

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 627

H.P. 476

House of Representatives, February 8, 2007

### **An Act To Ensure Uniform Emergency Medical Dispatch Services in Maine**

(EMERGENCY)

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Submitted by the Department of Public Safety pursuant to Joint Rule 204.  
Reference to the Committee on Utilities and Energy suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative RINES of Wiscasset.  
Cosponsored by Representatives: ADAMS of Portland, BLISS of South Portland, FLETCHER  
of Winslow, THIBODEAU of Winterport.

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

3       **Whereas,** emergency medical dispatch has become a standard of care for persons  
4 calling E-9-1-1 for medical assistance; and

5       **Whereas,** there is presently no provision for the licensing of dispatch centers to  
6 provide emergency medical dispatch unless the centers are otherwise identified as public  
7 safety answering points; and

8       **Whereas,** it is vital that the lack of such a provision be addressed in order to ensure  
9 that all E-9-1-1 callers in the State are afforded the benefit of emergency medical  
10 dispatch; and

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

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

16       **Sec. 1. 32 MRSA §85-A,** as enacted by PL 2005, c. 303, §3, is amended to read:

17       **§85-A. Emergency medical dispatch personnel**

18       **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
19 following terms have the following meanings.

20       A. "Bureau" means the Emergency Services Communication Bureau within the  
21 Public Utilities Commission.

22       A-1. "Emergency medical dispatch center" means any entity that holds itself out to  
23 be a provider of emergency medical dispatch services.

24       B. "Emergency Medical Dispatch Priority Reference System" means a system  
25 approved by the bureau and the board that includes:

26               (1) A protocol for emergency medical dispatcher response to calls;

27               (2) A continuous quality improvement program that measures compliance with  
28 the protocol through ongoing random case review of each emergency medical  
29 dispatcher; and

30               (3) A training curriculum and testing process consistent with the protocol.

31       C. "Emergency medical dispatch services" means any of the following services  
32 provided ~~by a public safety answering point~~ in the context of an emergency call made  
33 to the E-9-1-1 system:

34               (1) Reception, evaluation or processing of calls;

35               (2) Provision of dispatch life support;

- 1 (3) Management of requests for emergency medical assistance; and
- 2 (4) Evaluation or improvement of the emergency medical dispatch process,  
3 including identifying the nature of an emergency request, prioritizing the urgency  
4 of a request, dispatching necessary resources, providing medical aid and safety  
5 instructions to the caller and coordinating the responding resources as needed.
- 6 D. "Emergency medical dispatcher" means a person ~~employed by a public safety~~  
7 ~~answering point~~ licensed by the board who provides emergency medical dispatch  
8 services as a member of an emergency medical dispatch center licensed by the board.
- 9 E. "Provider of emergency medical dispatch services" means an emergency medical  
10 dispatcher or ~~public safety answering point~~ emergency medical dispatch center  
11 licensed by the board.
- 12 F. "Public safety answering point" has the same meaning as in Title 25, section  
13 2921.
- 14 **2. Mandatory qualifications.** The board, in consultation with the bureau, shall  
15 adopt rules governing qualifications for and standards to be observed by providers of  
16 emergency medical dispatch services. The rules must, at a minimum:
- 17 A. ~~Require biennial certification of providers of~~ Establish licensing requirements  
18 for emergency medical dispatchers and emergency medical dispatch services centers;
- 19 B. Establish minimum education and continuing education requirements for  
20 emergency medical dispatchers, ~~including at least 12 hours of emergency medical~~  
21 ~~dispatch continuing education each year~~;
- 22 C. Establish a process for approving an Emergency Medical Dispatch Priority  
23 Reference System that all emergency medical dispatchers are required to follow;
- 24 D. Require an emergency medical ~~dispatcher~~ dispatch center to inform the board of  
25 ~~the public safety answering point that when the center~~ employs or supervises the  
26 terminates employment of an emergency medical dispatcher;
- 27 E. Establish or provide for Maine Emergency Medical Services approval of  
28 emergency medical dispatcher ~~certification~~ training programs, which must be  
29 conducted in accordance with ~~appropriate national~~ standards approved by the board;
- 30 F. Establish qualifications for instructors of emergency medical dispatcher  
31 ~~certification~~ training programs;
- 32 G. Require regular reporting to the board by ~~a public safety answering point~~ an  
33 emergency medical dispatch center with respect to the use of the Emergency Medical  
34 Dispatch Priority Reference System; and
- 35 H. Require that each ~~public safety answering point~~ emergency medical dispatch  
36 center appoint a director of emergency medical dispatch services to review and  
37 ensure compliance with the requirements of this section.
- 38 Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5,  
39 chapter 375, subchapter 2-A.

1 **2-A. Requirement to provide emergency medical dispatch services.** A public  
2 safety answering point or other licensed emergency medical dispatch center must provide  
3 emergency medical dispatch services on all medical E-9-1-1 calls directly or by  
4 transferring the call to another licensed emergency medical dispatch service.

5 **3. Prohibitions.** Beginning January 1, 2007, the following provisions apply.

6 A. A person may not provide emergency medical dispatch services unless the  
7 person is ~~certified~~ licensed by the board as an emergency medical dispatcher in  
8 accordance with this section.

9 B. An entity may not operate as a public safety answering point unless ~~certified~~  
10 licensed as an emergency medical dispatch center in accordance with this section.

11 C. A person may not offer a training course that is represented as a ~~course for~~  
12 board-approved emergency medical dispatcher certification training course unless the  
13 person is approved by the board to provide such training in accordance with this  
14 section.

15 D. An ~~entity~~ emergency medical dispatch center may not provide emergency  
16 medical dispatch services except in accordance with an Emergency Medical Dispatch  
17 Priority Reference System approved in accordance with this section.

18 E. An entity may not hold itself out to be a provider of emergency medical dispatch  
19 services unless it is licensed as an emergency medical dispatch center.

20 **4. Licensing actions.** A ~~certification~~ license issued pursuant to this section is  
21 ~~deemed a license for the purposes~~ subject to the provisions of sections 90-A and 91-A.  
22 Before the board or its subcommittee or staff takes any final action to suspend or revoke a  
23 ~~certification~~ license or to refuse to reissue a ~~certification~~ license, the board shall contact  
24 the bureau for input on the effect of such an action on the E-9-1-1 system and,  
25 notwithstanding section 92, may, to the extent necessary for this purpose, disclose to the  
26 bureau information that is designated as confidential under section 92.

27 **5. Effect on tort claims.** Nothing in this section increases any liability that may  
28 arise or be limited under Title 14, chapter 741.

29 **Emergency clause.** In view of the emergency cited in the preamble, this  
30 legislation takes effect when approved.

31 **SUMMARY**

32 This bill clarifies the emergency medical dispatch (EMD) role of public safety  
33 answering points (PSAP) and requires state licensure for all persons and entities engaged  
34 in EMD. The current statute requires certification only for PSAPs and dispatchers  
35 employed by the PSAPs. This bill provides flexibility for PSAPs to enter into  
36 cooperative agreements with non-PSAPs to provide emergency medical dispatch services,  
37 and ensures that non-PSAPs engaged in EMD do so in accordance with rules established  
38 by the Emergency Medical Services' Board.