Medical Services pursuant to H. P. 1435 and Printed Under Joint Rules No. 17.

EDWIN H. PERT, Clerk of the House

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

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**AN ACT to Amend the Laws Relating to Ambulance Service.**

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**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, enactment of this bill is necessary to clarify the provisions for licensure and relicensure of licensed ambulance personnel, thereby affecting the provision of emergency medical services in all areas of the State; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

**Sec. 1.** 32 MRSA § 72, sub-§ 9 is enacted to read:

**9. Regional council.** "Regional council" means that group recognized by the department in each of the 5 regions of the State established for the delivery of emergency medical services.

**Sec. 2.** 32 MRSA § 73, sub-§ 1, as last amended by PL 1977, c. 241, §§ 5 and 6, is further amended by adding at the end a new sentence to read:

**There shall also be up to 5 ex officio members, one designated from each existing**

**regional council to serve on the board as a voting member with all rights and privileges.**

**Sec. 3. 32 MRSA § 73, sub-§ 3, as amended by PL 1975, c. 293, § 4, is further amended to read:**

**3. Meetings.** The board shall meet at least ~~once~~ **4 times** each year and at such other times as may be provided by resolution of the board, or at the call of its chairman or the Commissioner of Human Services.

**Sec. 4. 32 MRSA § 73, sub-§ 6, first sentence, as amended by PL 1979, c. 143, § 1, is further amended to read:**

The Department of Human Services shall adopt such forms, rules, regulations, procedures and records as may be necessary to fulfill the purposes of this chapter in conformity with the requirements of the Maine Administrative Procedure Act, Title 5, chapter 375, except that in addition to the requirements established by this Act with regard to the holding of public hearings, the board shall hold ~~one public hearing in each county in the State, at a site in each county~~ **at least 2 public hearings in each region of the State, at sites in each region** as centrally located as possible, and in the evening, in order to provide the greatest opportunity for public participation.

**Sec. 5. 32 MRSA § 73, sub-§ 7, as repealed and replaced by PL 1979, c. 288, § 2, is repealed and the following enacted in its place:**

**7. Minimum level of training.** The minimum level of training for licensure as licensed ambulance personnel shall be:

**A. One of the following courses:**

(1) The American Red Cross Advanced First Aid and Emergency Care Course, supplemented by training in extrication, oxygen and suction, patient evaluation and taking of vital signs, with the accompanying examinations and tests, which shall be recognized as valid for 3 years of completion; or

(2) The Department of Transportation Crash Injury Management Course, First Responder Course, with accompanying examinations and tests, which shall be recognized as valid for 3 years from the date of completion;

**B. One of the cardiopulmonary resuscitator courses, with the accompanying examinations and tests, which shall be recognized as valid for 12 months from the date of completion; and**

**C. State-administered written and practical examinations.**

All licensed ambulance personnel are authorized to administer emergency treatment procedures.

**Sec. 6. 32 MRSA § 73, sub-§§ 8 and 9 are enacted to read:**

**8. Requirements for relicensure.** The minimum requirements for relicensure as licensed ambulance personnel shall be:

A. Satisfactory completion, within the 12 months immediately preceding the expiration date of the license held by the applicant at the time of application for relicensure, of one of the cardiopulmonary resuscitator courses with accompanying examinations and tests; and

B. Satisfactory completion, within the 3 years immediately preceding the expiration date of the license held by the applicant at the time of application for relicensure, of:

- (1) Either an emergency medical services refresher program approved by the department or the courses and tests specified in subsection 7, paragraphs A and B; and
- (2) State administered written and practical examinations.

9. State testing. The State shall prepare examinations for initial licensure and relicensure and shall administer them through regionally-coordinated examination teams. Examinations shall be advertised and scheduled regularly in each region and shall be administered at appropriate sites and times justified by the need. Each member of an examination team shall hold a current license for at least the level at which he is examining others and shall not administer an examination to any member of a unit to which he belongs.

Sec. 7. 32 MRSA § 75, as repealed and replaced by PL 1977, c. 694, § 539, is amended to read:

#### § 75. Appeals

Any person who is aggrieved by a decision of the ~~board~~ commissioner in amending, modifying or refusing to issue or to renew a license may request a hearing as provided by the Maine Administrative Procedure Act.

Whenever the ~~board~~ commissioner decides to revoke or suspend a license, ~~it~~ he shall do so by filing a complaint with the Administrative Court as provided by the Maine Administrative Procedure Act.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

### STATEMENT OF FACT

This bill adds a definition of regional councils and provides for one voting member from each existing regional council on the advisory board. The board is now required to meet at least 4 times a year, instead of only once and must hold at least 2 public hearings in each of the 5 regions when rules and regulations changes are considered, rather than the current requirement of one hearing in each county.

The minimum level of training is specified, with the change being a return to a state written and practical examination. Relicensure requirements are now

spelled out in legislation, and include cardiopulmonary resuscitator certification within the preceding 12 months and refresher courses plus the state exam within the last 3 years.

A new section on state testing clarifies the procedure. Passage of a state-prepared and state-administered written and practical examination is required for licensure and relicensure. Examinations may be given locally to graduates of one course or at a central site for graduates of several courses, as appropriate to the need. They shall be regularly scheduled and advertised by the Department of Human Services. The members of the examination teams must be licensed and must not test members of their own unit.

An incorrect reference to the duties of the board is corrected.