

NOTICE OF INTENT
Department of Health and Hospitals
Bureau of Health Services Financing

Emergency Medical Transportation Services
Ambulance Licensing Standards
(LAC 48:I.6001, 6037, 6057)

The Department of Health and Hospitals, Bureau of Health Services Financing proposes to amend LAC 48:I.6001, §6037, and §6057 in the Medical Assistance Program as authorized by R.S. 36:254, R.S. 40:1231 and R.S.40:1235.2. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq.

The Department Health and Hospitals, Bureau of Health Services Financing adopted provisions governing the minimum licensing standards for ambulance and emergency medical response vehicle services, including ground and air transportation (*Louisiana Register*, Volume 35, Number 3). This Rule clarified and repromulgated the provisions of the April 20, 1998 Rules for the purpose of adopting these provisions in a codified format for inclusion in the *Louisiana Administrative Code*.

House Concurrent Resolution (HCR) 92 of the 2015 Regular Session of the Louisiana Legislature directed the department to amend the provisions governing the licensing standards for ambulance service providers to establish protocols relative to the assessment and transport of patients with cardiac and stroke emergencies. In compliance with the directives of HCR 92, the

department proposes to amend the provisions governing the licensing standards for emergency medical transportation services.

Title 48
PUBLIC HEALTH—GENERAL
Part I. General Administration
Subpart 3. Licensing and Certification

Chapter 60. Emergency Medical Transportation Services

Subchapter A. General Provisions

§6001. Definitions

Appropriate Facility-an institution generally equipped to provide the needed hospital or skilled nursing care for the illness or injury involved. In the case of a hospital, a physician or a physician specialist is available to provide the necessary care required to treat the patient's condition.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1231.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 35:466 (March 2009), amended LR 41:

Subchapter B. Provider Responsibilities

§6037. Medical Protocol

A. - B. ...

C. These protocols shall include protocols for the care of:

1. - 3. ...

4. ~~premature ventricular ectopy when greater than six per minute, multifocal, bigeminal, occurring in bursts of two or more, falling on or close to the T wave~~ suspected cardiogenic chest pain or suspected myocardial infarction;

5. ~~severe, unrelieved, suspected cardiogenic chest pain, or suspected myocardial infarction~~ stroke or suspected stroke;

6. - 9. ...

10. unconsciousness, or altered mental status, ~~or;~~ ~~respiratory depression from suspected drug overdose;~~

11. ~~treatment induced unconsciousness, altered mental status, hypotension, or respiratory depression from physician ordered or protocol appropriate paramedic administered narcotics~~ suspected drug overdose;

12. ~~respiratory failure or respiratory arrest~~ treatment induced unconsciousness, altered mental status, hypotension, or respiratory depression from physician ordered or protocol appropriate paramedic administered narcotics;

13. ~~active seizure~~ respiratory failure or respiratory arrest;

14. ~~hospital patient destination~~ active seizure;

15. ~~pre-hospital diversion~~ hospital patient destination;
16. ~~patient with advanced directives~~ pre-hospital diversion;
17. ~~mass casualty incidents; and~~ patient with advanced directives;
18. ~~injuries from weapons of mass destruction.~~ mass casualty incidents;
19. injuries from weapons of mass destruction;
20. pediatric specific care; and
21. traumatic injuries.

D. ~~All protocols shall:~~ The EMS service shall adopt the protocols established by the Louisiana Emergency Response Network or develop an agency specific protocol with specific language related to the transportation of the following patients:

1. ~~meet or exceed requirements of these licensing standards and all applicable federal, state, and local laws;~~ Acute stroke patients shall be transported to the closest appropriate comprehensive stroke center, primary stroke center, or acute stroke ready hospital, or to the closest appropriate hospital if the patient exhibits a compromise of airway, breathing, or circulatory function.

2. ~~be consistent with the National Standard EMS Scope of Practice and the rulings of the Louisiana EMS Certification Commission;~~ Patients suffering an acute ST elevation myocardial infarction (STEMI) shall be transported to the closest appropriate STEMI receiving center or, when appropriate, a STEMI referring center

3. ~~be reviewed annually~~ Repealed.

E. ~~Ambulance services are accountable for assuring compliance with applicable protocols by their personnel. Exceptions to these protocols must be reviewed on a case-by-case basis by the physician medical director.~~ All protocols shall:

1. meet or exceed the requirements of these licensing standards and all applicable federal, state, and local laws;

2. be consistent with the National Standard EMS Scope of Practice and the rulings of the Louisiana EMS Certification Commission;

3. be reviewed annually by the licensed agency's medical director, or the parish medical society; and

4. be submitted to the department no more than 30 days after the implementation of the protocol.

F. ~~Ambulance services must produce and provide to all personnel a policy and procedures manual governing the service's operation to all personnel~~ Ambulance services are accountable for

assuring compliance with applicable protocols by their personnel. Exceptions to these protocols must be reviewed on a case-by-case basis by the physician medical director.

G. Ambulance services must produce, and provide to all personnel, a policy and procedures manual governing the service's operation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1234.E.1 and 40:1235.2.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 35:476 (March 2009), amended LR 41:

Subchapter C. Emergency Vehicles - Ground Transportation

§6057. Ambulances

A. - B.5.1. ...

m. one roll per crew member, chemical sealant tape (not duct tape); and

B.5.n. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1235.2.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 35:480 (March 2009), amended LR 41:

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on

the family has been considered. It is anticipated that this proposed Rule may have a positive impact on family functioning, stability and autonomy as described in R.S. 49:972 as it will aid in improving death outcomes and reducing disability occurrences by providing vital emergency medical transportation services for cardiac and stroke patients.

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule may have a positive impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973 by reducing the financial burden on families who incur costs associated with cardiac and stroke emergencies since these provisions are expected to improve the health outcomes of cardiac and stroke patients.

In compliance with House Concurrent Resolution 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or qualifications required to provide the same level of service, no direct or indirect cost to the provider to provide the same level of service, and will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

Interested persons may submit written comments to Cecile Castello, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821 or by email to MedicaidPolicy@la.gov. Ms. Castello is responsible for responding to inquiries regarding this proposed Rule. A public hearing on this proposed Rule is scheduled for Thursday, August 27, 2015 at 9:30 a.m. in Room 118, Bienville Building, 628 North Fourth Street, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing. The deadline for receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

Kathy H. Kliebert

Secretary