



# BUREAU OF EMERGENCY MEDICAL SERVICES POLICY AND PROCEDURE MANUAL

2021

The Louisiana Bureau of EMS is responsible for the overall planning, coordination, licensing and regulation of Louisiana's EMS system.

Bureau of EMS  
Functions

EMS Certification  
Commission

EMS Task Force

Education

Examination

Licensing

Ambulance Standards

911 Communications  
Telephone CPR

LOUISIANA  
BUREAU OF  
EMS

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**LOUISIANA DEPARTMENT OF HEALTH**  
**OFFICE OF PUBLIC HEALTH**  
**BUREAU OF**  
**EMERGENCY MEDICAL SERVICES**



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## ***BUREAU OF EMS FUNCTIONS***

### ***Mission Statement***

To coordinate, develop, improve and maintain a comprehensive and dynamic emergency medical services system for the state that will ensure prompt, effective and unimpeded service by appropriately educated and licensed EMS practitioners to all residents and visitors of the state.

### ***Staff***

<b>Title</b>	<b>Responsibilities</b>
<b>Director</b> Susan F. Bailey Susan.Bailey2@la.gov 225/925-4022	<ul style="list-style-type: none"> <li>• Directs and manages the operations of the Bureau of EMS</li> <li>• Maintains responsibility for the productivity, efficiency and effectiveness of Bureau of EMS personnel</li> <li>• Formulates and implements current and long-range plans, policies, procedures and regulations</li> <li>• Plans and submits annual budget requests</li> <li>• Proposes pertinent legislative initiatives</li> <li>• Represents the Bureau of EMS in matters at various local, state, and federal hearings, meetings and conferences</li> </ul>
<b>Deputy Director</b> Stacy Barbay 225/925-3840	<ul style="list-style-type: none"> <li>• Conducts investigations that originate from complaints and/or affirmative criminal background affidavits</li> <li>• Prepared all documents that will be reviewed during and EMS Certification Commission meeting.</li> <li>• Facilitation of the EMS Certification Commission</li> <li>• Oversight of bi-annual equipment inventory</li> <li>• Responsible for inventory and updating agreements of Public Access AEDs</li> <li>• Function as the Bureau of EMS Safety Officer</li> <li>• Responsible for legislative tracking and notifying the Bureau of EMS Director of pertinent legislation that pertains to the Bureau of EMS</li> <li>• Represent the Bureau of EMS on the OPH Naloxone Committee</li> <li>• Creation, implementation and monitoring of a QA/QI program of the examination process</li> <li>• Creation, implementation and monitoring of a QA/QI program for the credentialing process</li> </ul>
<b>Administrative Assistant</b> Rochelle Grayer Rochelle.Grayer@la.gov 225/925-4022	<ul style="list-style-type: none"> <li>• Customer Service</li> <li>• Financial transactions</li> <li>• Travel reservations, payments, etc.</li> </ul>

<b>Education Manager</b> John Cavell John.Cavell@la.gov 225/925-7229	<ul style="list-style-type: none"> <li>• Management of the accreditation process for Louisiana EMS Education Programs</li> <li>• Creation, implementation and monitoring a proactive quality management program to improve the quality of EMS education in Louisiana</li> <li>• Provides training on topics specific to the Bureau of EMS</li> <li>• Responsible for posting on the Bureau of EMS webpage and Facebook page</li> <li>• Collaboration with EMS education programs, the Committee on Accreditation of Educational Programs, the Louisiana Department of Education and the National Registry of EMTs</li> </ul>
<b>Compliance Coordinator</b> Douglas Champlin Douglas.Champlin@la.gov 225/925-7214	<ul style="list-style-type: none"> <li>• Collaboration with National Registry of EMTs, as applicable</li> <li>• Direct oversight of all aspects regarding the psychomotor exam and examiners</li> <li>• Creation, implementation, and monitoring of exam centers to facilitate psychomotor exams throughout the state</li> <li>• Oversight of the Bureau of EMS functions in preparing for and during a declaration of disaster</li> <li>• Coordinate functions of CPR Training site</li> <li>• Creation, implementation and monitoring of a QA/QI program for all psychomotor exams</li> <li>• Regulatory functions of ambulance inspections and licensing</li> </ul>
<b>Credentialing Coordinator</b> Katherine Robillard Katherine.Robillard@la.gov 225/925-7216	<ul style="list-style-type: none"> <li>• Direct oversight of the credentialing process which includes licensure, re-licensure and reciprocity for EMS Practitioners</li> <li>• Collaboration with National Registry of EMTs for licensure verification</li> <li>• Facilitation of the EMS Task Force</li> </ul>
<b>911 Communications Coordinator</b> Lisa MacDonald Lisa.MacDonald@la.gov 225/925-6873	<ul style="list-style-type: none"> <li>• Performing the duties promulgated by Act 578 - setting the minimum standards for course approval, instruction and examination of the T-CPR program</li> <li>• Collaborating with local jurisdictional leaders of the communications districts or agencies providing public safety communication services to determine the unique emergency medical call taking needs of each parish and how the mandates of Act 578 can be met</li> <li>• Assist in research and guidance on the development of an emergency medical dispatch program when requested</li> <li>• Research and develop a public education program to stress the importance of performing life-saving pre-arrival instructions when</li> <li>• Assist with the functions of CPR Training site</li> </ul>

## **§101 Statement of Purpose**

### **A The Louisiana Bureau of Emergency Medical Services is created within the Louisiana Department of Health for the purpose of:**

1. Maintaining a program for the improvement and regulation of emergency medical services in the state;
2. Developing a state plan for the prompt and efficient delivery of adequate emergency medical services to acutely sick and injured individuals;
3. Serving as the primary agency for participation in any federal program involving emergency medical services and, pursuant to legislative appropriation, disburse available funds to implement any service program;
4. Identify all public and private agencies, institutions, and individuals that are or may be engaged in emergency medical services training and set minimum standards for course approval, instruction, examination and telephone CPR.

### **B The Bureau of EMS shall:**

1. Issue a license and renew a license to any duly qualified applicant for licensure and license renewal as an Emergency Medical Services Practitioner and an Emergency Medical Services Provider;
2. Prescribe application forms for licensure and license renewal;
3. Adopt requirements and standards of practice approved by the EMS Certification Commission for Emergency Medical Services Practitioner;
4. Conduct investigations as requested by the EMS Certification Commission;
5. Deny, withhold, revoke, restrict, probate, or suspend a license as directed by the EMS Certification Commission;
6. Adopt continuing education requirements and standards for individuals seeking to renew a license;
7. Conduct surveys of EMS Providers during the month of their license renewal;
8. Conduct investigations of EMS Providers after receiving a complaint;
9. Process changes requests from EMS Providers
10. Within 60 days of the end of the fiscal year, prepare an annual report that will include:
  - a. Accomplishments of the Bureau of EMS to include the following summaries:
    - i. Administrative
    - ii. Education
    - iii. Licensing
    - iv. Examination
    - v. Ambulance Standards
  - b. The activities of the EMS Certification Commission including the number and nature of the hearings conducted;
  - c. The activities of the EMS Task Force

## **§103 Definition of Terms**

- A. *Accountability* – being answerable for one’s actions or inactions. The licensed EMS professional answers to self, patient, agency, medical director, profession and society for the effectiveness and quality of EMS care rendered. It is the personal responsibility of each individual to maintain competency in practice. If the assigned EMS professional does not possess the specialized EMS knowledge, skills and abilities required to provide the required care, said professional shall notify the appropriate supervisory EMS personnel.



- B. *Adjunct Instructor/Subject Matter Expert (SME)* is responsible for assisting with the instruction of cognitive, psychomotor and affective subject matter in which the individual has appropriate or exceptional expertise that will be beneficial to the students.
- C. *Advanced Life Support (ALS)* – emergency medical care administered to the level of an Advanced EMT and/or Paramedic’s scope of practice.
- D. *Ambulance* – means any authorized emergency vehicle, equipped with warning devices, designed and operated as a part of a regular course of conduct or business to transport a sick or injured individual or which is advertised or otherwise held out to the public as such; it shall not mean a hearse or other funeral home vehicle utilized for the transportation of the dead.
- E. *Ambulance service, ambulance provider or ambulance agency* – means any person, firm, association, or government entity owning, controlling, or operating any business or service which furnishes, operates, conducts, maintains, advertises, engages in, proposes to engage in, or professes to engage in the business or service of transporting, in ambulances, individuals who may need medical attention during transport.
- F. *Assessment* – identifying human responses, which indicate existing, or potential abnormal condition through the patient history, physical examination, and observation, in accordance with the standards of EMS of practice.
- G. *Assignment* – designating EMS activities to be performed by an individual consistent with his/her scope of practice.
- H. *Aiding and Abetting* – to intentionally assist anyone by condoning, or to apply positive or negative force to assist anyone in violating the Emergency Medical Services Practice Act or the rules and regulation of the Bureau of EMS or the EMS Certification Commission.
- I. *Bureau of EMS* – the Louisiana Department of Health, Bureau of Emergency Medical Services.
- J. *Cardiopulmonary resuscitation or CPR* – a combination of rescue breathing and manual and mechanical chest compressions delivered to an individual believed to be in cardiac arrest.
- K. *Carrying out the medical orders of a physician licensed in Louisiana* – licensed EMS Practitioners may, based on their individual judgment of each situation and without exceeding their scope of practice, accept verbal orders initiated by a licensed physician provided the order is related to the said practitioner’s scope of practice; or a licensed EMS Practitioner may execute standing orders of a licensed physician. A physician order cannot be executed if the skill or procedure is outside the approved scope of practice for the licensed EMS Practitioner.
- L. *Clinical Coordinator* primarily focuses on monitoring and scheduling students for hospital and/or ambulance clinical time.
- M. *Cohort* is a defined group of students who are attending a class together (sometimes used synonymously with class).
- N. *Collaborating* – a process involving two or more healthcare providers working together, though not necessarily in each other’s presence, each contributing one’s respective area of expertise to provide more comprehensive care than one alone can offer.
- O. *Committee on Accreditation of Education Programs for the Emergency Medical Services Professions (CoAEMSP)* – the national organization that reviews and recommends the national accreditation of EMS Education Program to the Commission on Accreditation of allied Health Education Programs (CAAHEP).
- P. *Community volunteer responder* – individuals who serve their community on a voluntary basis and who receive no compensation of any kind for such services. A community volunteer responder is not an individual who provides EMS services as a component of their employment or paid profession.

- Q. *Controlled Dangerous Substance (CDS)* – a drug, substance, or immediate precursor in Schedule 1 through V of R.S. 40:964.
- R. *CATS* – Cross Application Time Sheet provided by the Human Resources System.
- S. *Delegating EMS Interventions* – committing or entrusting the performance of selected EMS tasks by the licensed EMS Practitioner to other competent EMS Practitioners in selected situations. The licensed EMS Practitioner retains the accountability for the total EMS care of the individual.
- T. *Deny* – to refuse for cause.
- U. *Department* – the Louisiana Department of Health (LDH).
- V. *Disaster Hours Worked*
1. **Includes** time spent in:
    - a. Working at an assigned Emergency Disaster Operations Site and/or performing disaster operations tasks in direct support of an ESF8 function.
    - b. Transit to or from an employee’s work assignment outside the employee’s work domicile.
  2. **Excludes** time spent in:
    - a. Ordinary travel to or from the employee’s home or work domicile. An exception shall be made for all classified employees **who are part of the Protective Services pay scheduled and are activated for ESF8 functions**. For these employees, **disaster hours** worked shall be considered too begin at the start of the commute regardless of work domicile.
    - b. Sleeping at an assigned location, except under extraordinary circumstances as defined by the Emergency Duty location’s Incident Commander upon approval of the LDH Emergency Operations Director.
    - c. A thirty-minute meal break per each 12-hour shift.
- W. *eCertification* – online process that allows employees to certify or decline time statements electronically and lets approvers approve or reject employees’ time statements electronically
- X. *Emergency Disaster Operations Site* – Emergency Disaster Operations Sites include but are not limited to sites such as Governor’s Office of Homeland Security and Emergency Preparedness (GOHSEP), LDH Emergency Operations Center (LDH EOC), Regional/Parish Emergency operations Centers (Regional/Parish EOC), Medical Special Needs Shelters (MSNS), Critical Transportation Needs Shelters (CTNS), hazardous materials ties, transportation staging sites, Point of Dispensing Sties (PODS), search and rescue operations sites, and sites designated by the LDH Emergency Preparedness Director or his/her designee.
- Y. *EMS Agency* – synonymous with EMS provider; an entity that employs EMS Practitioners for the purpose of administering care.
- Z. *EMS Educator/Instructor* – an individual who provides instruction on EMS topics
- AA. *EMS* – Emergency Medical Services.
- AB. *EMS Practitioner* – synonymous with EMS Professional; an individual licensed by the Bureau of EMS as a(n):
1. Emergency Medical Responder (EMR)
  2. Emergency Medical Technician (EMT)
  3. Advanced Emergency Medical Technician (AEMT)
  4. Paramedic.
- AC. *EMS Professional* – synonymous with EMS practitioner.
- AD. *EMS Provider* – synonymous with EMS agency; an entity that employs EMS Practitioners for the purpose of administering care.

- AE. *EMS Services* – activities designed to resolve, diminish, or prevent the needs that are inferred from the individual’s problem; includes the planning, implementation and evaluation of said activities in accordance with the Standards of EMS Practice.
- AF. *EMS Student* – a person who is engaged in learning experiences in a program of study leading to candidacy for license to practice as a licensed EMS professional. The term applies only when the person is participating in an integral part of the program of study.
- AG. *Emergency Support Function 8 (ESF 8)* – Emergency Support Function 8 is Public Health and Medical Services and support to other ESF’s to include Emergency Transportation, Communications, Public Works, and Engineering, Firefighting, Emergency Management, Mass Care, Housing and Human Services, Resources Support, Public Health and Medical Services, Search and Rescue, Oil Spill, Hazardous Materials and Radiological, Agriculture, Energy and Utilities, Public Safety and Security, Community Recovery, Mitigation and Economic Stabilization, Emergency Public Information or Military Support to Civilian Affairs functions as specified in the Governor’s Executive Order pertaining to the State’s Emergency Operations Plan.
- AH. *Employee Administration Unit* – each office within LDH that is responsible for the administration of payroll data, including time administration.
- AI. *Expanded Scope of Practice* – those functions, procedures and activities that are currently not part of the approved National EMS Education Standards, but have been approved by the EMS Certification Commission as appropriate for the various levels of EMS Practitioners.
- AJ. *Field Diagnosis* – the out of hospital evaluation of the patient’s condition and its cause(s).
- AK. *Habit* – a mode of behavior, which an individual acquires over a period of time.
- AL. *Human Resources, Training and Staff Development (HRTSD)* – The Human Resources Office located in LDH Headquarters that has responsibility for the oversight of all human resources and employee administration programs within LDH.
- AM. *Instructor* is an individual who possesses the appropriate academic and/or allied health credentials and an understanding of education principles and theories that may have limited teaching experience.
- a. This individual is responsible for providing instruction to students and assisting a primary instructor.
  - b. All instructors must have their qualifications verified and be approved by the Bureau of EMS before providing any EMS Instruction.
- AN. *Lab Instructor* primarily focuses on instructing students in the laboratory setting.
- AO. *LaGov HCM Human Resources System* – a computer-based integrated human resources and payroll system used by the executive branch departments in the State of Louisiana.
- AP. *LEO (Louisiana Employees Online)* – employee access to time and pay information stored in LaGov HCM.
- AQ. *Limit* – to confine within certain bounds.
- AR. *Maintaining EMS Care Rendered Directly or Indirectly* – preserving the continuity of safe and effective EMS care, including the delegated EMS activities.
- AS. *Managing and Supervising the Practice of EMS* – those activities which serve to fulfill the accountability of the licensed EMS Practitioner for the total EMS care of the individual when tasks in the EMS care are delegated to other EMS personnel. These activities include:
1. Judging the priority of EMS needs of the individual(s);
  2. Determining actions required to meet the needs;
  3. Assigning personnel, including self, qualified to implement the prescribed EMS care components of the care;

4. Providing information needed by personnel for the implementation of the assigned EMS care and ascertaining the assimilation of same information;
  5. Directing the EMS care and evaluating the outcomes of that care;
  6. Determining and initiating changes in EMS care or in assignment of EMS personnel.
- AT. *Medical Diagnosis* – the conclusion reached in the identification of the patient’s disease, especially the art of distinguishing among several possibilities with the intent of prescribing relevant treatment.
- AU. Medical Error – preventable adverse effect of medical care whether or not evident or harmful to the patient that includes errors ranging from medication errors, misdiagnosis and under and over treatment.
- AV. *Medical Director* is a physician who is licensed to practice medicine in the state of Louisiana who is associated with an EMS service provider or EMS education program and participates in any or all of the following:
1. Education
    - a. A Medical Director is required for all initial and license renewal courses.
  2. Training
  3. Medical coordination
  4. Medical direction
  5. Supervision
  6. Establishment of standard operating procedures for EMS Practitioners
  7. Reviewing the performance of EMS Practitioners
- AW. *Medical Interventions* – all functions, activities, medications and medical treatments of therapeutic or corrective nature approved by the Bureau of EMS and/or the EMS Certification Commission.
- AX. *Mentally Incompetent* – a court judgment of legal insanity or incompetence or a medical diagnosis indicating insanity or incompetence.
- AY. *Moral Turpitude* – an act of baseness, vileness, or depravity in the duties that one person owes another, or to society in general, which is contrary to the usual, accepted and customary rule of right and duty a person should follow.
- AZ. *National Registry of Emergency Medical Technicians (NREMT)* – the non-profit, independent, non-governmental agency that certifies the proficiency of EMS Practitioner through the provision of a standardized examination for individuals who have completed state-approved EMS Education Program.
- BA. *National EMS Education Standards* – the most recent edition of the guidelines published by the National Highway Traffic Safety Administration (NHTSA) of the U.S. Department of Transportation.
- BB. *Negligence* – a breach of duty of care owed to an individual.
- BC. *Other Causes* – includes, but is not limited to:
1. Failure to practice EMS in accordance with the Standards of EMS Practice;
  2. Possessing a physical impairment or mental impairment, which interferes with the judgment, skills or abilities required for the practice of EMS;
  3. Failure to utilize appropriate judgment;
  4. Failure to exercise technical competence in carrying out EMS care;
  5. Violating the confidentiality of information or knowledge concerning the patient;
  6. Performing procedures beyond the authorized scope of EMS or any specialty thereof;
  7. Performing duties and assuming responsibilities within the scope of the definition of EMS practice when competency has not been achieved or maintained, or where competency has not been achieved or maintained, or where competency has not been achieved or maintained in a particular specialty;

8. Improper use of drugs, medical supplies or equipment;
  9. Misappropriating items for an individual, agency, or entity;
  10. Falsifying records;
  11. Failure to act, or negligently or willfully committing any act that adversely affects the physical or psychosocial welfare of the patient;
  12. Delegating or assigning EMS care, functions, tasks, or responsibilities to others contrary to regulations or failing to adequately supervise EMS tasks assigned to others during the course of providing EMS care;
  13. Leaving an EMS assignment where there was a duty to act without properly notifying appropriate personnel;
  14. Failing to report to the Bureau of Emergency Medical Services through the proper channels, fact known regarding the incompetent, unethical, or illegal practice of any EMS Practitioner;
  15. Has violated a rule, policy or order adopted by the EMS Certification Commission and/or the Bureau of EMS, or a state or federal law relating to the practice of EMS Practitioners, or a state or federal narcotics or controlled substance law;
  16. Inappropriate, incomplete or improper documentation;
  17. Use of or being under the influence of alcoholic beverages, medications, illegal drugs, or other substances that impair judgment while on duty;
  18. Failure to cooperate with the EMS Certification Commission and/or the Bureau of EMS by:
    - a. not furnishing in writing a full and complete explanation covering a matter requested in writing by the EMS Certification Commission and/or the Bureau of EMS; or
    - b. not responding to subpoenas issued by the EMS Certification Commission in connection with any investigation or hearing;
    - c. exceeds professional boundaries, including but not limited to sexual misconduct; and
    - d. use of any advertisement or solicitation that is false, misleading, or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed.
- BD. *Out of Hospital Care* – patient care that occurs outside of the hospital; this may include, but is not limited to, before arriving at the hospital, during transfers between healthcare facilities, during a Community Paramedicine visit post hospital admittance or as part of acute or chronic care occurring outside of the hospital.
- BE. *Overtime Hour*
1. For the purpose of FLSA, overtime is any hour (or portion thereof) actually worked over 40 hours in a work week or other number of hours regularly scheduled in the work week.
  2. For the purpose of Civil Service rules and classified employees, overtime is defined in Chapter 21 of the Civil Service rules as any hour worked:
    - a. In excess of the employee's regularly scheduled work day.
    - b. In excess of the employee's regularly scheduled work period.
    - c. On a holiday, including designated holidays.
    - d. During official closure.
  3. For unclassified employees in the Executive Branch, overtime is defined in the most recent Executive Order on Rules and Policies on Leave for Unclassified Employees.
- BF. *Physician* – a physician license to practice medicine by the Louisiana State Board of Medical Examiners.

- BG. *Preceptor* – a person who supervises EMS students and evaluates EMS students during clinical or prehospital internship required by the EMS Education Program and who is licensed at a level that meets or exceeds the level of EMS licensure for which the person supervises or evaluates, or holds a license issued by the Louisiana State Board of Medical Examiners or the Louisiana Board of Nursing.
- BH. *Preceptorship* – a period of practical experience and training for an EMS student that is supervised by a licensed subject matter expert, instructor, or experienced individual.
- BI. *Prehospital Care* – patient care that occurs before the patient arrives at the hospital
- BJ. *Prehospital Internship* – EMS training outside of a classroom or clinical facility that allows an EMS student to develop and utilize EMS procedures and protocols under supervision in an out-of-hospital setting and affords the student an opportunity to gain an understanding of the nature of EMS practice.
- BK. *Preventive Instruction* – those EMS measures that provide health information and explanation to the public to reduce the incidence of death and injury.
- BL. *Primary Instructor*, who may also be the program director, has the primary responsibility of delivering the cognitive, psychomotor, and affective domain information to students; has an understanding of education principles and theories, and the required teaching experience to provide quality instruction to a cohort of EMS students, and must possess a National Certification and Louisiana license as an EMS Practitioner.
- BM. *Primary Time Administrator* – the person occupying a position, which has been assigned time administration duties and granted time administration security access.
- BN. *Primary Work Site* – an employer’s place of work where the employee is domiciled
- BO. *Probate* – to stay a sentence of license suspension during good behavior and placing under supervision of the Bureau of EMS for a period of time.
- BP. *Professional Boundaries* – the limits of the professional relationship that allow for a safe therapeutic connection between the EMS Practitioner and the patient.
- BQ. *Program* means an organized body that designs, develops and/or delivers a variety of EMS education products including primary instruction and continuing education (refresher) instruction.
1. This body may be found within a training academy, hospital, industrial setting, business or academic setting.
  2. Responsible for organizing and administrating classes and events.
- BR. *Program Director* has the primary responsibility and authority to administer the program.
1. This individual is responsible for all aspects of the program that include, but are not limited to, matters relating to teaching, advising, utilizing the required curriculum, program revisions, clinical site management, student’s success on the credentialing exam, etc.
  2. This individual may also hold another title within the Education Program.
  3. Program Director Requirements
    - a. Nationally Certified and State License EMS Practitioner and
    - b. Possess a certificate of completion from a Bureau of EMS recognized EMS Educator program (NAESME, Firefighter Instructor II, etc.) or
    - c. Have 5 years experience teaching in a Bureau of EMS approved EMS Program

- BS. *Protocol* – a written statement, signed and dated by the EMS Provider director, which has been submitted to the Department that lists and describes the steps within the applicable Scope of Practice that EMS Practitioners are required to follow when assessing and treating a patient.
- BT. *Reasonable Skill and Safety* – practicing EMS in accordance with the Standards of EMS Practice.
- BU. *Reprimand* – written communication to the individual stating the EMS Certification Commission’s concerns.
- BV. *Restrict* – to limit or restrain EMS practice by settings, types of patients, or other means.
- BW. *Revoke* – to annul or make void by calling back. Revocation of a license shall be indefinite as to the practice of EMS in Louisiana.
- BX. *Scope of Practice* – the maximum range of duties and skills EMS Practitioners are authorized to perform.
- BY. *Secondary Time Administrator* – the person who serves as backup to the Primary Time Administrator and performs the same duties, when necessary.
- BZ. *Shall* – indicates mandatory requirements.
- CA. *Sexual Misconduct* – an extreme boundary violation that involves the use of power, influence and/or knowledge inherent in one’s profession in order to obtain sexual gratification, romantic partners and/or sexual deviant outlets. Any behavior that is seductive, sexually demeaning, harassing or reasonably interpreted by a patient, co-worker, or student as sexually inappropriate, is a violation of the EMS Practitioner’s fiduciary responsibility to the patient.
- CB. *Specialized Knowledge and Skills* – the current theory and practice taught in EMS education programs preparing persons for EMS professional license as well as information in the biological, physical and behavioral sciences.
- CC. *Suspend* – to hold a license to practice as a licensed EMS Practitioner in abeyance for a definite or an indefinite period of time.
- CD. *Teaching of EMS* – instructing EMS students and providing continuing EMS education.
- CE. *Teleworking* – a work arrangement that allows employees to regularly perform officially assigned job duties at home or other work sites geographically convenient to the residence of the employee and away from his/her primary work site, for all or part of their regular work week, in accordance with a teleworking work agreement.
- CF. *Teleworking Work Agreement* – the written agreement between the employer and the employee that details the terms and conditions of an employee’s work away from his/her primary work site. The agreement can be obtained from the Division of Human Resources website.
- CG. *Time Administration Group* – a grouping of employees for which a position has the responsibility of time administration functions. Each Time Administration group shall have a Primary and Secondary Time Administrator.
- CH. *Time Administrations Unit Manager* – the person assigned responsibility for the review and certification of time entry and documentation by the Primary and Secondary Time Administrators. This may be the appointing authority, division/unit manager, direct supervisor, etc., depending on the size and complexity of the organization unit.
- CI. *Unfit or Incompetent* – unsuitable.
- CJ. *Work Week* – the work week begins and ends at midnight on Sunday night.
- CK. *Work Domicile* – Parish assigned to the employee’s position as recorded in LaGov ERP.

## §105 Staff Policies

### A. Accountability of Time

#### 1. Time Administration and Time Entry

- a. This policy defines responsibility in the Louisiana Department of Health (LDH) for the entry of time and attendance hours and for certification and maintenance of the pay period files. Employees who have computer access and an email account in the state email system (Outlook) should submit leave and attendance request through Louisiana Employees Online (LEO) unless instructed to do otherwise by their supervisors or other management personnel.
- b. Applicability
  - i. The policy applies to all Offices within the Louisiana Department of Health (LDH) and to all employees of the Department
- c. Responsibilities
  - i. The Secretary or his/her designee, the Undersecretary and each Assistant Secretary is responsible for assuring that managers and supervisors within his/her organizational authority comply with the provisions and the intent of this policy. Each employee shall be advised of his or her responsibilities under this policy.
- d. Dissemination of Procedures
  - i. Each Employee Administration (EA) Unit shall be responsible for distributing to their respective Time Administration Units memoranda and procedures issued by OSUP and OIS as they relate to time entry and reporting requirements. The EA Unit will also be responsible for formulating and distributing any agency specific requirements relating to time administration.
- e. Certification of Time and Attendance
  - i. On-line Process (employees place leave and attendance requests through LEO)
    - a) Employee record of time and attendance – each employee within the Department shall sign in and out (manually or electronically) on a daily basis. Appointing authorities may waive this requirement for employees using LEO to submit leave and attendance requests as long as there is an LDH Employee Work Scheduled Form (HR-13) on file that documents the employee's current work schedule.
    - b) Each Time Administration Unit Manager (or designee) shall be responsible for reviewing pay period records to assure that the pay period file contains employee certification of time and attendance (initialed sign-in/out sheets and/or employee signed Time Statements printed from LEO or a printed copy of zp241). The Time Administration Unit Manager (or designee) shall assure that time was recorded correctly, and take appropriate action to initiate corrections as necessary.
    - c) The Time Administration Unit Manager shall develop internal procedures to:
      - i) Review the time and attendance records to assure employees are completing them accurately and timely and verify that approved leave requests and/or overtime requests are documented as required.



- ii) Review the Time Entry Audit Report (ZT02) against the time and attendance records to ensure that the leave and attendance requests are entered accurately and timely. The Time Administration Unit Manager shall certify the accuracy of the time entries by signing off on the ZT02.
    - iii) Approve any Prior Pay Period Adjustment forms necessary to correct leave and/or overtime entered in a previous pay period.
    - iv) Audit the Time Administrator's personal time entries.
    - v) Monitor and evaluate the Time Administrator's compliance with established procedure.
  - d) Each Time Administration Unit Manager shall be responsible for providing time and attendance information covering specific pay periods upon request from the Human Resources Office, the EA Unit, Legislative Auditor's Office, and/or the Department of Civil Service. Original documents will be returned to the Time Administration Unit after review.
- ii. Paper Process (employee submit paper leave slips and attendance requests to be entered into LaGov HCM by Time Administrators)
  - a) Each Time Administration Unit Manager (or designee) shall be responsible for reviewing pay period records to assure files contain employee certification of time and attendance (sign-in/out sheets) and corresponding leave and overtime requests. The Time Administration Unit Manager shall compare the time and attendance records to the Time Entry Audit Report (ZT02) to assure that time entry was correct, and take appropriate action to initiate corrections as necessary.
  - b) Each Time Administration Unit Manager shall be responsible for providing original documents covering specific pay periods upon request from the Human Resource Office, the EA Unit, Legislative Auditor's Office, and/or the Department of Civil Service. Original documents will be returned to the Time Administration Unit after review.
- f. Time Management Guidelines
  - i. Overtime – according to Civil Service rules each employee in leave earning status has a regular work schedule. Hours worked in excess of 40 hours per week or 80 hours per pay period are considered overtime and may be compensable either by cash payment or compensatory (K) leave in accordance with Civil Service rules and the Fair Labor Standards Act. Overtime must be approved by the employee's supervisor prior to the employee working overtime.
    - a) Online Process: Employees who enter attendance requests for overtime in LEO shall document the reason for overtime in the "Note" section of the attendance request.
    - b) Paper Process: All overtime hours must be approved in writing in accordance with LDH Policy #45.1, LDH Overtime Policy. Copies of the written approvals for cash payment of overtime must be forwarded to the EA Unit. Time Administrators shall

- enter approved overtime in LaGov HCM in accordance with standard procedures issued by OIS and OSUP. Time Administrators shall not use override codes when entering overwrite unless instructed to do so by OIS, OSUP, or HRTSD. Written approvals for overtime, whether form compensatory leave or cash payment, must be maintained with the time and attendance records in the Time Administration Unit.
- c) Overtime compensation procedures shall not be used to manage attendance. Agencies should use improvement Letters (Civil Service Rule 12.9), the Unscheduled Absence Rule (Civil Service Rule 12.6[a]) or disciplinary action to control attendance.
  - ii. Employees in non-leave earning status receive pay only for hours actually worked and do not earn annual, sick, or compensatory leave. Employees in non-leaving earning status are allowed to perform overtime duty and earn cash compensation. Employees in non-leave earning status do not receive holiday pay when they do not work on a holiday. They are paid for any hours they actually work if scheduled to work on a holiday.
  - iii. Employees in leave-earning status who are on leave without pay immediately preceding and following a holiday are not eligible for payment for the holiday.
  - iv. When an employee is absent for an extended period and has not had the opportunity to complete a written or on-line leave request, the employee's supervisor, pending the employee's return, must complete a leave slip and the leave must be recorded on the time file as it occurs. The employee must sign the leave slip upon return to work.
  - v. Employees whose work schedules fall at the beginning of daylight savings time in the spring shall be required to take compensatory or annual leave to make up for time lost during the changeover to daylight savings time. Employees whose work schedules fall at the end of daylight savings time in the fall shall be granted overtime to compensate them for the extra time worked during the changeover to daylight savings time.
  - g. Time Administrator Security
    - i. Each EA Unit shall have an Agency LaGov HCM Security Coordinator who is responsible for maintaining position and incumbent security documentation.
    - ii. Time administrator security in LaGov HCM is established by position. A LaGov HCM Request for the "Position Security-HR" form (ISF048) MUST BE COMPLETED BY THE Agency LaGov HCM Security Coordinator and submitted to OIS to establish, revise, and/or remove security access for the position.
    - iii. The incumbent of the position established as having Time Administrator security must complete a LaGov HCM "Incumbent Security Update-HR" form (ISF049) AND SUBMIT TO THE agency LaGov HCM Security Coordinator for verification and submission to OIS.

- h. Time Administrator Support
  - i. Each EA Unit shall have the following designated staff to serve as support for Time Administrators:
    - a) LaGov HCM Agency Liaison – This is usually the EA Unit Manager. This person is responsible for:
      - 1) Acting as the agency approver for official LaGov HCM documents
      - 2) Dissemination of information from OSUP and OIS
      - 3) ensuring that management and Time Administrators receive pertinent information relating to time administration in a timely and efficient manner and
      - 4) Information OIS of any changes in the delegation of responsibilities within the agency.
    - b) LaGov HCM Time Administrator Superuser – This person must be thoroughly knowledgeable about OSUP and OIS policies and procedures related to time administration and the technical aspects of entering time in LaGov HCM. Time Administrators should contact their Time Administrator Superusers (or designees) with questions concerning rules, regulations, and entry procedures.
  - i. Time Administrator training
    - i. Each EA Unit shall have a person designated to coordinate training for new time administrators and/or refresher classes as needed.
    - ii. New Time Administrators must complete the following two online LEO classes PRIOR to assuming Time Administrator duties: HCM Basic Navigation and HCM Basics of Time Administration. They are located under Statewide Courses, LaGov ERP Courses, and LaGov Human Capital Mgmt (LaGov HCM) Trng.
  - j. Time Administration Unit Manager
    - i. Each Time Administration Unit Manager shall formally designate positions to have Primary and Secondary Time Administrator responsibilities for each Time Administrator Group. The Time Administrator Unit Manager is responsible for notifying the LaGov HCM Security coordinator of the need to establish and/or change Time Administrator security and/or Time Administration groups and for submitted necessary forms.
    - ii. The Time Administration Unit Manager shall notify all employees of time and attendance procedures and policies concerning requesting leave and/or overtime.
    - iii. In units that use cost distribution for tie reporting, the Time Administration Unit Manager shall determine who within the unit shall be responsible for the cost distribution of hours – the time administrator, employee, supervisor, etc.
    - iv. Assure the Time Administrators receive copies of all ISUP, OIS and LDH policies, procedures, and directives relating to time administration.

- k. Record Retention
  - i. Pay period file for each active employee shall be retained by the Time Administrator for five years. Time Administrator shall comply with all instructions and directives regarding items to be included in the pay period files.
  - ii. Each 24-hour facility may develop an internal procedure specific to its operation for the retention of records that are in compliance with this policy.
- l. Employee
  - i. Each employee is responsible for his/her own reporting of time. Errors in time entry should be reported to the Unit Time Administrator as soon as they are detected. Employees shall not certify time and attendance that is not accurate. If a situation cannot be resolved between the employee and the Time Administrator, the Time Administration Unit Manager should be consulted.
  - ii. Leave taken and/or overtime worked must be requested in accordance with Civil Service rules and regulations and LDH policy and procedures.
- m. Employees Final Check
  - i. The employee's last check from the agency will be generated in the same manner as his/her regular bi-weekly payroll payment is set up in LaGov HCM. If the employee has been set up for direct deposit, the last check will be issued via direct deposit; if set up for paper check then the last check will be by paper to the employee's address. The only exception to this is for a deceased employee's final payment in which a paper check is processed per OSUP procedures and forwarded by OSUP to the agency.
- n. Special Provision for Online Leave and Attendance Processing
  - i. When an employee's state email account is set up by IT, his personnel number (alias) must be entered in the email system in the format shown in the following example:
 

Personnel Number: P00012345

Alias: HR00012345@LA.GOV
  - ii. Each employee should take the tutorials provided by LEO before using the automated leave/attendance system.
  - iii. If circumstances prevent use of the online system the employee shall submit paper leave and attendance requests to be entered by the Unit Time Administrator.
- o. Disciplinary Actions
  - i. Violations of this policy may result in disciplinary action up to and including dismissal.
  - ii. Falsification of time and attendance records may result in criminal prosecution.
- 2. Leave Policy
  - a. It shall be the policy of the Louisiana Department of Health (LDH) to administer leave for classified employees as equitably as possible in accordance with all applicable laws, regulations and Civil Service Rules. All

leave shall be charged in 6-minute increments within LDH. Appointing authorities may implement procedures for the administration of leave within the parameters provided by this policy and Civil Service Rules. Specific types of leave are addressed in subsequent parts of this policy.

b. Applicability

- i. This policy applies to all classified employees within LDH who are eligible to earn leave. The Governor customarily issues an Executive Order to provide leave policies that are applicable to unclassified employees.

c. Responsibilities

- i. The appointing authority for each office and facility within LDH shall be responsible for the administration of this policy. Authority for leave administration may be delegated to subordinate managers and supervisors.

d. Types of Leave and Policy Provisions for Each Type

- i. Annual Leave (Civil Service Rules 11.5; 11.6; 11.7; 11.9; 11.10; 11.19)
  - a) Annual leave may be granted to employees for rest and relaxation or to attend to personal business when the granting of such leave does not unduly hamper the agency's operations. Employees should request annual leave in advance whenever possible to avoid unscheduled absences. Annual leave shall only be used if approval is obtained from an appointing authority or designed who has the authority to approve leave. An appointing authority or designee does not have to approve a request for annual leave. An appointing authority or designee may rescind a previous approval of annual leave prior to the effective date of the leave for rational business reasons.
  - b) Requests for annual leave shall be approved for qualifying events as defined by the Family and Medical Leave Act (FMLA) provided that the request for FMLA is approved in accordance with LDH Policy #29 – Family and Medical Leave and federal regulations. Requests for annual leave shall be approved for military purpose in accordance with Civil Service Rule 11.26 and this policy.
  - c) Annual leave in lieu of sick leave should be granted only when doing so is in the best interest of the agency's operations unless the employee qualifies to use the annual leave in lieu of sick leave under the FMLA.
  - d) An appointing authority may require an employee to take annual leave (Enforce Annual Leave) when it is in the best interest of the agency to do so. However, the employee cannot be required to reduce his annual leave balance to less than 240 hours. Before placing an employee on Enforced Annual Leave, the appointing authority must consult with human resources and legal staff to assure compliance with all applicable rules and regulations. If an emergency arises requiring the immediate removal of an employee from the workplace, the appointing authority may enforce annual leave on the spot but must contact human resources and legal staff for guidance as soon as possible after enforcing annual leave.

- e) Upon separation from LDH employees should consult with human resources staff regarding the disposition of accrued annual leave.
- ii. Sick Leave (Civil Service Rules 11.13; 11.13.1; 11.14; 11.18; 11.19)
  - a) Sick leave shall be granted to employees provided that:
    - 1) The employee has a legitimate need to use sick leave for his own illness, injury or medical appointments
    - 2) The employee has a sufficient sick leave balance to cover the absence
    - 3) The employee has submitted his request for sick leave in accordance with his agency's procedures.
  - b) Employees should request sick leave in advance, if possible, to avoid unscheduled absences.
  - c) Under certain circumstances, an employee who has less than 8 hours of sick leave and is unable to perform the essential functions of his position may be permanently removed from his position under Civil Service Rule 12.6. The appointing authority must consult with human resources and legal staff before effecting such a removal.
  - d) If an employee reports to work and is unable to perform the essential functions of his position due to illness or injury, the appointing authority may require that the employee use sick leave (Enforce Sick Leave). Before placing an employee on Enforce Sick Leave, the appointing authority must consult with human resources and legal staff to assure compliance with all applicable rules and regulations. If an emergency arises requiring the immediate removal of an employee from the workplace due to illness or injury, the appointing authority may enforce sick leave on the spot but must contact human resource and legal staff for guidance as soon as possible after enforcing sick leave.
  - e) At any time, the appointing authority or other agency official authorized to approve sick leave may require the employee to furnish a medical certificate for any absence for which sick leave is requested regardless of the duration of the absence. Only Human Resources professionals may contact the health care provider directly to clarify information contained in the medical certificate. If the required medical certificate is not furnished by the employee, the request for sick leave shall not be approved and the employee shall be placed on leave without pay for the absence. If there is doubt about the legitimacy of a medical certificate, the appointing authority may require the employee to obtain a second opinion from a licensed physician selected by the agency as long as the agency pays for the second medical consultation. Documentation requirements for sick leave use for FMLA purposes may be found in LDH Policy #29 – Family and Medical Leave.
  - f) Upon separation from LDH employees should consult with human resources staff regarding the disposition of accrued sick leave.

- g) Annual leave in lieu of sick leave should be granted only when doing so is in the best interest of the agency's operations unless the employee qualifies to use the annual leave in lieu of sick leave under the FMLA.
- iii. Compensatory Leave (Civil Service Rules – Chapter 21)
  - a) Compensatory leave is compensation in lieu of cash payment for overtime worked. Policies regarding the earning of compensatory leave are included in LDH Policy #45 – Overtime, and LDH Policy #27 – Overtime Compensation for Disaster Operations Work.
  - b) All accrued compensatory leave shall be reduced before any reduction of accrued annual leave. Provision for the use of compensatory leave for FMLA purposes are contained in LDH Policy #29 – Family and Medical Leave.
  - c) Straight (hour for hour) compensatory leave is earned under the provision of the Civil Service Rules governing State Overtime. By these rules, employees are allowed to carry over no more than 360 hours of straight compensatory leave from one fiscal year to the next. Payout of straight compensatory leave at the end of each fiscal year will be made as follows:
    - 1) For non-exempt employees whose straight compensatory leave balance exceeds the 360-hour cap, payment shall be made within 90 days after the beginning of the fiscal year for the excess compensatory leave.
    - 2) For exempt employees whose straight compensatory leave balance exceeds the 360-hour cap, payment of up to 200 hours of the excess compensatory leave may be made within 90 days after the beginning of the fiscal year as submitted by the Assistant Secretary and approved by the Deputy Secretary and Undersecretary.
  - d) Time and one-half compensatory leave is earned under the provision of the federal Fair Labor Standards Act. By these regulations, covered ("non-exempt") employees are allowed to accumulate up to 240 hours of time and one-half compensatory leave. Non-exempt employees shall receive cash payment as compensation for any overtime hours worked in excess of 240 hours.
  - e) Appointing authorities may require employees to use accumulated compensatory leave at any time.
  - f) When a non-exempt employee requests the use of his accrued compensatory leave earned at the time-and-one-half rate, the Fair Labor Standards Act requires that his request be approved unless doing so would pose an undue burden on the agency's ability to provide acceptable services to its client. Under the FLSA mere inconvenience to the employer is an insufficient reason for denial of a non-exempt employee's request to use compensatory leave earned at the time and one-half rate.
  - g) Compensatory leave accrued by employees within LDH and remaining to their credit at the time of their transfer within or

separation from the Department shall be disposed of as follows:

- 1) A non-exempt employee's accrued compensatory leave shall be paid in cash to the employee by the budget unit under which such leave was earned upon the employee's separation from the budget unit, whether the employee is transferring to another budget unit within LDH or separating from LDH.
  - 2) An exempt employee's accrued compensatory leave shall be disposed of as follows:
    - (a) Transfer within LDH: An exempt employee shall only be paid in cash for up to 200 hours in accrued straight time compensatory leave at the time of transfer by the budget unit under which such leave was earned except that up to 200 hours of accrued leave may be transferred with the employee subject to the approval of the head of the budget unit to which the employee is being transferred. The amount paid in cash during the fiscal year cannot exceed 200 hours in total. All remaining straight tie compensatory leave shall be canceled at the time of transfer.
    - (b) Separation from LDH: An exempt employee shall only be paid in cash for up to 200 hours in accrued straight time compensatory leave at separation. The amount paid at separation and any compensatory leave already paid in cash during the fiscal year cannot exceed 200 hours in total. All remaining straight time compensatory leave shall be canceled at separation and not reinstated should the employee return to state employment.
- iv. Civil, Emergency and Special Leave (Civil Services Rule 11.23)
- a) Civil emergency and special leave are granted to eligible employees without loss of pay or charge of annual, sick or compensatory leave.
  - b) Specific provision for each type of leave are:
    - 1) Jury Duty – Employees serving on permanent, probationary or job appointments are eligible for this type of non-chargeable leave. Civil leave shall be granted to an eligible employee summoned to perform jury duty. When requesting civil leave for jury duty, the employee must furnish a copy of the court summons prior to the date he is to appear in court. Civil leave for this purpose shall be granted only for the house the employee is required to be present in court plus reasonable travel time.
    - 2) Court Summons – Employees serving on permanent, probationary or job appointments are eligible for this type of non-chargeable leave. Civil leave shall be



granted to an eligible employee who is summoned to appear as a witness by a court, grand jury or the public body or commission provided that the employee is not the plaintiff or defendant. Civil leave for this purpose shall be granted only for the hours the employee is required to be present in court plus reasonable travel time. Any employee summoned as a result of employment other than his position within the state service shall not be granted civil leave.

- 3) Emergency Civilian Duty in Relation to National Defense – Employees serving on a permanent, probationary, or job appointments are eligible for this type of non-chargeable leave. Civil leave shall be granted to an eligible employee performing emergency civilian duty in relation to national defense. The employee requesting such leave must furnish documentation of the need for the leave.
- 4) Special Leave/Office Closure (LSOC) – Employees serving on permanent, probationary or job appointments are eligible for this type of non-chargeable leave. If a state office location is closed by an appointing authority or other authorized state government official the following provisions apply to eligible employees:
  - (a) Employees scheduled but not required to work at the closed location shall be credited with special leave (LSOC) for the hours affected by the closure.
  - (b) Employees who are required to work at the closed location during the office closure shall be considered to be working overtime for all hours worked during the closure.
  - (c) Employees assigned to work locations that are not closed shall be considered to be on regular duty status and shall not be eligible for special leave (LSOC).
  - (d) Employees on approved annual or sick leave shall be granted special leave (LSOC) instead of being charged with annual or sick leave for the hours affected by the closure.
  - (e) Employees on leave without pay immediately before and after the closure shall not be eligible for special leave (LSOC).
  - (f) Employees shall not be eligible for special leave (LSOC) on their days off.
  - (g) Employees who telework (work from home) are not eligible for LSOC as they are required to work when state government offices are closed and are considered to be on regular duty during such closures.

- 5) Special Leave/Act of Go (LSAG) – Employees serving on permanent, probationary or job appointments are eligible for this type of non-chargeable leave.
  - (a) If a state office location is not closed but the appointing authority determines that it is not practical for one or more employees to report to work or remain at work in that location, he may grant special leave (LSAG) on a case-by-case basis to the affected employees. Employees remaining at work are considered to be on regular duty. Granting special leave (LSAG) under this provision should be rare and is reserved for situations such as severe weather conditions.
  - (b) Employees who telework (work at home) may be eligible for special leave (LSAG) as approved by the appointing authority if they are unable to work for office closure reasons such as voluntary or mandatory evacuation orders, home power outages, agency computer system failures or shutdowns, storm warnings, etc.
- 6) Special Leave/Local Conditions (LSLC) – Employees serving on permanent, probationary or job appointments are eligible for this type of non-chargeable leave.
  - (a) If a state office location is not closed, but the appointing authority determines that because of local conditions or celebrations, it is impracticable for one or more employees in such locality to report to work or remain at work, he may grant special leave (LSLC) on a case-by-case basis to the affected employees.
  - (b) This type of special leave (LSLC) shall not be granted for weather-related conditions.
- 7) Civil Service Exam/Licensing Board Exams – Employees serving on permanent, probationary or job appointments are eligible for this type of non-chargeable leave. Special leave shall be granted to eligible employees to take Civil Service Exams or state licensing board exams for a maximum of six (6) exams per calendar year. The employee must furnish proof that he took the exam on the date and time specified on his leave request. Failure to provide such proof shall result in the rescission of special leave. For an employee to be eligible for this leave, state licensing board exams must be pertinent to his current testate employment.
- 8) Pre-induction Physical Examination – Employees serving on permanent, probationary or job appointments are eligible for this type of non-chargeable leave. An eligible employee who is ordered

to report to a pre-induction physical examination for possible entry into the U.S. military shall be granted special leave for the duration of the absence. The employee must furnish proof of the need for this type of leave.

- 9) National Guard Emergency Duty – Employees serving on permanent, probationary or job appointments are eligible for this type of non-chargeable leave. Special leave shall be granted to an eligible employee who is a member of the National Guard and is ordered to active duty due to a local or state emergency. This type of activation is usually ordered by the Governor.
- 10) Attorneys – Employees serving on permanent, probationary or job appointments are eligible for those types of non-chargeable leave. When an eligible attorney is ordered by the court to represent a client in criminal proceedings and there is no other form of compensation provided shall be granted special leave so long as he furnishes documentation provided by the court to substantiate the need or the leave.
- 11) Civil Air Patrol – Employees serving on permanent, probationary or job appointments are eligible for this type of non-chargeable leave. Special leave not to exceed 15 days per year shall be granted to an eligible employee who is a member of the Civil Air Patrol for field exercises and training. Such leave shall not be used for unit meetings or training conducted during unit meetings.
- 12) Funeral Leave – At the discretion of the appointing authority, employees serving on permanent, probationary or job appointment may be granted funeral leave to attend the funeral and/or burial rites of the following relatives:
  - (a) Parent
  - (b) Step-Parent
  - (c) Child
  - (d) Step-child
  - (e) Brother
  - (f) Step-Brother
  - (g) Sister
  - (h) Step-Sister
  - (i) Spouse
  - (j) Mother-in-law
  - (k) Father-in-law
  - (l) Grandparent
  - (m) GrandchildFuneral leave shall not exceed two days on any one occasion. The employee must provide the name of the deceased and their relationship to the employee when requesting funeral leave.

- 13) Voluntary Disaster Service Leave – At the discretion of the appointing authority, a full time probationary or permanent employee may be granted special leave for a period not to exceed 15 work days in any calendar year, to participate in American Red Cross relief services in Louisiana for disasters designated at Level III or above in the American Red Cross Regulations and Procedures. Such employees must have received a certification from the American Red Cross as a Trained Disaster Volunteer. All such requests must be made in writing and accompanied by a copy of the employee's Red Cross certificate, the nature and location of the disaster, the anticipated duration of the leave, the name and title of the employee's Red Cross Supervisor and a written request from the Red Cross for the employee's services. Upon his return to work, the employee must provide written certification from his Red Cross Supervisor that he performed volunteer emergency work along with the number of hours of service.
- v. Education Leave (Civil Service Rule 11.24)
  - a) Education leave is administered in accordance with Civil Service Rule 11.24.
  - b) The intent of Civil Service Rule 11.24 (b) (educational leave with pay) is to permit an employee to obtain formalized training that will materially assist the employee in conducting his current job duties. Educational leave requests for classes that are only remotely or not at all related to the employee's current job duties must not be approved. These requests should be addressed through regular leave procedures or in accordance with Civil Service Rule 11.24(a), which allows for leave without pay.
- vi. Military Leave (Civil Service Rule 11.26)
  - a) Military leave is administered in accordance with Civil Service Rule 11.26. Under this rule, maximum military leave with pay for military purposes is 15 working days per calendar year. Provisions for the use of other types of leave for military purposes are contained in Civil Service Rule 11.26.
  - b) Military leave applies to any employee who is a member of the Reserves or the National Guard and who is called to active duty as a result of non-local or non-state emergency (usually activated by the President).
  - c) An employee does not lose the right to his protections under the military leave provision even when it might be rationally concluded that the employee is abusing the right to volunteer for military service and causing undue hardship for the agency (for example, volunteering for training over and over). However, the appointing authority may contact the appropriate military authority to discuss any problems in this area to try to arrive at a mutually agreeable solution.

- d) An employer may not rearrange the work schedule of an affected employee so that the employee is required to work on what normally would be a day off unless this is done to other employees who are involuntarily away from their normally scheduled work.
- vii. Leave Without Pay (Civil Service Rule 11,27; 11.27.1)
  - a) When an employee fails to request annual leave in advance, the appointing authority may place the employee on leave without pay for the period of the unauthorized absence even if the employee has annual leave or compensatory leave to his credit. This action is not a disciplinary action.
  - b) Provisions for leave without pay used for FMLA purposes may be found in LDH Policy #29 – Family and Medical Leave.
  - c) Leave without pay up to 30 calendar days may be approved by the appointing authority if requested in advance. Requests for leave without pay in excess of 30 calendar days must be referred to the Division of Human Resources, Training and Staff Development and the Bureau of Legal Services for consultation prior to approval.
  - d) In order to continue to receive benefits, an employee on leave without pay must pay his portion of the premiums according to instructions provided by his human resources office.
  - e) An employee who does not return to work immediately upon the expiration of approved leave without pay shall be removed from his position or dismissed in accordance with applicable Civil Service Rules. The appointing authority must consult legal and human resources staff before taking such an action.
- viii. Use of Accrued Leave Immediately Prior to Retirement
  - a) An employee who has submitted a Civil Service Form SF-14 (Resignation and Exit – Interview Report) giving notice that he will retire may be granted up to 20 working days of leave (combination of annual and compensatory leave) by the appointing authority as long as such leave ends immediately prior to the retirement date. The SF-14, once signed by the employee and accepted by the appointing authority, is irrevocable.
  - b) There is no entitlement to leave prior to retirement; the appointing authority must consider the impact on agency operations before granting such leave.
  - c) The employee shall not engage in employment during the period of leave that would be prohibited by the Commission on Government Ethics, the Civil Service Rules or any other regulations.
  - d) At the discretion of the appointing authority the leave may be canceled at any time and the employee returned to duty.
- ix. Unscheduled Absence (Civil Service Rule 12.6[A]2)
  - a) An unscheduled absence occurs when an employee is absent from work without having obtained approved leave by the close of business on the last working day prior to the absence.

Approval of leave, after the fact, to cover an unscheduled absence shall not prevent the absence from being considered unscheduled. A continuous absence for the same reason is one unscheduled absence, regardless of its duration.

- x. Maturity Leave
  - a) FMLA – The birth of a child is considered a qualifying event under the FMLA. Please refer to LDH policy #29 – Family and Medical Leave Act Policy for information regarding leave for employees who are eligible to use the FMLA.
  - b) Louisiana Maternity Leave Law (Louisiana Revised Statutes 23:341 and 23:342, et seq.) – Regardless of FMLA eligibility, a female employee is eligible for up to six weeks of job-protected State Maternity Leave for a normal pregnancy and up to four months of job-protected State Maternity Leave if there is a disabling complication due to pregnancy.
    - 1) Under no circumstances shall an employee be granted more than four months of State Maternity Leave for one qualifying event.
    - 2) State Maternity Leave runs concurrently with any FMLA leave for which the employee may be eligible.
    - 3) The employee shall use all available balances of paid leave (sick, annual, compensatory) while on State Maternity leave; if paid leave is exhausted, the employee shall be placed on leave without pay for the remainder of the State Maternity Leave period.
    - 4) Medical Certification for State Maternity Leave – An employee requesting State Maternity Leave must submit a medical certification documenting the need for the leave.
    - 5) Employees returning from State Maternity Leave shall be reinstated to the same or an equivalent position with the same pay, benefits, terms and condition of employment unless the employee is unable to perform the functions of the position because of a physical or mental condition, including the continuation of a serious health condition.
- e. Disciplinary Actions
  - 1. Violations of this policy may result in disciplinary action up to and including dismissal.
- f. Exceptions
  - 1. The LDH Secretary or Deputy Secretary and the Undersecretary may grant an exception to this policy. However, such exceptions shall not conflict with Civil Service Rules or other regulations.
- 3. Overtime Compensation for Disaster Operations Work
  - a. This policy sets the standards for compensation of overtime hours for Louisiana Department of Health (LDH) employees who perform duties relative to disaster operations and emergency management and supersedes all individual office or agency policies at such times. All employees who work Emergency Support Function 8 (ESF8) in preparation for anticipated events

and during declared disasters may, upon approval or directive by the Secretary, Deputy Secretary or Undersecretary, receive compensation in the form of cash payment for all overtime worked due to and directly related to an emergency event. For the purposes of this policy, disaster duties shall not include drills, meetings and routine tasks. The event shall begin when the Governor declares an official State of Emergency or the State Emergency Operations Center is activated at a Level III or lower, whichever comes first. The event shall end when the Governor's Office of Homeland Security and Emergency Preparedness Director notifies Executive Staff that the emergency event has ended. Once the event ends, the Department's normal compensation policies shall apply.

b. Applicability

1. The provisions of this policy shall apply to all employees called to work at Emergency Disaster Operations sites. This policy may apply to employees performing off-site support functions (such as budgeting, computer support, etc.), but only if in direct support of an ESF8 function.

c. Schedule Changes

1. Under normal circumstances, the employee's regular work hours and schedule will not be changed; however, while working in an Emergency Disaster Operations Site, work hours and scheduled of the week may be flexed as needed to accommodate site operation 24 hours per day. Regular work hours may be suspended for employees who perform emergency preparedness duties.
2. If, due to scheduling difficulty or administrative error, the employee is not able to work the entire 40 hours in the work week or other number of hours regularly scheduled in the work week, Special Leave – Act of God (LSAG) may be given for sufficient hours to make the employee whole. However, if an employee fails to work 40 hours or other number of hours in the work week due to his own need to be off, the employee shall be required to use other forms of leave.
3. At the discretion of the Appointing Authority or his/her designee, employees who have been assigned to report to an Emergency Operations Disaster Operations Site or a 24-hour facility to perform disaster operation work **may** be granted a maximum of either (8) hours of special leave (LSAG) prior to reporting or upon completion of duty (when an Emergency Disaster Operations Site or 24-hour facility stands down from the disaster situation) to take care of personal business and family needs. **This special leave (LSAG) shall not exceed a total of 8 hours for each declared emergency situation.** This special leave (LSAG) must be requested in advance and shall not be approved after the fact. These special leave (LSAG) hours shall not count as hours worked when calculating overtime.

d. Compensation for Overtime

1. LDH employees working at Emergency Disaster Operations Sites shall accurately complete LDH Form HR-48 (LDH Disaster Operations Individual Time Sheet), recording all hours worked at the site. (Appointing Authorities may direct other employees performing disaster operations duties to complete the HR-48 as needed).

2. Overtime for LDH employees working at Emergency Disaster Operations sites shall be entered as Compensatory Leave (Z001 K-time) and coded to the Emergency event as directed by the Division of Administration. Employees shall receive compensation (compensatory leave or cash payment) for overtime hours worked in accordance with this policy, LDH Overtime Policy #45, the Fair Labor Standards Act, Civil Service rules and other federal and state laws.
  3. Employees who work disaster-related overtime as defined in this policy and who earn overtime at the time and one-half rate are eligible for overtime compensation at the time and one-half rate only for those hours actually worked in **excess of 40 hours** during any affected week. For the purpose of calculating the number of hours actually worked, leave hours taken and observed holiday shall not be counted as time worked.
- e. Disciplinary Actions
1. Any employee who violates this policy may be subject to disciplinary action up to and including dismissal from employment.

B. Teleworking Policy

1. The purpose of this policy is to establish guidelines and procedures relative to teleworking for the Office of Public Health (OPH) pursuant to the Louisiana Department of Health Policy 82.1. Within that context, the policy should:
  - a. Assist management and employees in understanding the teleworking environment.
  - b. Provide a general framework for the teleworker.
  - c. Improve recruitment and retention of employees.
  - d. Improve job satisfaction and employee morale.
  - e. Help employees balance work/life needs and reduce commuting costs.
  - f. Reduce unscheduled absenteeism and turnover.
  - g. Enhance the state's image as an employer of choice and boost the state's image as an innovative employer.
  - h. Advance the Department's effort to comply with the Governor's Executive Order 9BJ 08-08) on Green Government.
  - i. Assist the local community by reducing traffic congestion and vehicular emissions.
  - j. Reduce the impact of traffic jams and bad weather on employee productivity.
  - k. Provide alternatives to continuing operations and essential functions in times of crises.
2. Applicability
  - a. This policy is applicable to all employees of the Office of Public Health
3. Policy Specifications
  - a. The Office of Public Health will allow designated employees in approved positions to telework at home or another location for all or part of their regular workweek when the individual employee, supervisor, and appointing authority agree to a teleworking arrangement. Teleworking cannot adversely affect productivity or the efficient operation for the organization.
  - b. Pursuant to this policy, the Office of Public Health will allow teleworking with stipulations and only when certain conditions are met, but may invoke mandatory teleworking in times of disaster, crisis or for other business needs. OPH Supervisors and/or Appointing Authorities will decide whether a specific job may be performed at an alternate work site and whether an



individual employee may work effectively without on-site supervision in a teleworking arrangement. Employees must recognize that teleworking is not a right or an entitlement; it is not an agency-wide benefit. The agreement is not permanent and it may be modified or terminated if OPH's needs are not met.

- c. Supervisors and/or Appointing authorities may establish additional program specific guidelines or productivity standards needed to ensure that teleworking agreements do not have an adverse impact on the operations of the Unit.
  - d. The teleworking agreement should not be considered an employment contract, and OPH retains the right to determine who should be considered for participation. OPH may terminate the teleworking agreement at its discretion at any time. However, reasonable notice (such as two weeks) will be attempted.
- 4. Teleworking Options
  - a. Options for teleworking will be based on the job title of the employee requesting to telework; however, the appointing authority makes the final determination on which option is best suited for the operations of the office. Any deviation from this requirement will have to be approved by the respective Deputy Assistant Secretary.
  - b. Full-Time Telework – Employees may telework their entire work schedule from the alternate work location(s) documented in this agreement.
  - c. Hybrid Telework – Employee consistently teleworks 32 hours or more per month, typically one or two days a week from the alternate work location(s) documented in this agreement and as documented in the Hybrid telework pattern section on the Telework Agreement form. Notice and approval process for deviations from this alternate work location to telework pattern must also be documented in the notification and approvals section of the Telework Agreement form.
  - d. Limited Telework – Employee consistently teleworks less than 32 hours per month on a sporadic or task-driven basis. May be expected and/or required to work in a telework mode for limited periods in response to a specific agency need. The notice and approval process to inform the employee of the need to telework or for the employee to request a shift to telework must be documented in the notification and approvals section of the Telework Agreement form.
  - e. Mobile Worker – Employee spends the majority of the work time in the field but also teleworks as part of their work schedule from the alternate work locations(s).
- 5. Scope
  - a. Eligibility - In addition to the below criteria, the employee must have a suitable place at home or the alternate work site in which to work as determined by the Supervisor and/or Appointing Authority and must have high-speed internet. Before a teleworking arrangement can be considered, the following conditions must be met:
    - i. Employee must be in an approved job title – Program Manager, Program Monitor, WAEs, or job title approved by the Assistant Secretary or respective Center Deputy Assistant Secretary
    - ii. Employee must have a Performance Evaluation System (PES) rating of Successful or higher on the most recent PPR rating. If an employee

- receives a PES rating below Successful while teleworking, the employee will no longer be eligible for teleworking.
- iii. Employee must have maintained a good work record prior to making the request to telework (for example, no excessive or unexcused absences or no corrective or disciplinary actions within the last 12 months of employment).
  - iv. The employee's duties must be suitable to be performed at the alternate work site without direct supervision for all or part of the workweek. This may preclude managers and supervisors from teleworking.
  - v. Employee must have been continuously employed with OPH or the current section for at least 12 months, unless his or her entire job function is performed through teleworking.
- b. Conditions of Employment
- i. Teleworking does not change the conditions of employment or required compliance with LDH and OPH policies and procedures, Civil Service Rules, or any other federal or state laws, policies, and procedures while working at the alternate work site.
  - ii. An employee's compensation and benefits will not change because of teleworking. Teleworking should not affect any opportunity for job mobility. However, if the teleworker's duties change, it may not provide teleworking opportunities.
- c. Hours of Work
- i. The teleworking employee must have an approved work schedule adopted in accordance with OPH policy. Management must ensure proper compliance and documentation of work hours, in particular ensuring compliance with the Fair Labor Standards Act (FLSA) and overtime policies and procedures.
  - ii. The teleworking employee is expected to maintain at least the same level of availability, levels of production and quality of work as through the employee were working out of the primary work site.
  - iii. Teleworking may not be used for child or adult care, to perform other personal business during work hours, or for any purpose for which leave should be requested. If at any time an employee is taking care of a dependent child or adult and therefore not performing official duties, the employee must take leave as appropriate. Teleworking is not to be used for personal accommodation of employees.
  - iv. Should circumstances arise whereby the teleworker cannot work at the alternate work location, i.e., loss of electricity, home emergencies, etc., the teleworker must contact his/her supervisor and he/she may be required to report to the primary work location, a different designated and approved alternate work location, or appropriate leave may be granted.
  - v. Employees may work overtime only with prior supervisor approval and in accordance with LDH and their office's overtime policies. Teleworking may be canceled for employees who work unapproved overtime.
- d. Attendance at Meetings/Reporting to Primary Work Site on Teleworking Days
- i. Teleworkers are expected to attend all assigned meeting related to the

- performance of their job, including any held on a teleworking day. OPH's needs take precedence over the employee's needs. Business meetings with other employees or clients shall not be held at the alternate work location.
- ii. The supervisor or section head may require the teleworker to report to the primary work site if business needs require it. The teleworker's refusal to do so may be considered insubordination and subject to disciplinary action.
- e. Use of Leave
    - i. Teleworking may not be used in place of annual, sick, Family and Medical, or any other type of leave. Requests to use leave must be approved in accordance with the policy of LDH and the employee's section. However, management may determine whether it is appropriate to offer teleworking as an opportunity for partial or full return to work from traditional sick leave, short-term or long-term disability.
  - f. Official Domicile and Mileage Reimbursement
    - i. The official domicile of a teleworking employee shall be the parish in which their assigned office or program is located. A teleworking employee may not submit nor receive reimbursement if he or she is required to report to the primary work site. The employee will remain eligible for reimbursement for travel to other locations outside his official domicile in accordance with LDH policy and state travel regulations.
  - g. Equipment and Supplies
    - i. OPH will provide State-owned equipment to employees who have an approved Telework Agreement. Only State-owned equipment shall be approved for use by employees who have an approved Telework Agreement. Use of OPH equipment and networks is for official business purposes only and must comply with applicable laws, policies, procedures and protocol. Use of all technical equipment must adhere to the guidelines established in the LDH IT Workstation Using Security Management policy. The agency will provide the necessary equipment and supplies that are needed for the teleworker to perform job duties successfully. This may include desktops, monitors, laptops, thin clients, storage devices, and other IT equipment provided by the agency in accordance with LDH IT and other policies and guidelines. Out of pocket, expenses for supplies normally available through the agency will not be reimbursed. It is HHDH's responsibility to maintain and repair any computer equipment that is supplied to the teleworker by OPH. Department technicians will not make "house calls" for equipment set up or service. If any in-person service or support is necessary, the employee is responsible for bringing the equipment to the primary work site for that purpose. Department technicians are available to assist employees by phone or remote connection. Should a delay in the repair or replacement of equipment occur or any other circumstance under which it would be impossible for the employee to telework, the employee may be assigned to do other related work and/or report to the primary work site or other work location.

- ii. Agency-owned equipment, software, telephone services, supplies and furniture at the alternate work site shall be limited to that authorized by the agency and used only for agency business. Personal use of these materials is prohibited, even during non-working hours. Teleworkers assume responsibility for the physical security of agency equipment, supplies and information in their possession while teleworking. Teleworkers are responsible for obtaining a high-speed internet connection prior to the teleworking agreement being approved as well as maintaining this connection for the duration of the telework agreement.
- iii. Teleworkers will be required to bring any assigned computer equipment or other property that is tagged to their primary worksite to be scanned for annual property inventory.
- iv. OPH will not be liable for damage to an employee's personal or real property while the employee is working at the approved alternate work site. The teleworker shall maintain his/her in-home workstation in a safe condition, free from hazards and other dangers to the employee and equipment. When the teleworker uses his/her own equipment, he/she shall be responsible for equipment repair and maintenance.
- v. OPH will not be responsible for operating costs, home maintenance, or any other incidental cost. The employee is responsible for obtaining necessary homeowner or renter's liability insurance coverage and providing verification thereof if necessary.
- vi. Materials, documents, etc., that the teleworker transports to and from the primary work site to the home office are his or her responsibility and must be kept confidential and secure. The employee agrees to protect the agency records from unauthorized disclosure or damage and will comply with agency policies and procedures regarding such matters.
- vii. Any equipment, supplies, software, hardware, etc., purchased by the agency remains agency property and must be returned at the conclusion of a teleworking arrangement or when requested by agency management. Teleworkers using State-provided software will adhere to the manufacturer's licensing agreements, including the prohibition against unauthorized duplication. To protect confidentiality and guard against data contamination, teleworkers will follow agency approved data security procedures.
- h. Right to Monitor Work Product and Inspect Alternate Work Site
  - i. Teleworking employees are subject to monitoring of their email, electronic review of their work, unannounced visits or inspections at their alternate work site during normal business hours, and other methods used to adequately document and judge their work product and performance.
- i. Injuries During Working Hours
  - i. The employee, supervisor, and agency must follow LDH and state policies regarding the reporting of injuries for employees injured while at work. The State of Louisiana is not responsible for any injuries to family members, visitors, and others in the employee's home workspace. The teleworking employee may not have business

guest at the alternate workplace or any other location except the agency's offices.

j. Office Closures

- i. On rare occasions, State government closes offices for weather-related (i.e., ice, snow, flooding, etc.) building-related (i.e., road closures, lack of heat, AC or water, etc.) or other reasons as necessary. In the event of such closure, unless otherwise directed, an employee scheduled to work at a closed office is not expected to work; and, the employee's scheduled work hours are coded to Leave State Office Closure (LSOC) or Leave Special Act of God (LSAG) with the approval of the employee's Appointing Authority. By contrast, an employee scheduled to work at home is expected to telework as scheduled, so long as the home working conditions are safe and the necessary technology available. An employee who is scheduled to work at home but who does not telework during such closure will not be approved for LSCO or LSAG unless they were unable to telework for weather, building or office closure-related reasons (i.e., voluntary or mandatory evacuation order, home power outage, agency systems failure, etc.)

k. Communication

- i. It is important to maintain and adhere to LDH communication protocol through prompt return of phone calls, adherence to scheduled conference calls, emails, text messages and other forms of remote communication. Teleworking employees must be reachable via telephone, during agreed upon work hours and must provide a current contact number for their teleworking site. Teleworkers must notify their supervisor when unavailable during telework hours, as expected when leaving the traditional office during the workday. Telework employees are required to respond to each meeting request they receive. Meeting acceptance responses must indicate that they are a telework employee and provide the telephone number where they can be reached. The meeting organizer will confirm if they will be calling the telework employee or provide conference call information.

l. Confidentiality

- i. Telework employees must understand that they are not permitted to print documents at home. If it is necessary to print documents, they may only be printed and routed to the printer that is located in the assigned office. The appoint authority must approve any exceptions to this requirement. All business-related email correspondence must be conducted through the employee's LDH Microsoft Outlook account. Under no circumstance is any business-related document to be forwarded to a personal email account, and/or any Protected Health Information (PHI) to be written down in the teleworker's home environment. If there is a need to capture information, it may be placed in a Word document and save to your computer.
- ii. Employees participating in the Telework program are fully responsible for liable for upholding the privacy and security of an individual's Protected Health Information (PHI) as required by the Department's HIPAA Policies. In the event that there is a breach of an individual's privacy, the employee is required by law to report the breach immediately to their supervisor and/or manager. Failure to uphold these policies will be grounds for immediate dismissal.

6. Procedure
  - a. Each Appointing Authority or his designed may consider and approve employees and positions for teleworking within the restrictions of this policy.
  - b. The employee must present to his/her immediate supervisor the Teleworking Work Agreement. The supervisor and employee must review all aspects of the teleworking arrangement, including the manner and frequency of communication, and any agreed upon performance indicators. If the supervisor is satisfied that the employee and his job duties are suitable for a teleworking arrangement, the supervisor should then complete his/her portion of the agreement and forward it to the Appointing Authority or designee with a recommendation.
  - c. The Appointing Authority or designee will review the request and give final approval or denial to the request. Any changes in the agreement must be reviewed with the employee and supervisor in advance and agreed to by both.
  - d. Once the request is approved by the Appointing Authority or designee, the Teleworking Work Agreement shall be maintained in the Supervisory file and must be readily available for audit purposes. A copy must be given to the employee and a copy sent to the OPH Division of Human Resources.
  - e. All appropriate sections must be completed prior to the proposed effective date of the Teleworking Work Agreement.
  - f. Should the employee leave OPH, choose to no longer telework, or the telework option end, OPH will retrieve, or the employee shall return all state owned equipment, software, data files and other state assets from the teleworking employee. The employee must return these assets, or the state will be allowed to retrieve any assets, within seven (7) calendar days of the termination of the teleworking agreement.
7. Responsibilities
  - a. Deputy/Assistant Secretaries are responsible for:
    - i. Holding Appointing Authorities under their supervision accountable for adhering to all aspects of this policy.
  - b. Appointing Authorities are responsible for:
    - i. Approving/disapproving teleworking request in accordance with the criteria contained in this policy.
    - ii. Monitoring the results of teleworking agreements to assure that agency goals are met.
  - c. Managers/Supervisors are responsible for:
    - i. Complying with this policy as directed by the Appointing Authority
    - ii. Developing a method to audit and monitor an employees' work at the alternate work site to ensure that the employee is complying with the terms of the Teleworking Work Agreement and the requirements of his position.
    - iii. Establish a reporting requirement system to facilitate contact for the employee to receive or turn in assignments.
  - d. Office of Human Resources is responsible for:
    - i. Ensuring the Telework Policy is applicable, accurate and complies with all laws and rules regarding time, compensation, conditions to ensure confidentiality and adherence to all policies.
    - ii. Providing training and guidance on this policy.

- iii. Maintaining a file on those employees who have elected to telework and those who requested to telework but were denied.
    - iv. Ensuring that this policy is posted and available to all OPH employees.
  - e. Employees are responsible for:
    - i. Adhering to all aspects of this policy.
    - ii. Adhering to all LDH, OPH, and Civil Service policies, procedures and protocol.
    - iii. Devoting full attention to job duties.
    - iv. Having a designated work area at the alternate work site that includes the appropriate internet connection.
    - v. Adhering to applicable property control policies and procedures.
    - vi. Adhering to current processes for contacting IT support for technical problems.
    - vii. Adhering to all LDH IT Security and Password Policies as well as Office of Information Technology Policies
    - viii. Alerting supervisor and/or manager immediately of equipment failure, repair or replacement.
- 8. Violations
  - a. Failure to comply with provisions of this policy may result in cancellation of the teleworking arrangement and/or disciplinary action being taken up to and including termination.
  - b. Nothing in this policy should be construed as precluding OPH from taking any appropriate disciplinary action against an employee who fails to comply with the provision outlined herein.
- 9. Questions
  - a. Questions regarding this policy should be directed to the OPH Division of Human Resources.
- 10. Exceptions
  - a. Request for exceptions to this policy shall be justified, documents and submitted to the Appointing Authority for consideration.
- C. Alternate Work Schedule
  - 1. The Office of Public Health (OPH) has identified alternate work hours and work schedules that provide maximum accessibility of staff and resources to the public and, at the same time, enhance employee morale and maximize the potential for recruitment/retention of quality employees. Employees may request to deviate from the Traditional Work Schedule. Such requests will be considered on a case-by-case basis and may be approved upon determination that the preferred work schedule enhances the availability and quality of service to the public and does not negatively impact operations of the OPH.
  - 2. Employees must understand that not all positions are subject to alternate work options. In evaluating requested alternate work hours or work schedules, an appointing authority must consider staffing needs, supervision, workload, work flow, work quality and satisfaction of the section's work mission. Employees must also recognize and accept that any OPH Program's operational and staffing needs take precedence over an individual's work schedule desires. There inevitably will be requests for alternate work hours or work schedules that will be denied due to business needs. Employees therefore should not view alternate work hours/schedules as a right but rather, a privilege, which may be granted upon thoughtful consideration of a multitude of factors by their appointing authority.

3. An appointing authority may approve alternate work hours or work schedules as authorized by these guidelines. Additionally, an appointing authority may rescind a previously authorized alternate work schedule with no prior notice if it is determined that such schedules adversely affect the efficient operation of the OPH. If circumstances allow, the appointing authority will provide advance notice to employees of the rescission of the alternate work schedule. Appointing authorities should review work hours and schedule at a minimum of every six months to ensure their continued feasibility
4. Work Schedules
  - a. Based on these guidelines, the following work hours/schedules may be approved by the appropriate appointing authority for full-time employees only:
    - i. **Traditional Work Schedule** – The employee is scheduled to work 5 eight-hour workday, Monday through Friday, for a total of forty hours per week.
    - ii. **Alternate Work Schedules:**
      - a) **4-10 Schedule:** The Employee is schedule to work four 10-hour days for total of forty hours per week. The regular day off must be the same day each week.
      - b) **9-4 Schedule:** The employee is scheduled to work four 9-hours days, plus one 4-hour day for a total of forty hours per week. The r-hours day must be the same day each week.
      - c) **9-8 Schedule:** This option is only available to employees who are classified as exempt under the Fair Labor Standards Act and in accordance with Louisiana State Civil Service, Civil Service Rules, Chapter 11.1. The employee is scheduled to work for 9-hours days in one week of the pay period (36-hour week) and four 9-hour days, plus one 8-hour day in the other week of the same pay period 44-hour week. The day off an 8-hour day must be the same day each week.
5. Work Hour Requirements
  - a. All full-time employees, except those authorized to work a 9-8 Schedule, are required to work a forty-hour work week which commences at 12:00am Monday and extends through 11:59pm midnight the following Sunday. (All non-exempt employees are required to work a forty-hour work week).
  - b. No employee may regularly start work earlier than 7:00am nor finish the work day later than 6:00pm, unless pre-authorized to work outside of these designated times with an approved HR 13.
  - c. All OPH Programs must be open, staffed and operational to provide complete service to clients between the hours of 8:00am to 4:30pm, Monday-Friday. During these hours, each Program will be sufficiently staffed to ensure that telephones are properly answered, and client needs are properly addressed.
  - d. Employee core hours are 9:00am through 3:30pm. Employee core hours are hours during which an employee must be schedule to work on a regularly scheduled workday, with the exception of certain employees who perform jobs that require alternative work schedules. Lunch breaks are 30 minutes and are not considered to be working time. Lunch breaks should be taken between the hours of 11:00am and 2:00pm. Lunch breaks are uncompensated and are not counted as hour worked.



6. Responsibility
  - a. It is the responsibility of the appointing authority to assure compliance with these guidelines. Appointing authorities are responsible for evaluating and approving work hours/schedules that ensure adequate office and quality public service. Additionally, appointing authorities must ensure that supervisory personnel are available throughout the permissible work hours authorized by these guidelines.
  - b. Once a work schedule is approved, the employee must adhere to the fixed, approved schedule. The schedule must be maintained and subject to change not more than 2 times per year unless changing to a 5-day work week or at the discretion of the appointing authority due to an unusual event or emergency situation. Any change to an employee's work hours or schedule will commence on the first day of the pay period following approval. All employee scheduled must be reviewed and approved by the employee's supervisor at a minimum during the PES evaluation and during the mid-year evaluation period.
7. Procedures
  - a. Existing Employees
    - i. Proposed changes to an existing employee's work schedule must be requested via the **work schedule change for full time employees** HR-13 (Rev. 06/20/14) and submitted to LDH Human Resources Division after approval from the employee's appointing authority.
  - b. New Employees
    - i. The HR-13 form shall be provided to new employees as part of the new hire, Human Resources Orientation packet and submitted through the employee's direct supervisor to their appointing authority. The HR-13 form should be completed and submitted to their supervisor during the first week of hire. As new employees are hired, their work schedules must also be provided to the LDH Human Resource division so these can be entered when new hire paperwork is completed. When the work schedule form is not received by Human Resources, the employee's work schedule will be set as eight (8) hours per day, 8:00am-4:30pm, Monday-Friday.
8. Holidays
  - a. If one or more holidays fall on a full-time employees' regular day off, his holiday shall be the closest regularly scheduled workday preceding or following the legal holiday, as designated by the lead of the agency. Employees whose regular work hours do not fall in the time period, or fall only partly within the time period, of the holiday shall receive a number of hours equivalent to the holiday through compensatory time or overtime.
  - b. For alternate work scheduled, holidays will be handled in the following manner. If a holiday falls on a day, regularly scheduled to be an eight (8), nine (9), or ten (10) hour workday, the employee has an eight (8), nine (9), or ten (10) hour paid holiday. If a holiday falls on a day regularly scheduled to be a four (4) hours workday, the employee has a four (4) hour paid holiday.
9. Caveat
  - a. It will not always be possible for every employee of this agency to select the work schedule he/she desires; however, supervisors will attempt to honor work schedule requests to the fullest extent possible. Employees should understand, however, that they might be required to modify their work

schedule due to operational duty hours, on holidays, and on weekend. For any hours worked beyond the regularly scheduled forty-hour workweek, appropriate compensation will be provided in accordance with the Fair Labor Standards Act and Civil Service Rules.

10. Exceptions

- a. These guidelines permit employees to request preferred work hours and work schedules. In accordance with the requirements and limitations of these guidelines, appointing authorities have the discretionary authority to approve or deny such requests. Exceptions to these guidelines are limited and require the express, written approval of the Assistant Secretary.
- b. During Emergency/Disaster Operations all employees on alternate work schedules will temporarily convert to a traditional 8-hour day work week; additional work hours maybe assigned based on agency need. Employees assigned to emergency/disaster duty may be required to work up to and including 12-hour shifts during an emergency/disaster.

D. Telephone Use

1. Communications

- a. Employees shall practice courtesy when using telephone. When answering a call, the employee should identify the agency and him/herself. When placing a call, the employee should identify him/herself to the person receiving the call.
- b. Incoming phone calls should be answered within three (3) rings.
- c. Care should be taken when using a speakerphone to assure that unauthorized persons are not able to overhear the conversation, particularly if confidential information (i.e., patient information) is being discussed.
- d. Employees who are equipped with voice-mail systems should utilize these systems properly, and calls should be returned as soon as possible. If employees are going to be away from the phone for a lengthy period of time (e.g., vacation) a message should be placed in the mailbox indicating an alternate person to contact and/or arrange for a supervisor or co-worker to check and follow-up on messages.
- e. Never argue. Try to be a sympathetic and attentive listener. Try to understand the other person's point of view. No one every truly wins an argument. Remember, in almost every bad situation, you can find an opportunity to calmly and pleasantly correct it. People are forced to respect those who remain in control and refuse to argue.
- f. Make people feel important, but be sincere in your statements.
- g. Know what you are talking about. Be (and sound) sure of yourself whenever giving information, but if you are not sure, get the correct information or refer the person to better sources. Do not risk misleading someone.
- h. Be tactful, Interact with people in a kind and considerate manner. Treat others as you would want to be treated.

2. Equipment

- a. Telecommunications equipment is to be used for business purposes. Personal use of telephones should be kept to a minimum in terms of number and length.
- b. No employee shall use telecommunications equipment for personal commercial (i.e., an employee's outside business venture) use. Employees who violate this procedure will be subject to disciplinary action.

E. Safety Policy

1. Horseplay, fighting, gambling, possession of firearms (where not authorized by management to carry firearms), alcoholic beverages, illegal drugs, or usage of unauthorized/non-physical prescribed drugs will not be tolerated in the workplace.
2. Prior to the start of work by employees, supervisors must be notified of any permanent or temporary impairment that may reduce their ability to perform in a safe manner.
3. Use personal protective equipment for protection from potential hazards that cannot be eliminated.
4. Operate equipment only if trained and authorized.
5. Inspect the workstation for potential hazards.
6. Immediately report any unsafe condition(s) and/or act(s) to your supervisor.
7. When doubtful of the safety of work or method to be used, ask the supervisor for assistance.
8. Immediately report all accidents or property damage to a supervisor, regardless of how minor the accident may initially appear.
9. Never throw any object in the work area.
10. Maintain an orderly environment and work procedure. A designated area should be used to store all tools and equipment. Put scrap and waste material in a refuse container.
11. Immediately report any smoke, fire or unusual odor(s) to a supervisor.
12. Keep paper away from hot objects.
13. Never attempt to catch a falling object.
14. If work creates a potential slip or trip hazard, correct the hazard immediately or use safety tape and tag the area to identify the hazard before leaving it unattended. Call a supervisor if assistance is needed.
15. Fasten restraint belts before starting any motor vehicle.
16. Obey all safety instructions and signs.
17. Comply with all traffic signs, signals, markers and persons designated to direct traffic.
18. Know Departmental rules regarding first aid, evacuation routes and fire department notification.
19. Obey Departmental rules and procedures specific to departmental operations.
20. All LDH facilities/sites are tobacco free.

F. Fraternization Policy

1. The Bureau of EMS discourages management fraternization with subordinates reporting to them to avoid the potential for violating federal employment laws. This does not mean that an occasional social gathering or management and employees is prohibited. However, the relationship between all employees, as well as between employees and management, must be a professional one at all times. Regardless of whether on or off the job, an employee's behavior should always reflect positively on the Bureau of EMS.

G. Absences from Premises or Work Area

1. If a staff member leaves the premises or work area for any reason (except lunch) during the work day the following accountability measures must be taken:
  - a. Whereabouts and time of leave will be posted on the staff member's outlook calendar
  - b. The staff member's immediate supervisor should be notified of the location of the whereabouts and the expected time of return.

2. Any time away from premises or work area that is not accounted for, will be considered leave time and the staff member's time sheet must reflect such.
- H. Standards of Conduct
1. In order to ensure the effective operation of any business, certain rules must be observed. The following is a list of standards that are considered vital to be effective operations of the Bureau of EMS:
    - a. All documents must be completed truthfully. Falsification of any documents or records is strictly prohibited.
    - b. All employees are expected to report to work on time and continue to work until the established amount of hours for each employee is completed.
      - i. Repeated tardiness will not be tolerated.
      - ii. All time must be accounted for as outlined in Section G.
    - c. Prior notice and an acceptable explanation must be promptly given to your immediate supervisor in all cases of absenteeism. If an employee is unable to be present due to illness or any other unavoidable cause, he or she must telephone the supervisor prior to his or her regularly scheduled hours of work.
    - d. Your job performance must meet the standards consistent with your position and be in accordance with the instructions provided by your manager. Insubordination will not be tolerated.
    - e. An employee may not report to work under the influence of, or displaying evidence of being under the influence of, alcohol or unlawful drugs, or have it in his or her possession, while working for the Bureau of EMS.
    - f. The Bureau of EMS may conduct confidential business. All confidential matters must be respected and not discussed or divulged, except with those who are authorized by virtue of their position to know the information.
    - g. Dishonesty or fraudulent activity of any kind will not be tolerated and is strictly prohibited. If you are aware of any such activity, it is your obligation to report it to the Bureau of EMS Director. Failure to cooperate fully in an internal investigation of suspected dishonesty will not be tolerated.
    - h. Illegal or unethical conduct will not be tolerated and is strictly prohibited. The Bureau of EMS is committed to the highest regard for law and ethics. If any employee believes he or she has been instructed or requested to engage or participate in any unlawful or unethical activity, the employee should immediately advise the Director of the Bureau of EMS.
    - i. An employee's behavior must always reflect positively on the integrity and respectability of the Bureau of EMS
    - j. Customers and fellow employees must always be treated with respect and courtesy. Discourtesy to, or harassment of, either customers or fellow employees will not be tolerated.
- I. Confidentiality
1. All employees are required to respect the confidential nature of the information to which they are privileged. Certain information and material is, by its very nature, considered "confidential information." The term "confidential information" includes files, papers, documents, computer systems information and disks, and all other information regarding the Bureau of EMS, its clients, agents, employees and computer systems.
  2. Confidential information should never be discussed with or disclosed to anyone outside the Bureau of EMS or with an employee of the Bureau of EMS who does not need the information in order to perform the functions of his or her job.

3. Files, papers, or documents relating to the Bureau of EMS, its clients, agents, employees, computer systems, or computer disks, are not to be removed from the premises under any circumstances. This includes taking work home unless you have received the approval of your supervisor.
  4. An employee's Personal computer password and any passwords used by a number of employees for certain general access are considered to be extremely confidential information because these passwords protect access to extensive confidential data. All employees are required to keep their passwords secret and protected at all times.
  5. In conducting its business, the Bureau of EMS endeavors to keep directors, officers and employees informed by communicating verbal and written information. At time, information regarding personnel changes may also be distributed. All such information should be considered confidential and retained with the Bureau of EMS.
- J. Dress/Uniform Policy
1. Class A Uniform
    - a. The Class A uniform should be worn during official ceremonies and/or meetings. This uniform consists of the following:
      - i. Long sleeve buttoned-up shirt with tie and white undershirt
      - ii. Uniform pants/skirt
      - iii. Black shoes
      - iv. Collar brass: BEMS pin on left collar and NREMT pin on right collar
      - v. Rank brass on the outermost part of the shoulder epilate
      - vi. Louisiana patch on right shoulder and NREMT patch on left shoulder
  2. Class B Uniform
    - b. The Class B Uniform may be worn during regular business days and at certain meetings/classes. This uniform consists of the following:
      - i. Short sleeve buttoned-up shirt with white undershirt
      - ii. Uniform pants/skirt
      - iii. Black shoes
      - iv. Collar brass: BEMS pin on left collar and NREMT pin on right collar
      - v. Rank brass on the outermost part of the shoulder epilate
      - vi. Louisiana patch on right shoulder and NREMT patch on left shoulder
  3. Class C Uniform
    - a. The Class C Uniform may be worn during regular business days. This uniform consists of the following:
      - i. Polo shirt
      - ii. Any pants
      - iii. Any shoes
  4. Non-licensed personnel and licensed personnel are permitted to wear business dress and any other Bureau of EMS logo garments at any time during the regular workdays. There may also be times when business formal is the most appropriate dress.
  5. Badges should be worn while carrying out the job duties
    - a. Badges should not be used in a manner that could be interpreted as malfeasance (i.e., gaining access to restrictive areas, obtaining discounts, etc.)
- K. Equipment use
1. Any time equipment that is not personally assigned to a Bureau of EMS employee is used, it must be signed out and the location of use must be indicated.
  2. Once signed out, it becomes the responsibility of the signatory.
  3. When the equipment is returned, it must be signed back in by the person who signed it out.

- 4. This includes, but is not limited to:
  - a. Laptops
  - b. Exam equipment
- L. Travel
  - 1. When submitting a travel expense form to the Travel office, send a copy to Rochelle Grayer so that travel expenses can be monitored
- M. Correspondence/Internal Office Communication/Presentation
  - 1. Official correspondence with a recipient outside of the Bureau of EMS must be sent on official LDH/OPH/Bureau of EMS letterhead.
  - 2. Official internal office documents must be on official internal office letterhead.
  - 3. Presentations on behalf of the Bureau of EMS should use the Arial font
- N. Use of Department Vehicles
  - 1. Department vehicles are to be used for work-related functions only.
  - 2. Use of cell phone and hands free cell phone devices while operating a Department vehicle is forbidden.
  - 3. The lights and siren in a Department vehicle should only be used when deployed on a disaster mission or when an emergency has been encountered while enroute to a work related function.

## **§107 Employee Onboarding**

- A. Prior to the first day
  - 1. I.T. assign access to computer and email
  - 2. Complete intent to work forms
- B. On the first day
  - 1. I.D. Badge
    - a. Schedule picture and official I.D. and appropriate access to office(s)
  - 2. Complete required paperwork
  - 3. Work Schedule Selection Form
- C. During the first week
  - 1. Mandatory training in LEO
    - a. Ethics
    - b. Workplace violence
    - c. ESF-8
    - d. Harassment
    - e. Computer
  - 2. Navigation of:
    - a. Outlook
    - b. Share drive
  - 3. Web addresses
    - a. Licensing information management system
    - b. National Registry
    - c. Bureau of EMS
    - d. LEO
  - 4. Telephone
    - a. Transfer a call
    - b. Check messages
    - c. Conference call
  - 5. Important Contacts
  - 6. Organizational Chart

7. Contacts information (phone and email) of
  - a. Coworkers
  - b. Human resources
  - c. National Registry
  - d. Licensing Information Management System
  - e. EMS Task Force Members
  - f. EMS Certification Commission Members

## **§109 Payments and Deposit Procedures**

- A. All services (licenses, exams, re-test) must be paid for in advance of service being provided unless otherwise agreed upon.
- B. Payments are to be processed/deposited as soon as possible, but should not be kept for more than 3 business days, and must be secured until deposited in the bank.
- C. Cash is not to be accepted as payment for services.
- D. It is preferable that payment be made in the Bureau of EMS Information Management System. However, if this is not an option, the following policies apply:
  1. Payments are to be made by money order only for individuals. The money order is to be made payable to the Bureau of EMS (or BEMS) and the purchaser's name and address must be printed on the money order.
  2. Company checks made payable to the Bureau of EMS (or BEMS) are accepted for payment of services but must include a listing of the names (and license numbers, if applicable), service and amount of payment for each name listed. Overpayment is NOT REFUNDABLE.
- E. The posting and depositing process:
  1. The Administrative Assistant will receive the money order/check and determine the service for which it is paying. A copy of the money order/check will be forwarded to the Compliance Coordinator (if paying for exams) or the Credentialing Coordinator (if paying for licenses). This document must include the date copied and the initials of the Administrative Assistant. The money order/check will be given to the Clerical Assistant.
  2. The Credentialing Coordinator, if applicable, will post the money to the appropriate accounts and print a hard copy of the posting. The hard copy will be forwarded to the Bureau of EMS Director for reconciling. This document must include the date of the posting and the initials of the Credentialing Coordinator.
  3. The Credentialing Coordinator, if applicable, will post the money to the appropriate accounts and print a hard copy of the posting. The hard copy will be forwarded to the Bureau of EMS Director for reconciling. This document must include the date of the posting and the initials of the Credentialing Coordinator.
  4. The Clerical Assistant will post into CARS (Cash Accountability Reporting System) and print a hard copy of the posting. The hard copy will be forwarded to the Bureau of EMS Director for reconciling. This document must include the date of the posting and the initials of the Clerical Assistant.
  5. The Clerical Assistant will deposit the money order/check at the bank. The receipt will be forwarded to the Bureau of EMS Director for reconciling.
  6. The Bureau of EMS Director will reconcile the documents and keep them on file for 4 years.

## **§111 Refund Policy**

- A. A refund will be issued to applicants who were incorrectly charged a license and/or examination fee through the BEMS Information Management System.
  - 1. Payment vendor reports will be processed one time per month by the Credentialing Coordinator and reviewed for accuracy. (<https://admin.thepayplace.com>)
  - 2. The duplicate/incorrect payment will be reviewed and verified in the BEMS Information Management System.
  - 3. To issue a credit, the Credentialing Coordinator will follow the Payment vendor users guide. The refund will be requested via the payment vendor within 2 weeks of verification of incorrect charge.
  - 4. The applicant/licensee shall be notified via email information listed in the BEMS Information Management System, of the credit issued to the account within 5 business days of the credit by the Credentialing Coordinator.
  - 5. A monthly spreadsheet will be kept current by the Credentialing Coordinator reflecting: name, amount, date of refund via payment vendor, reason for refund. The spreadsheet will be forwarded to the Director by the 10<sup>th</sup> day of each month for the previous month's charges.



## ***EMS CERTIFICATION COMMISSION***

### ***Charge of the EMS Certification Commission***

The Louisiana Emergency Medical Services Certification Commission, placed in the Louisiana Department of Health, shall exercise and perform its powers, duties, functions, and responsibilities as provided for in R.S. 40:1133.3 et seq. The Certification Commission shall advise the Bureau of Emergency Medical Services on requirements and standards for licensing of EMS practitioners and continuing education requirements for license renewal. The Certification Commission shall retain the authority to approve requirements for licensing of EMS practitioners. The Certification Commission shall retain the authority to approve requirements and standard of practice for EMS practitioners; conduct disciplinary hearings for EMS practitioners; and cause the prosecution of any individual who violates the provision of Revised Statute 40:1133.4.

### ***Commissioners***

Dr. Jeff Elder, Chair  
American College of Emergency Physicians  
Ryan Brown, Vice Chair  
Louisiana Municipal Association  
Christopher Mixon  
Paramedic  
Adam Oliver  
Louisiana State Nurses Association  
Louisiana Emergency Nurses Association  
Barbara Sellers  
Professional Firefighters Association of Louisiana  
Toby Henry  
Louisiana Fire Chiefs Association

Dr. Lance Stuke  
American College of Surgeons  
Dr. Jeffrey Kuo  
Louisiana State Medical Society  
Dr. Megan Marino  
American Academy of Pediatrics  
Tracy Wold  
EMS Private Administrator  
Jeffery Watson  
EMS Public Administrator  
Tammy Gray  
EMT

### **§201.Statement of Purpose**

- A. The Louisiana Emergency Medical Services Certification Commission is a legally created administrative commission acting within the governmental structure of the state and possessing legal power. To safeguard life and health of the citizens of Louisiana, the law governing the practice of Nationally Registered and State Licensed EMS Practitioners, Louisiana Revised Statutes of 1950, R.S. 40:1133 et seq., as re-enacted and amended, delegates to this Commission the responsibility to establish and publish standards of out-of-hospital practice; to regulate the scope of practice of Emergency Medical Services Practitioners, to discipline and regulate the practice of Emergency Medical Services Practitioners and to establish standards for education programs preparing individuals for out-of-hospital practice.

## **§203.Reporting**

- A. What To Report
  - 1. Any of the following violations:
    - a. EMS Practice Act R.S. 40:1131 ET. Seq.
    - b. Bureau of EMS Policy and Procedures
    - c. Patient Care
    - d. Unprofessional Conduct
    - e. Moral Turpitude
    - f. EMS Rules
    - g. Scope of Practice
    - h. National Registry Rules
    - i. National EMS Education Guidelines
    - j. Education/Educator Violations
    - k. Failed or Refused Drug Screening
    - l. Any act that results in arrest either misdemeanor or felony.
- B. Who Should Report
  - 1. Any student, candidate, licensed EMS practitioners, EMS Educator, EMS Provider, and/or EMS Employer having direct knowledge.
- C. How To Report
  - 1. Report must be in writing and can be accomplished by fax, postal service, or electronic means.
- D. To Whom To Report
  - 1. Report to:
    - Bureau of EMS Deputy Director
    - Phone: 225/925-4022
    - Fax: 225/925-7244
    - Email: EMS.Commission@la.gov
  - EMS Certification Commission
  - 7273 Florida Blvd.
  - Baton Rouge, LA 70806

## **§205 Criminal History Record Information**

- A. The EMS Certification Commission derives its authority to direct the Bureau of EMS to obtain criminal history record information from Statute R.S. 40:1133.4
- B. The following applicants for initial licensure or permission to enroll in clinical EMS courses shall answer all legal disclosure questions on the forms (electronic or paper) published by the Bureau of EMS:
  - 1. EMS Student
  - 2. Emergency Medical Responder
  - 3. Emergency Medical Technician
  - 4. Advanced Emergency Medical Technician
  - 5. Paramedic.
- C. The Bureau of EMS may require criminal history record information inquiries of the following individuals:
  - 1. An applicant for any license, license renewal or permission to enroll in a EMS course if there is reason to believe there is information relative to evaluating the applicant's eligibility or disqualification for licensure;
  - 2. A licensee as part of the investigation process if there is reason to believe there is information relative to eligibility or disqualification for initial or continued licensure.

- D. The Criminal Background Inquiry Process
1. The applicant or licensees must review and sign the Louisiana Bureau of Criminal Identification and Information Authorization to Disclose Criminal History Record Information.
  2. The applicant or licensee must contact the Louisiana Bureau of Criminal Identification and Information and the law enforcement agency may specify a designated location and fee for this service.
  3. If the fingerprints or the application is returned by the Department of Public Safety as inadequate or unreadable, the applicant, or licensee must submit a second set of fingerprints and fees, if applicable, for submission to the Department of Public Safety.
  4. If the applicant or licensee fails to submit necessary information, fees, and/or fingerprints, the applicant or licenses shall be denied licensure based on an incomplete application or, if licensed, denied renewal, until such time as the applicant or licensee submits the applicable documents and fee.
- E. When completing a Louisiana Bureau of EMS license application and upon answering affirmative to any of the questions in the criminal background questionnaire, the following information should be uploaded to the practitioner application for licensure:
1. Any and all supporting documentation regarding the affirmative answers on the questionnaire.
  2. A dated and signed letter addressing the EMS Certification Commission regarding the affirmative answers describing the information/incident disclosed and your involvement in the case.
  3. For charges/criminal conviction disclosures, a Louisiana State Police Bureau of Criminal Identification and Information Fingerprint Background Report from the last 30 days as well as any and all related case/court documents regarding your affirmative answers on the questionnaire.
  4. For Physical/Mental Limitations or Substance Abuse disclosures: A letter from your physician (on the Physician's practice letterhead) stating the facts of your care and if you are cleared by your physician to work in the rigors and stress of the EMS field regarding your affirmative answers on the questionnaire.
- F. Obtaining a Louisiana Background Check Report from Louisiana State Police
1. Louisiana Bureau of EMS applicants are able to request and receive a Louisiana Background Check Report by fingerprint by visiting the Louisiana State Policy (LSP) Headquarters in Baton Rouge. The LSP Bureau of Identification and Information is located at 7919 Independence Blvd., Baton Rouge, LA. The LSP Headquarters hours of operation are 8:00AM – 4:00PM.
  2. The LSP Bureau of Identification and Information Report can also be requested via U.S.P.S. mail. The required information to request the report by mail can be downloaded from the LSP.org website. Applicants will have to have the fingerprinted by local law enforcement and subsequently forward the fingerprint card with all of the other required documentation. The application can take up to 21 days before it is processed by LSP.
  3. The required information to request in person or via U.S.P.S. mail can be downloaded from the LSP.org website.
  4. Each applicant will need to complete and submit via in person or by U.S.P.S. mail:
    - a. Right to Review Authorization Form
    - b. Right to Review Disclosure Form

5. Payment is required at the time of service. The individual may use a debit/credit card if requesting the report in person. Two money orders made payable to the Louisiana State Police or cashier checks in the amount of \$10 and \$26 will also be accepted in person or by mail.
6. A valid driver's license.

## **§207 Denial of Licensure, Reinstatement, or the Right to Practice EMS**

- A. Applicants for licensure, reinstatement or the right to practice as an EMS student may be denied approval for licensure, reinstatement, receipt of a temporary permit, eligibility for the National Registry exam, or entry or progress into any clinical or field internship aspects of an EMS course, if the applicant:
  1. Knowingly falsifies any document submitted to the Bureau of EMS, to the EMS Certification Commission, to an EMS Education Program; or
  2. Has pled guilty, nolo contendere, been convicted, been convicted of, or committed a: "crime of violence" as defined in R.S. 14:2(13), or any of the following crimes:
    - a. First degree feticide;
    - b. Second degree feticide;
    - c. Aggravated assault with a firearm;
    - d. Stalking;
    - e. False imprisonment (offender armed with a dangerous weapon);
    - f. Incest;
    - g. Aggravated incest;
    - h. Molestation of a juvenile;
    - i. Sexual battery of the infirm; or
    - j. Crime that involves felony drug charges.
- B. For purposes of this Section, a pardon, suspension of imposition of sentence, expungement, or pretrial diversion similar programs shall not negate or diminish the requirements of this Section.
- C. Applicants who are denied licensure, reinstatement, or the right to practice EMS as a student shall not be eligible to submit a new application, unless the ground for denial is falsification of records and until the following conditions are met
  1. A minimum of two years has passed since the denial was issued.
  2. The applicant presents evidence that the cause for the denial no longer exists.
  3. A hearing or conference is held before the commission to review the evidence, to afford the applicant the opportunity to prove that the cause for the denial no longer exists, and to provide an opportunity for the commission to evaluation changes in the person or conditions.

## **§209 Issuance of a Provisional License**

- A. Applicants for a license (initial, renewal, or reinstatement) that disclose criminal charges or convictions, emotional, psychiatric, or physical limitations, or any other potentially disqualifying criteria may be required to provide additional information to the EMS Certification Commission before a license decision is made.
- B. For purposes of this section, a pardon, suspension of imposition of sentence, expungement, or pretrial diversion or similar programs shall not negate or diminish the requirements of this section.
- C. Applicants for a license (initial, renewal, or reinstatement) may be issued a Provisional License, for a period not to exceed 180 days, by the Bureau of EMS, if the applicant:
  1. Meets all other license requirements; and
  2. Has not been convicted of a felony, in any jurisdiction; and

3. Has not pled guilty, nolo contendere, been convicted of, or committed a “crime of violence” as defined in R.S. 14:2(13).
- D. Applicants who are issued a Provisional License by the Bureau of EMS are required to appear, in person, at a hearing with the Emergency Medical Services Certification Commission to determine the license status.
- E. The EMS Certification Commission reserves the right to revoke, suspend, or deny any Provisional License.

## **§211 Delay of Licensure, Reinstatement, or the Right to Practice as a Student**

- A. Applicants for licensure, reinstatement, and for practice as a EMS student shall have approval delayed for licensure, for reinstatement, to receive a temporary working permit, to be eligible for National Registry Exam, or to enter or progress into any clinical EMS course, if the applicant:
  1. Has any pending disciplinary action or any restrictions of any form by any licensing/certifying entity in any state; or
  2. Has a pending criminal charge that involves any violence or danger to another person, or involves a crime which constitutes a threat to patient care; or
  3. Has pled guilty, nolo contendere, been convicted of or committed a crime that reflects on the ability of the person to practice EMS safety, and the conditions of the court have not been met, or is currently serving a court ordered probation or parole. If the crime is a “crime of violence” as defined in R.S. 14:2(13) or any of the following crimes: first degree feticide, second degree feticide, aggravated assault with a firearm, stalking, false imprisonment-offender armed with a dangerous weapon, incest, aggravated incest, molestation of a juvenile, sexual battery of the informant, or a crime that involves felony drug charges, the applicant shall be denied.
- B. For purposes of this Section, a pardon, suspension of imposition of sentence, expungement, or pretrial diversion or similar programs shall not negate or diminish the requirements of this Section.
- C. Applicants who are delayed certification, reinstatement, or the right to practice EMS as a student shall not be eligible to submit a new application until the following conditions are met:
  1. The applicant presents sufficient evidence that the cause for the delay no longer exists; and
  2. A hearing or conference is held before the commission to review the evidence, to afford the applicant the opportunity to prove that the cause for the delay no longer exists, and to provide an opportunity for the commission to evaluate changes in the person or conditions.

## **§212 Fines Imposed by the EMS Certification Commission**

- A. R.S. 40.1133.7 allows the EMS Certification Commission to discipline emergency medical services practitioners by directing the Bureau of EMS to deny, withhold, revoke, restrict, probate, or suspend a license to practice as an emergency medical services practitioner, impose fines and assess costs, or otherwise discipline an emergency medical services practitioner.
- B. R.S. 40.1133.11 states that any EMS practitioner who is found guilty of violating any provision of R.S. 40:1133.10 shall, upon a first conviction, be fined not more than five hundred dollars or imprisoned for not more than six months, or both. Upon a second or subsequent conviction, the offender shall be imprisoned with or without hard labor for not more than two years and fined not more than five thousand dollars.

- C. The following fines will be imposed in the following manner:
  - 1. Any infraction that has occurred in which the petitioner receives a disciplinary sentence will include a penalty of \$50.00 per licensing cycle (2 years).
  - 2. Falsifying a license application or license renewal application: \$100.00.
  - 3. Any infraction that has occurred in which the petitioner has profited from the infraction: \$500.00.
- D. Payments will be made via the Information Management System.
- E. Fees will be charged in the Information Management System.
  - 1. An initial fee invoice will be sent via the Information Management System.
  - 2. A second notice for an unpaid balance will be sent in 30 days after the initial invoice via the Information Management System.
  - 3. A third and final notice for an unpaid balance will be sent 60 days after the initial invoice via the Information Management System.
  - 4. Outstanding balances after 90 days from the initial invoice date will result in revocation of the individuals' license.

### **§213 Mandatory Notifications**

- A. A licensed EMS Practitioner, or an EMS student, shall update their information on record via the Louisiana Bureau of EMS Information Management System no later than thirty days after any of the following changes occur:
  - 1. Mailing address and/or physical location
  - 2. Primary phone number
  - 3. Primary email address
  - 4. Legal name.
- B. A licensed EMS Practitioner, or an EMS student, shall notify the Bureau of EMS via the Information Management System no later than ten days after any of the following occur:
  - 1. Convicted of, or charge with, any misdemeanor or felony in any jurisdiction
  - 2. Any suspension, revocation, or limitation to an EMS license/certification, or other medical license/certification, by any certification or license board, in any jurisdiction.
- C. Notification from the EMS Certification Commission
  - 1. Minimally, the EMS Certification Commission will notify individuals by certified, return receipt mail.
  - 2. Depending on the type of notification, additional notification may be made by telephone or email.
  - 3. Notification will be sent to the agency in which the Practitioner is affiliated.
  - 4. Notification will be sent to the medical director of the agency in which the Practitioner is affiliated.
- D. Agendas, minutes and decisions made by the EMS Certification will be posted under the Commission tab on the Bureau of EMS website and on the Boards and Commissions website.

### **§215 Ratification of Decisions**

- A. Decisions rendered according to the decision matrix will be ratified during the next meeting of the whole commission.
- B. Decisions are not official until ratification has occurred.

## **§217 Rights of Appeal**

- A. Any person whose certification has been revoked, suspended, denied, or otherwise disciplined by the Bureau shall have the right to have the proceedings of the Commission reviewed by the court having jurisdiction over the Commission, provided that such appeal is made within 30 days after the date indicated on the registered mail receipt of the written notice of the Commission's decision. The Commission's decision is enforceable in the interim unless the court orders a stay.

## **§219 Scope of Practice**

- A. The EMS Certification Commission will determine the Scope of Practice for each EMS Practitioner level
- B. Authority to Practice
  - 1. Skills identified in the scope of practice may be performed by licensed EMS practitioners at the practitioner's license level only if:
    - a. The practitioner has successfully completed training (cognitive, affective and psychomotor) on the specified skill, which includes training to perform the skill on adults, children and infants, as appropriate: and
    - b. The practitioner is affiliated with an EMS Service provider and operating under a written protocol approved by the agency's Medical Director, or
    - c. The practitioner is operating under a direct verbal order of a physician.
- C. National EMS Education Standards
  - 1. The Bureau of EMS has adopted the National EMS Education Standards for EMR, EMT, AEMT, or Paramedic initial education and competency.
  - 2. The Bureau of EMS has adopted the National Registry of Emergency Medical Technicians' National Continued Competency Program for continuing education competency.
- D. Changes to the Scope of Practice
  - 1. The EMT Certification Commission retains the authority to modify, expand, limit, or change the Scope of Practice.
  - 2. When the EMS Certification Commission makes changes to the Scope of Practice, the Bureau of EMS will publish the updated Scope of Practice matrix on the Bureau of EMS website.
- E. Limiting the Scope of Practice
  - 1. An agency Medical Director may limit the scope of practice, for an agency or individual by written protocol, policy or directive.
  - 2. A Medical Director shall not expand the scope of practice without the concurrence and modification of the Scope of Practice by the EMS Certification Commission.

## **§221 Basis for Obtaining Medical Information and Records**

- A. The EMS Certification Commission may request, subpoena, or otherwise seek to obtain records from a health care provider or EMS provider, or an EMS practitioner's employer, relating to the assessment, care, or treatment provided by an individual licensed by the Bureau of EMS, without such practitioner's expressed authorization or consent, when:
  - 1. The EMS Certification Commission has grounds for an objectively reasonable belief that the subject licensed individual capacity to practice with reasonable skill and safety to patients is impaired by mental illness or deficiency, or physical illness, including but not limited to deterioration through the aging process or the loss of motor skills, and/or the excessive use or abuse of drugs; or

2. The EMS Certification Commission has a reasonable basis for believing that the practitioner is in possession of information or records relevant to a determination as to whether the subject is incapable of practicing with reasonable skill and safety to patients; or
  3. The EMS Certification Commission has a reasonable basis for believing that the practitioner has been charged with, or convicted of a crime, that may pose a risk to the safety of patients or the general public.
- B. Medical information and records obtained by the Bureau of EMS pursuant to the rules of this policy, and as to which the privilege of confidentiality has not otherwise been waived or abandoned, shall be maintained in confidence by the Bureau of EMS, the EMS Certification Commission, members employees, and agent, shall not be deemed or treated as public records, and shall be privileged against disclosure or production pursuant to administrative or judicial subpoena; provided, however, that any such information or records which are admitted into evidence and made part of the administrative record in an adjudicatory proceeding before the EMS Certification Commission shall remain confidential but shall not be privileged from disclosure and production pursuant to administrative or judicial subpoena and provided further that any such information or records made a part of an administrative adjudicatory record shall become public records upon the filing of a petition for judicial review of the EMS Certification Commission's final decision therein.

## **§223 Subpoenas**

- A. The Chair, or a designee of the EMS Certification Commission shall order the issuance of a subpoena for disciplinary proceedings, and when requested to do so, may issue subpoenas for the other party.
- B. Unless otherwise provided, to request the issuance of a subpoena, the following procedure shall be followed:
  1. The subpoena shall be prepared and served by the party requesting the subpoena. The party requesting and serving the subpoena must file a return of service into the administrative record certifying on whom the subpoena was served, the time and date served, the location or address served, and the name of the person who served it.
  2. Departmental service of subpoenas on law enforcement officers and fire service personnel must be accomplished in accordance with R.S. 13:3661.1 to be considered effective.
  3. A subpoena request on behalf of any party shall be accompanied by a check or money order to cover witness fees pursuant to R.S. 49:956(5), R.S. 13: 3662(A) (law enforcement officers), or other applicable law. Witness fees for experts shall be set by the administrative law judge in accordance with R.S. 49:950 et seq. The check or money order shall be made payable to each witness subpoenaed, or as provided for law enforcement witnesses.
- C. Additional witness fees must be submitted in order for a subpoena to be reissued due to a continuance or other reason.
- D. The subpoena should include the following:
  1. The name of the party and the representative or attorney requesting the subpoena;
  2. The docket number of the case;
  3. The complete name, service address (with directions if necessary), and telephone number of the person being subpoenaed;
  4. A sufficient description of any document or item to be produced; and
  5. The date, time, place and proceeding for which the subpoena is requested.



- E. Failure of a witness to appear or respond to a subpoena will not be grounds for a continuance unless Paragraph B.1 above has been complied with, and the request for the subpoena was received by the division at least 10 days before the date required for appearance, production or inspection. However, the administrative law judge may grant a continuance or exception when the interest of justice requires it.

## **§225 Disciplinary Proceedings before the Emergency Medical Services Certification Commission**

- A. The EMS Certification Commission has the responsibility to consider and determine the action necessary upon all charges of conduct that fail to conform to R.S. 40:1131 et seq., as re-enacted and amended, or to the rules and regulations promulgated to carry out the provisions of the policy.

## **§227 Proceedings against Licensed EMS Practitioner or Licensed EMS Practitioner Applicants**

- A. The Commission may direct the Bureau of EMS to deny, revoke, suspend, probate, limit, reprimand, or restrict any license to practice as a license EMS practitioner or otherwise discipline an individual in accordance with R.S. 40:1133.7.
- B. Every individual subjected to disciplinary proceedings shall be afforded an opportunity for a hearing before the commission or its duly appointed hearing officer or committee.
- C. A complaint that an individual has engaged in, or is engaging in, any conduct prescribed by R.S. 40:1133.7, may be made by any person, staff, or agency to the EMS Certification Commission.
  - 1. Such complaints shall be in writing, and on a form prescribed by the EMS Certification Commission or affixed to the form prescribed by the EMS Certification Commission.
- D. Grounds for disciplinary proceedings against a licensed EMS Practitioner, include, but are not limited to, items specified in R.S. 40: 1133.7
  - 1. Is guilty of selling or attempting to sell, falsely obtaining, or furnishing to a person an EMS license document;
  - 2. Is guilty of a felony or is convicted of a crime or offense which reflects the inability to practice EMS with due regard for the health and safety of clients or patients or enters a plea of guilty or nolo contendere to a criminal charge regardless of final disposition of the criminal proceeding, including, but not limited to, expungement, non-adjudication or pardon;
  - 3. Is unfit or incompetent by reason of negligence, habit, or other cause;
  - 4. Is habitually intemperate in the use of or abuse of alcohol, habit-forming substances, drugs, or medications;
  - 5. Has demonstrated actual or potential inability to practice EMS with reasonable skill and safety to individuals because of use of alcohol or drugs; or has demonstrated inability to practice EMS with reasonable skill and safety to individuals because of illness or as a result of any mental or physical condition;
  - 6. Is mentally incompetent;
  - 7. Has had a certificate or license to practice EMS or to practice as another health care provide denied, revoked, suspended, or otherwise restricted;
  - 8. Is guilty of moral turpitude;
  - 9. Has violated any provision of this Subpart;
  - 10. Is guilty of aiding or abetting another person in the violation of this Subpart.

## **§229 Emergency Action**

- A. If the Commission finds that public health, safety, and welfare requires emergency action and a finding to that effect is incorporated in its order, summary suspension of a license may be ordered by the chair or designee pending proceedings for revocation of other action. Such proceedings shall be promptly instituted and determined at the next regularly scheduled Commission meeting.
  - 1. Individuals will be notified via phone, email and certification, return receipt mail.

## **§231 Disciplinary Process and Procedures**

- A. The provisions of this policy shall govern proceedings on questions of violation of R.S. 40:1131 et seq., as reenacted and amended.
- B. A disciplinary proceeding, including the formal hearing, is less formal than a judicial proceeding. It is not subject to strict rules and technicalities, but it must be conducted in accordance with considerations of fair plan and constitutional requirements of due process.
- C. The purpose of a disciplinary proceeding is to determine contested issues of law and fact; whether the individual did certain acts and, if he did, whether those acts violated the Emergency Medical Services Practice Act or rules and regulations of the EMS Certification Commission or the Bureau of EMS; and to determine the appropriate disciplinary action.
- D. Any disciplinary action by the EMS Certification Commission shall be forwarded to the National Registry of Emergency Medical Technicians (NREMT) and any other likens agency and/or required reporting entity, as applicable.
- E. Investigation
  - 1. The process of a disciplinary proceeding shall include certain steps and may include other steps as follows:
    - a. The Bureau of EMS or EMS Certification Commission receives information alleging that an individual has acted in violation of the Emergency Medical Services Practice Act. Communications from the informant shall be privileged and shall not be revealed to any person unless such documents will be offered for evidence in a formal hearing, or unless those documents are subpoenaed by a court, or requested by other regulatory or law enforcement agencies.
    - b. The information is investigated by the Bureau of EMS's staff to determine if there is sufficient evidence to warrant disciplinary proceedings.
      - i. The EMS Certification Commission chair, or designee, may issue a subpoena prior to the filing of charges if, in the opinion of the chair, such a subpoena is necessary to investigate any potential violation or lack of compliance with R.S. 40:1131 et seq., or the rules, regulations or orders of the Bureau of EMS or the EMS Certification Commission. The subpoena may be to compel the attendance of any person to appear for the purpose of giving sworn testimony and/or to compel the production of books, records, papers, or other objects.
  - 2. An agreement worked out between the complainant and the individual does not preclude disciplinary action by the EMS Certification Commission. The nature of the offense alleged and the evidence before the EMS Certification Commission must be considered.

## **§233 Formal Disciplinary Action**

- A. A decision to initiate formal disciplinary proceedings is made if one or more of the following conditions exist:

1. The complaint is sufficiently serious in the opinion of the Director of the Bureau of EMS or an EMS Certification Commission member;
  2. The individual fails to respond to the EMS Certification Commission's correspondence concerning the complaint;
  3. The individual's response to the EMT Certification Commission's letter or investigative demand is not convincing that no action is necessary;
  4. An informal approach is used, but fails to resolve all of the issues.
- B. Informal Procedures
1. The matter may be resolved without a formal administrative hearing by either a voluntary surrender of license, or Consent Order. These actions shall constitute disciplinary action and shall be a public record of the EMS Certification Commission. The EMS Certification Commission shall publish the individual's name, a brief description of the violation, and the disciplinary action.
- C. Voluntary Surrender of License
1. An individual who is under investigation for violation of the practice act or rules of the EMS Certification Commission or the Bureau of EMS may voluntarily surrender his license to the Bureau of EMS.
    - a. The voluntary surrender invalidates the license at the time of its relinquishment.
    - b. An individual practicing as a licensed EMS Practitioner during the period of voluntary license surrender is considered an illegal practitioner and is subject to the penalties provided by this chapter and R.S. 40:1133 et seq.
  2. Any license surrender shall not be deemed to be an admission of the alleged facts of any pending investigation or complaint. The fact of certification surrender shall be deemed a disciplinary action and shall be reported and distributed in the same manner as final decisions of the Commission.
  3. Surrender or non-renewal of licensure shall not preclude the Commission from investigating or completing a disciplinary proceeding based upon the individual's conduct prior to or subsequent to the surrender of license.
  4. Individuals who surrender their license are not eligible for reinstatement of license for a minimum of two years and until meeting the requirements for reinstatement of license as described in this Chapter.
- D. Consent Order
1. An order involving some type of disciplinary action may be made by the EMS Certification Commission with the consent of the individual.
  2. The EMS Certification Commission chair is authorized to offer the individual the choice of a consent order in lieu of an administrative hearing.
  3. A consent order signed by an individual is an irrevocable offer by the individual until approved, or rejected, by the EMS Certification Commission chair or designee.
  4. A consent order requires formal approval of a quorum of the EMS Certification Commission. All actions of the Bureau of EMS shall be reported to the EMS Certification Commission at its next regularly scheduled meeting.
  5. A consent order is not the result of the EMS Certification Commission's deliberation; it is the EMT Certification Commission's formal approval of an agreement reached between the Bureau of EMS and the individual. The order is issued by the EMS Certification Commission to carry out the parties' agreement.
  6. Should the EMS Certification Commission require evidence before arriving at the decision, the individual shall be notified and given an opportunity for a hearing.
  7. The EMS Certification Commission revises the terms of the agreement. The revised agreement shall be presented for the individual's acceptance. The EMS Certification Commission may formulate its order contingent upon individual's acceptance.

8. The EMS Certification Commission shall have the right to refer any case directly to an administrative hearing without first offering a consent agreement.
- E. Settlement Order
1. Disciplinary Settlement Committee, consisting of the chair, or a designee of the chair, and another member of the Commission or a Bureau staff member, is delegated the authority to render a final decision regarding settlement of a contested administrative matter by offering a settlement order in lieu of an administrative hearing. The settlement order shall be deemed an order of the Commission, effective immediately upon the signature of all parties to the agreement.
    - a. The disciplinary settlement shall be submitted to the Commission for review at the next regularly scheduled disciplinary hearing.
    - b. Should the Disciplinary Settlement Committee be unable to successfully resolve a case, or should the committee believe that the public would be better protected by a decision rendered by the entire Commission, the matter will be forwarded to the Commission for a formal hearing.

## **§235 Formal Hearing**

- A. The Commission has the authority, granted by R.S. 40:1232.3, to bring administrative proceedings to licensed EMS Practitioners, applicants for license, individuals seeking enrollment or progression in an approved EMS program, and individuals practicing EMS without license. The individual has the right to appear and be heard, either in person or by counsel; the right of notice, a statement of what accusations have been made; the right to present evidence and to cross-examine; and the right to have witnesses subpoenaed.
- B. Notice and Service
1. The chair of the EMS Certification Commission or a designee fixes a time and place for a hearing.
  2. At least 15 days prior to the date sent of the hearing, a copy of the charges and a notice of the time and place of the hearing are sent by license mail, return receipt requested, to the individual's address of records. Notice to an individual is effective and service is complete when sent by certified mail to the individual's address of record.
  3. The individual shall have the opportunity to respond in writing as to his/her intention to appear or not appear at the scheduled hearing at least five working days prior to the hearing.
  4. At least five working days prior to the scheduled hearing date, the individual shall file with the EMS Certification Commission a written response to the specific allegations contained in the notice of charges. Allegations not specifically answered shall be deemed admitted.
  5. If the individual does not appear, in person or through counsel, after proper notice has been given, the individual has waived these rights and the EMS Certification Commission may proceed with the hearing without the presence of the individual.
- C. Motions for Continuance
1. The EMS Certification Commission shall not postpone cases that have been scheduled for hearing absent good cause. A written motion by a licensed EMS Practitioner, applicant, or student for continuance shall be filed with the EMS Certification Commission at least five working days prior to the time set for the hearing, except for extreme emergencies. The motion shall contain the reason for the request, which reason must be based upon good cause and have relevance for due process. Requests for continuances may be approved or denied by the chair or designee. No more than three requests for continuance shall be granted.

D. Subpoenas

1. The EMS Certification Commission chair or a designee of the chair, may issue a subpoena(s) for the EMS Certification Commission for disciplinary proceedings, and when request to do so, may issue subpoenas for the other party. Subpoenas include:
  - a. A subpoena requiring a person to appear and give testimony;
  - b. A subpoena duces tecum, which requires that a person produce books records, correspondence, or other materials over which he has control.

E. Hearing

1. The EMS Certification Commission's primary role is to hear evidence and argument, and to reach a decision. Any commission members, who because of bias or interest is unable to assure a fair hearing, shall be recused from that particular proceeding. The reasons for the recusal are made part of the record. Should the majority of the EMS Certification Commission members be recused for a particular proceeding, the governor shall be requested to appoint a sufficient number of pro temp members to obtain a quorum for the proceeding.
2. The EMS Certification Commission shall be represented by a department attorney. Evidence is presented that disciplinary action should be taken against the individual. The individual may present evidence personally or through an attorney, and witnesses may testify on behalf of the individual.
  - a. Evidence include the following:
    - i. Oral testimony given by witnesses at the hearing, except that, for good cause, testimony may be taken by deposition (cost of the deposition is borne by requesting party) and/or by sworn affidavits;
    - ii. Documentary evidence, i.e., written or printed materials including public, business or institutional records, books, and reports; such documentary evidence may be received in the form of copies or excerpt, or by incorporation by reference, if the incorporated materials are available for examinations by the parties before being received into evidence;
    - iii. Visual, physical and illustrative evidence;
    - iv. Admissions, which are written or oral statements of a party made either before or during the hearing;
    - v. Facts officially noted into the record, usually readily determined facts making proof of such unnecessary;
  - b. All testimony is given under oath. If the witness objects to swearing, the word "affirm" may be substituted.
3. The chair of the EMS Certification Commission presides and the customary order of proceedings at a hearing is as follows:
  - a. The Director of the Bureau of EMS, or a designee, presents the case against the individual.
  - b. The individual, or his attorney, makes an opening statement, explaining why he believes that the charges against him/her are not legally founded.
  - c. The individual commission members ask relevant questions.
  - d. The individual, or his attorney, may make any statements or ask questions to the EMS Certification Commission
  - e. EMS Certification Commission enters into a period of deliberation.
  - f. The chair of the EMS Certification Commission or a designee of the EMS Certification Commission makes the final statement.

- g. The EMS Certification Commission may impose reasonable time limits on all sides in a hearing, provided that limits will not unduly prejudice the rights of the parties.
  - h. The EMS Certification Commission may exclude incompetent, irrelevant, immaterial, or unduly repetitious evidence. Objections to evidentiary offers may be made and shall be noted in the record.
  - i. When a hearing will be expedited and the interests of the parties will not be prejudiced substantially, any part of the evidence may be received in written form.
  - j. Motions may be made before, during, or after a hearing. All motions shall be made at an appropriate time, according to the nature of the request. Motions made before or after the hearing shall be in writing. Those made during the course of the hearing may be made orally since they become part of the transcript of the proceeding.
4. The records of the hearing shall include:
- a. All papers filed and served in the proceeding;
  - b. All documents and other material accepted as evidence at the hearing;
  - c. Statements of matters officially noticed;
  - d. Notices required by the statutes or rules, including notice of the hearing;
  - e. Affidavits of service or receipts for mailing or process or other evidence of service;
  - f. Stipulations, settlement agreements or consent orders, if any;
  - g. Records of matters agreed upon at a pre-hearing conference;
  - h. Orders of the EMS Certification Commission and its final decision;
  - i. Actions taken subsequent to the decision, including requests for reconsideration and rehearing;
  - j. A transcript of the proceedings, if one has been made, or a tape recording or stenographic record;
  - k. The record of the proceeding shall be retained until the time for any appeal has expired, or until the appeal has been concluded. The record is not transcribed unless a party to the proceeding so requests, and the requesting party pays for the cost of the transcript. A party who appeals a decision of the EMS Certification Commission shall pay all of the costs incurred by the Louisiana Department of Health for preparation of the original and any license copy of the record of the proceeding that is required to be transmitted to the reviewing court.
5. The decision of the EMS Certification Commission shall be reached according to the following process:
- a. Determine the facts in the issue on the basis of evidence submitted at the hearing;
  - b. Determine whether the facts in the case support the charges brought against the individual;
  - c. Determine whether charges brought are a violation of the Emergency Medical Services Practice Act or rules and regulations of the EMS Certification Commission or the Bureau of EMS.
6. The vote of the EMS Certification Commission shall be recorded. Minority views may be made part of the record.
7. Sanctions against the individual who is party to the proceeding are based upon the findings of fact and conclusions of law determined by the hearing. The party is notified by certified mail of the decision of the EMS Certification Commission.

F. Disciplinary Sanctions

1. For violations of the Emergency Medical Services Practice Act, state law, regulation, or any portion of this administrative code, the EMS Certification Commission may impose sanctions including, but not limited to:
  - a. Deny, withhold, revoke, restrict, probate, or suspend a license to practice as an EMS Practitioner;
  - b. Suspend, revoke, restrict, deny, refuse to issue, or refuse to renew an authorization to function as an EMS student;
2. In accordance with R.S. 1133.11, any person who violates the provisions of R.S. 40:1133.10 shall be subject to prosecution. This prosecution shall be brought in the name of the state, provided the provisions of this Part shall not prevent or interfere with a prosecution brought by the district attorney of a parish when a prosecution of a pre-prosecution proceeding has been initiated by the district attorney.
  - a. Whoever is found guilty of violating any provision of R.S. 40:1133.10 shall, upon a first conviction, be fined not more than five hundred dollars or imprisoned for not more than six months, or both. Upon a second or subsequent conviction, the offender shall be imprisoned with or without hard labor for not more than two years and fined not more than five thousand dollars.
3. The type of disciplinary sanctions and length of time specified for the sanctions shall be determined on an individual basis, considering all acts pertinent to the case.
4. The EMS Certification Commission sets forth guidelines with ranges of disciplinary sanctions from which disciplinary penalties may be imposed. These guidelines are intended to serve only as a guide for staff and commission members when considering penalties, which could be imposed for specific violations of the Emergency Medical Services Practice Act. Guidelines are in no way binding on the EMS Certification Commission when dealing with disciplinary matters. The EMS Certification Commission may order license sanctions.
4. The disciplinary guidelines are based upon a single count violation. Multiple counts of violations of the same action, or other unrelated violations contained in the same complaint will be grounds for enhancement of penalties. Each day of a continuum of violations may be treated as a separate violation.
5. In determining sanctions, the staff shall consider aggravating or mitigating circumstances identified by the EMS Certification Commission in addition to any other factors. The list of aggravating and mitigating circumstances in the guidelines is not to be considered an exclusive list of circumstances.
  - a. Aggravating circumstances may result in the EMS Certification Commission issuing maximum sanctions, or they may justify enhancement of a penalty beyond the maximum guidelines.
  - b. Mitigating or extenuating circumstances may justify lessening of the sanctions below the minimum guidelines. License suspensions may be stayed with stipulated probations in some extenuating circumstances.
6. The Order may stipulate remedial education, specific evaluation and therapy, and other sanctions as deemed necessary and appropriate to the case.

G. Reconsideration or Rehearing

1. The EMS Certification Commission shall reconsider a matter when ordered to do so by a higher administrative authority or when the case is remanded for reconsideration or rehearing by a court to which the EMS Certification Commission's decision has been appealed.

2. The EMS Certification Commission may reconsider a matter, which it has decided. This may involve rehearing the case, or it may involve reconsidering the case on the basis of the record. Such reconsideration may occur when a party files a petition requesting that the decision be reconsidered by the EMS Certification Commission and specifies the particular grounds, therefore.
3. A petition by a party for reconsideration or rehearing must be in proper form and filed within 10 days from the date of entry of the decision. A decision is deemed to be entered when it is signed by the chair or designee and sent by certified mail to the individual's address of record. The petition shall set forth the grounds for the rehearing, which include one or more of the following:
  - a. The EMS Certification Commission's decision is clearly contrary to the law and the evidence;
  - b. There is newly discovered evidence, which was not available to the individual at the time of the hearing and which may be sufficient to reverse the EMS Certification Commission's action;
  - c. There is a showing that issues not previously considered ought to be examined in order to dispose of the case properly;
  - d. It would be in the public interest to further consider the issues and the evidence;
  - e. Upon the EMS Certification Commission's receipt of a petition for rehearing or reconsideration, the EMS Certification Commission may affirm or modify the decision or grant a rehearing to all or any of the parties and on all or part of the issues for any of the above stated reasons. An order granting a rehearing shall specify with particularity the ground or grounds on which the rehearing is granted, and the rehearing shall cover only those matters so specified.

#### H. Disciplinary Proceedings in Another Licensing Jurisdiction

1. When a license EMS professional has a license or certification revoked, suspended, denied or sanctioned in other ways for disciplinary reasons by the National Registry of EMTs, or a certification/licensing agency in another jurisdiction that licenses EMS personnel, the EMS Practitioner shall be notified via telephone call, email, and certified mail that the Louisiana license is automatically suspended, except for the following:
  - a. Nonpayment of fees;
  - b. A person in a recovery program for chemical dependency receives permission of the state of origin to transfer to another state;
  - c. The certified EMS professional is issued a reprimand and the certified EMS professional agrees to having his Louisiana license reprimanded identically to, or in excess of, the said jurisdiction's reprimand; and
  - d. The licensure is encumbered with a reprimand with stipulations and the licensed EMS professional agrees to having his Louisiana license probated with stipulations that are identical to, or exceed, the stipulations in said jurisdiction.
2. The licensed EMS Practitioner may have his license reinstated provided that the license EMS Practitioner:
  - a. Provides evidence of an unencumbered license by the involved license/licensing authority and all subsequent license/licensing authorities; and
  - b. Meets requirements for reinstatement of license as described in this policy.



## **§237 Appeal of the EMS Certification Commission's Decision**

- A. Any person whose license has been revoked, suspended, denied, or otherwise disciplined by the Bureau of EMS shall have the right to have the proceedings of the EMS Certification Commission reviewed by the court having jurisdiction of the EMS Certification Commission, provided that such appeal is made within 30 days after the date indicated on the registered mail receipt of the written notice of the EMS Certification Commission's decision. The EMS Certification Commission's decision is enforceable in the interim unless the court orders a stay.

## **§239 Reinstatement of License**

- A. Application for the reinstatement of a suspended or surrendered license shall be in writing.
- B. The application for reinstatement of a suspended license requires the applicant to meet the requirements of the initial license.
- C. Prior to reinstatement of a license previously suspended, a hearing or conference is held before the EMS Certification Commission to afford the applicant with the opportunity to present evidence that the cause for the revocation or suspension no longer exists and to provide an opportunity for the EMS Certification Commission to evaluate changes in the person or condition(s). In certain situations, the license may be reinstated by consent order. The burden of proof is on the applicant to provide that conditions that led to the suspension no longer exist and/or no longer affect applicant's ability to practice safely. If reinstatement is granted, a period of probation with stipulations may be imposed.

## **§241 Proceedings Against Certified Education Program**

- A. The Commission may direct the Bureau of EMS to deny, revoke, suspend, probate, limit, reprimand, or restrict any certificate of approval of a State-approved EMS Education Program.
- B. Every State approved EMS Education Program subjected to disciplinary proceedings shall be afforded an opportunity for a hearing before the commission or its duly appointed hearing officer or committee.
- C. A complaint that a State-approved EMS Education Program has engaged in, or is engaging in, any conduct prescribed by R.S. 40:1133.7, may be made by any person, staff, or agency to the EMS Certification Commission.
  - 1. Such complaints shall be in writing, and on a form prescribed by the EMS Certification Commission or affixed to the form prescribed by the EMS Certification Commission.
- D. Grounds for disciplinary proceedings against a State-approved EMS Education Program, include, but are not limited to, items specified in R.S. 40: 1133.7
  - 1. Is guilty of selling or attempting to sell, falsely obtaining, or furnishing to a person an EMS license document;
  - 2. Is guilty of a felony or is convicted of a crime or offense which reflects the inability to practice EMS with due regard for the health and safety of clients or patients or enters a plea of guilty or nolo contendere to a criminal charge regardless of the final disposition of the criminal proceeding, including, but not limited to, expungement, non-adjudication or pardon;
  - 3. Is unfit or incompetent by reason of negligence, habit, or other cause;
  - 4. Is habitually intemperate in the use of or abuse of alcohol, habit-forming substances, drugs, or medications;

5. Has demonstrated actual or potential inability to practice EMS with reasonable skill and safety to individuals because of use of alcohol or drugs; or has demonstrated inability to practice EMS with reasonable skill and safety to individuals because of illness or as a result of any mental or physical condition;
6. Is mentally incompetent;
7. Has had a certificate or license to practice EMS or to practice as another health care provider denied, revoked, suspended, or otherwise restricted;
8. Is guilty of moral turpitude;
9. Has violated any provision of this Subpart;
10. Is guilty of aiding or abetting another person in the violation of this Subpart.

### **§243 Disciplinary Process and Procedures of an EMS Education Program**

- A. A disciplinary proceeding, including the formal hearing, is less formal than a judicial proceeding. It is not subject to strict rules and technicalities, but must be conducted in accordance with consideration of fair play and constitutional requirements of due process.
- B. The purpose of a disciplinary proceeding is to determine contested issues of law and fact; whether the institution did certain acts and whether those acts violated the Emergency Medical Services Practice Act or rules and regulations of the EMS Certification Commission or the Bureau of EMS; and to determine the appropriate disciplinary action.
- C. Investigation
  1. The process of a disciplinary proceeding shall include certain steps and may include other steps as follows:
    - a. The Bureau of EMS or EMS Certification Commission receives information alleging that an accredited training institution has acted in violation of the emergency medical Services Practice Act or the Policy.
      - i. Communications from the information shall be privileged and shall not be revealed to any person unless such documents will be offered for evidence in a formal hearing, or unless those documents are subpoenaed by a court, or requested by other regulatory or law enforcement agencies.
    - b. The information is investigated by the Bureau of EMS' staff to determine if there is enough evidence to warrant disciplinary proceedings. Information received by the Bureau of EMS or EMS Certification Commission shall not be considered a complaint until the individual furnishing that information provides the information in writing.
      - i. The EMS Certification Commission chair, or designee, may issue a subpoena prior to the filing of charges if, in the opinion of the chair, such a subpoena is necessary to investigate any potential violation or lack of compliance with R.S. 40:1131 et seq., or the policy, regulations or orders of the Bureau of EMS or the EMS Certification Commission. The subpoena may be to compel the attendance of any person to appear for the purposes of giving sworn testimony and/or to compel the production of books, records, papers, or other objects.
  2. An agreement worked out between the complainant and the education program does not preclude disciplinary action by the EMS Certification Commission. The nature of the offense alleged and the evidence before the EMS Certification Commission must be considered.

## **§245 Formal Disciplinary Action of an EMS Education Program**

- A. A decision to initiate formal disciplinary proceedings is made if one or more of the following conditions exist:
  - 1. The complaint is sufficiently serious in the opinion of the Director of the Bureau of EMS or an EMS Certification Commission member;
  - 2. The accredited training institution fails to respond to the EMS Certification Commission's correspondence concerning the complaint;
  - 3. The accredited education program's response to the EMS Certification Commission's letter or investigative demand is not convincing that no action is necessary;
  - 4. An informal approach is used but fails to resolve all of the issues.
- B. Informal Procedures
  - 1. The matter may be resolved without a formal administrative hearing by either a voluntary surrender of license, Consent Order, or Settlement Order. These actions shall constitute disciplinary action and shall be a public record of the EMS Certification Commission. The EMS Certification Commission shall publish the accredited education program's name, a brief description of the violation, and the disciplinary action.
- C. Consent Order
  - 1. An order involving some type of disciplinary action may be made by the EMS Certification Commission with the consent of the accredited education program.
  - 2. The EMS Certification Commission chair is authorized to offer the Bureau of EMS certified education program the choice of a consent order in lieu of an administrative hearing.
  - 3. A consent order signed by an accredited training institution is an irrevocable offer by the accredited education program until approved, or rejected, by the EMS Certification Commission chair or designee.
  - 4. A consent order requires formal approval of a quorum of the EMS Certification Commission. All actions of the Bureau of EMS shall be reported to the EMS Certification Commission at its next regularly scheduled meeting.
  - 5. A consent order is not the result of the EMS Certification Commission's deliberation; it is the EMS Certification Commission's formal approval of an agreement reached between the Bureau of EMS and the accredited education program. The order is issued by the EMS Certification Commission to carry out the parties' agreement.
  - 6. Should the EMS Certification Commission require evidence before arriving at a decision, the accredited education program shall be notified and given an opportunity for a hearing.
  - 7. Should the EMS Certification Commission revise the terms of the agreement, said revised agreement shall be presented for the accredited education program acceptance. The EMS Certification Commission may formulate its order contingent upon the accredited education program's acceptance.
  - 8. The EMS Certification Commission shall have the right to refer any case directly to an administrative hearing without first offering a consent agreement.
- D. Settlement Order
  - 1. Disciplinary Settlement Committee, consisting of the chair, or a designee of the chair, and another member of the Commission or a Bureau staff member, is delegated the authority to render a final decision regarding settlement of a contested administrative matter by offering a settlement order in lieu of an administrative hearing. The settlement order shall be deemed an order of the Commission, effective immediately upon the signature of all parties to the agreement.

- a. The disciplinary settlement shall be submitted to the Commission for review at the next regularly scheduled disciplinary hearing.
- b. Should the Disciplinary Settlement Committee be unable to successfully resolve a case, or should the committee believe that the public would be better protected by a decision rendered by the entire Commission, the matter will be forwarded to the Commission for a formal hearing.

## **§247 Formal Hearing of an EMS Education Program**

- A. The EMS Certification Commission, the Bureau of EMS, and the accredited education program are the parties of the proceeding. The accredited training institution has the right to appear and be heard, either in person or by counsel; the right of notice, a statement of what accusations have been made; the right to present evidence and to cross-examine; and the right to have witnesses subpoenaed.
- B. Notice and Service
  1. The chair or a designee fixes a time and place for a hearing.
  2. At least 15 days prior to the date set for a hearing, a copy of the charges and a notice of the time and place of the hearing are sent by license mail, return receipt requested, to the accredited education program's address of record. Notice to an accredited education program is effective and service is complete when sent by certified mail to the accredited training institution's address of record.
  3. The accredited education program shall have the opportunity to respond in writing as to his intention to appear or not appear at the scheduled hearing.
  4. At least five working days prior to the scheduled hearing date, the accredited education program shall file with the EMS Certification Commission a written response to the specific allegation contained in the notice of charges. Allegations not specifically answered shall be deemed admitted.
  5. If the accredited education program does not appear, in person or through counsel, after proper notice has been given, the accredited education program has waived these rights and the EMS Certification Commission may proceed with the hearing without the presence of the accredited education program.
- C. Motions for Continuance
  1. The EMS Certification Commission shall not postpone cases that have been scheduled for hearing absent good cause. A written motion by a licensed EMS Practitioner, applicant, or student for a continuance shall be filed with the EMS Certification Commission at least five working days prior to the time set for the hearing. The motion shall contain the reason for the request, which reason must be based upon good cause and have relevance for due process. Requests for continuances may be approved or denied by the chair or designee. No more than three requests for continuance shall be granted.
- D. Subpoenas
  1. The EMS Certification Commission chair, a designee of the chair may issue a subpoena(s) for the EMS Certification Commission for disciplinary proceedings, and when requested to do so, may issue subpoenas for the other party. Subpoenas include:
    - a. A subpoena requiring a person to appear and give testimony;
    - b. A subpoena duces tecum, which requires that a person produce books, records, correspondence, or other materials over which he has control.
- E. Hearing
  1. The EMS Certification Commission's primary role is to hear evidence and argument, and to reach a decision. Any EMS Certification commission member, who because of

- bias or interest is unable to assure a fair hearing, shall be recused from that proceeding. The reasons for the recusal are made part of the record. Should most of the EMS Certification Commission members be recused for a particular proceeding, the governor shall be requested to appoint a sufficient number of pro temp members to obtain a quorum for the proceeding.
2. The EMS Certification Commission shall be represented by a Louisiana Department of Health attorney. Evidence is presented that disciplinary action should be taken against the accredited education program. The accredited training institution may present evidence personally or through an attorney, and witnesses may testify on behalf of the accredited education program.
    - a. Evidence includes the following:
      - i. Oral testimony given by witnesses at the hearing, except that, for good cause, testimony may be taken by deposition (cost of the deposition is borne by requesting party) and/or by sworn affidavits;
      - ii. Documentary evidence, i.e., written or printed materials including public, business or institutional records, book and reports; such documentary evidence may be received in the form of copies or excerpts, or by incorporation by reference, if the incorporated materials are available for examination by the parties before being received into evidence;
      - iii. Visual, physical and illustrative evidence;
      - iv. Admissions, which are written, or oral statements of a party made either before or during the hearing;
      - v. Facts officially noted into the record, usually readily determined facts making proof of such unnecessary;
    - b. All testimony is given under oath. If the witness objects to swearing, the word "affirm" may be substituted.
  3. The chair of the EMS Certification Commission presides and the customary order of proceedings at a hearing is as follows.
    - a. The Director of the Bureau of EMS, or a designee, presents the case against the accredited education program.
    - b. The accredited education program, or its attorney, makes an opening statement, explaining why it is believed that the charges against it are not legally founded.
    - c. The EMS Certification Commission members ask the accredited education program relevant questions.
    - d. The accredited education program, or its attorney, may make any statements or questions to the EMS Certification Commission.
    - e. The EMS Certification Commission enters into a period of deliberation.
    - f. The chair of the EMS Certification Commission makes the final statement.
    - g. The EMS Certification Commission may impose reasonable time limits on all sides in a hearing, provided that limits will not unduly prejudice the rights of the parties.
    - h. The EMS Certification Commission may exclude incompetent, irrelevant, immaterial, or unduly repetitious evidence. Objections to evidentiary offers may be made and shall be noted in the record.
    - i. When a hearing will be expedited, and the interests of the parties will not be prejudiced substantially, any part of the evidence may be received in written form.

- j. Motions may be made before, during or after a hearing. All motions shall be made at an appropriate time, according to the nature of the request. Motions made before or after the hearing shall be in writing. Those made during the course of the hearing may be made orally since they become part of the transcript of the proceeding.
- 4. The records of the hearing shall include:
  - a. All papers filed and served in the proceedings;
  - b. All documents and other materials accepted as evidence at the hearing;
  - c. Statements of matters officially noticed;
  - d. Notices required by the statutes or policy, including notice of the hearing;
  - e. Affidavits of service or receipts for mailing or process or other evidence of service;
  - f. Stipulations, settlement agreements or consent orders, if any;
  - g. Records of matters agreed upon at a pre-hearing conference;
  - h. Orders of the EMS Certification Commission and its final decision;
  - i. Actions taken subsequent to the decision, including requests for reconsideration and rehearing;
  - j. A transcript of the proceedings, if one has been made, or a tape recording or stenographic records;
  - k. The record of the proceeding shall be retained until the time for any appeal has expired, or until the appeal has been concluded. The record is not transcribed unless a party to the proceeding so requests, and the requesting party pays for the cost of the transcript. A party who appeals a decision of the EMS Certification Commission shall pay all of the costs incurred by the Louisiana Department of Health for preparation of the original and any licensed copy of the record of the proceeding that is required to be transmitted to the reviewing court.
- 5. The decision of the EMS Certification Commission shall be reached according to the following process:
  - a. Determine the facts in the issue based on the evidence submitted at the hearing;
  - b. Determine whether the facts in the case support the charges brought against the accredited education program
  - c. Determine whether charges brought are a violation of the Emergency Medical Services Practice Act or rules and regulations of the EMS Certification Commission or the Bureau of EMS.
- 6. The vote of the EMS Certification Commission shall be recorded. Minority views may be made part of the records.
- 7. Sanctions against the accredited training institution who is party to the proceeding are based upon the findings of fact and conclusions of law determined by the hearing. The party is notified by certified mail of the decision of the EMS Certification Commission.
- F. Disciplinary Sanctions
  - 1. For violations of the Emergency Medical Services Practice Act, state law, regulation, or any portion of this policy, the EMS Certification Commission may impose sanctions including, but not limited to:
    - a. Suspend, revoke, restrict, refuse to issue, or refuse to renew a Certificate of Accreditation of the education program
    - b. Impose a fine not to exceed one thousand dollars.

2. The type of disciplinary sanctions and length of time specified for the sanctions shall be determined on an accredited education program basis, considering all facts pertinent to the case.
  3. The EMS Certification Commission sets forth guidelines with ranges of disciplinary sanctions from which disciplinary penalties may be imposed. These guidelines are intended to serve only as a guide for staff and commission members when considering penalties, which could be imposed for specific violations of the Emergency Medical Services Practice Act. Guidelines are in no way binding on the EMS Certification Commission when dealing with disciplinary matters.
  4. The disciplinary guidelines are based upon a single count violation. Multiple counts of violations of the same action, or other unrelated violations contained in the same complaint will be grounds for the enhancement of penalties. Each day of the continuum of violations may be treated as a separate violation.
  5. In determining sanctions, the staff shall consider aggravating or mitigating circumstances identified by the EMS Certification Commission in addition to any other factors. The list of aggravating and mitigating circumstances in the guidelines is not to be considered an exclusive list of circumstances.
    - a. Aggravating circumstances may result in the EMS Certification Commission issuing maximum sanctions, or they may justify the enhancement of a penalty beyond the maximum guidelines.
    - b. Mitigating, or extenuating circumstances may justify the lessening of the sanctions below the minimum guidelines. Certification suspensions may be stayed with stipulated probations in some extenuating circumstances.
  6. The Order may stipulate remedial education, specific evaluation and therapy, and other sanctions as deemed necessary and appropriate to the case.
- G. Reconsideration or Rehearing
1. The EMS Certification Commission shall reconsider a matter when ordered to do so by a higher administrative authority or when the case is remanded for reconsideration or rehearing by a court to which the EMS Certification Commission's decision has been appealed.
  2. The EMS Certification Commission may reconsider a matter, which it has decided. This may involve rehearing the case, or it may involve reconsidering the case based on the records. Such reconsideration may occur when a party files a petition requesting that the decision be reconsidered by the EMS Certification Commission and specifies the grounds, therefore.
  3. A petition by a party for reconsideration or rehearing must be in proper form and filed within 10 days from the date of entry of the decision. A decision is deemed to be entered when it is signed by the chair or designee and sent by certified mail to the accredited education program's address of record. The petition shall set forth the grounds for the rehearing, which include one or more of the following:
    - a. The EMS Certification Commission's decision is clearly contrary to the law and the evidence;
    - b. There is newly discovered evidence, which was not available to the accredited training institution at the time of the hearing and which may be enough to reverse the EMS Certification Commission's action;
    - c. There is a showing that issues not previously considered ought to be examined in order to dispose of the case properly;
    - d. It would be in the public interest to further consider the issues and the evidence;

- e. Upon the EMS Certification Commission's receipt of a petition for rehearing or reconsideration, the EMS Certification commission may affirm or modify the decision or grant a rehearing to all or any of the parties and on all or part of the issues for any of the above-stated reasons. An order granting a rehearing shall specify with particularity the ground or grounds on which the rehearing is created, and the rehearing shall cover only those matters so specified.
- H. Disciplinary Proceedings in Another Licensing Jurisdiction
  - 1. When an EMS education program has a certification revoked, suspended, denied or sanctioned in other ways for disciplinary reasons by another license, certification, or accreditation body, the EMS education program must notify the Bureau of EMS of the sections within 15 days.

## **§249 Appeal of the EMS Certification Commission's Decision by an EMS Education Program**

- A. Any EMS Education Program whose certification has been revoked, suspended, denied or otherwise disciplined by the Bureau of EMS shall have the right to have the proceedings of the EMS Certification Commission reviewed by the court having jurisdiction over the EMS Certification Commission, provided that such appeal is made within 30 days after the date indicated on the certified mail receipt of the written notice of the EMS Certification Commission's decision. The EMS Certification Commission's decision is enforceable in the interim unless the court orders a stay.

## **§251 Meetings of the EMS Certification Commission**

- A. Regular business meetings shall be held at the office of the Bureau of EMS or at a place designated by the Bureau of EMS.
- B. A minimum of four regular meetings shall be held quarterly.
- C. Special meetings shall be called by the chair, or a designee, or upon the request of four voting members of the Commission.
- D. A quorum shall be defined as a simple majority of the appointed commissioners for the purpose of conducting business.
- E. Any person wishing to have a special topic added to the agenda for a board meeting shall notify the Bureau of EMS or Chair of the EMS Certification Commission at least 21 days prior to the meeting. Items of an emergency nature may be considered at any meeting without prior notice.
- F. The Bureau of EMS, or a designee of the Chair of the EMS Certification Commission, shall keep a record of all meetings and such records shall be retained as permanent records of the transactions of the EMS Certification Commission
- G. Meetings of the EMS Certification Commission for the conduct of regular business and for the formation of policy shall be open to the public in accord with R.S. 42:13 et seq.

## **§253 Public Comment at Meetings of the EMS Certification Commission**

- A. At every open meeting of the EMS Certification Commission, members of the public shall be afforded an opportunity to make public comment addressing any matters set by agenda for discussion at that meeting.
  - 1. Concerns and public comments shall be limited to five minutes per individual unless the time limitations are waived by a majority of the EMS Certification Commission members present.



2. Anyone wishing to speak on a specific item must present the request prior to the convening of the meeting. Cards shall be available to place the request for public comment, along with the requestor's name and for whom the requestor is appearing.
3. The chair may defer public comment on a specific agenda item until the item is brought up for discussion. However, the five-minute limitation for public comment shall remain in effect unless waived by a majority of the EMS Certification Commission members present.
4. In addition, the chair of the EMS Certification Commission may recognize individuals at a public meeting at his or her discretion.
5. Unless otherwise provided by law, public comment is not part of the evidentiary record of a hearing or case unless sworn, subject to cross-examination, offered by a party as relevant testimony, and received in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq.

## **§255 Declaratory Statements/Advisory Opinions of the EMS Certification Commission**

- A. The EMS Certification Commission may issue a declaratory statement in accordance with the Administrative Procedure Act. These include a declaratory statement or an advisory opinion, in the form of a ruling, which has the same stature as EMS Certification Commission decisions in adjudicated cases, in response to a request for clarification of the effect of rules and regulations or of R.S. 40:1131 et seq. Advisory opinions as a statement of the EMS Certification Commission's statement relative to the petition, with the principles and rationale that support the ruling. Neither an advisory opinion nor a declaratory statement has the binding force of law, but they represent the EMS Certification Commission's expert opinion relative to the matter in question.
- B. A request for a declaratory statement or for an advisory opinion is made in the form of a petition to the EMS Certification Commission. The petition shall include at least:
  1. The name and address of the petitioner;
  2. Specific reference to the statutes or rules and regulations to which the petition relates;
  3. A concise statement of the manner in which the petitioner is aggrieved by the rule or statute or by its potential application to her/him, or in which (s)he is uncertain of its effects;
  4. A statement of whether an oral hearing is desired;
  5. Other information appropriate for the EMS Certification Commission's deliberation on the request.
- C. Said petition shall be considered by the EMS Certification Commission at its next regularly scheduled meeting provided that the petition has been filed at least 15 days prior to the next scheduled meeting.
  1. The following actions may be taken by the EMS Certification Commission after the petition is considered:
    - a. Issues a declaratory statement or advisory opinion
    - b. Render a decision of no opinion.
- D. The declaratory statement/advisory opinion of the EMS Certification Commission on said petition shall be in writing and mailed to petitioner at the last address furnished to the EMS Certification Commission and posted on the Bureau of EMS website.

## ***EMS TASK FORCE***

### ***Charge of the EMS Task Force***

The Emergency Medical Services Task Force is composed of individuals subject to the approval of the Secretary of the Louisiana Department of Health, which advises and makes recommendations to the Bureau of Emergency Medical Services and the Department on matters related to emergency medical services.

### ***EMS Task Force Members***

Jeffery Anderson	Louisiana Approved Education Program
Education SubCommittee Chair	
Justin Arnone	Military Medic
Military Relations SubCommittee Chair	
Nancy Bourgeois	La. American College of Emergency Physicians
Kirk Coussan	Flight Medic
Jacob Colbert	Licensed EMT
Dr. Angela Cornelius	EMS Medical Director
Clinical Care SubCommittee Chair/Legislative SubCommittee Chair	
Robert Daughdril	Emergency Preparedness
Dr. Jeff Elder	EMS Certification Commission
Carl Flores	EMS Safety
Ambulance Standards SubCommittee Chair	
Maylyn Geissler	Municipal EMS Agency
Aaron Johnson	Ambulance Service District Administrator
Kirk Lacour	CAAHEP EMS Education Program
Task Force Chair/Legislative SubCommittee Chair	
Brian Lindberg	Firemen's Association
Marco Macera	Private EMS Agency
Chad Major	Professional Fire Fighters
Daniel McDonnell	Fire EMS Agency
Richard McGuire	Telecommunicators
Donna Newchurch	Louisiana Ambulance Alliance
Brian Regan	Industrial EMS Provider
Evon Smith	Louisiana Association of Nationally Registered EMTs
Workforce Development SubCommittee Chair	
Jessica Trichel	Licensed Paramedic
Wendi Worsham	High School Educator
Workforce Development SubCommittee Chair	

## ***Task Force State Partners***

Dr. Alexander Billioux	Office of Public Health
Amanda Perry	EMS for Children
Butch Browning	Office of the State Fire Marshal
Gail Gibson	EMS for Children
Paige Hargrove	Louisiana Emergency Response Network
Myra Lowe	Office of Public Health
Traci Travis	Office of the State Fire Marshal
Jessica Vallelungo	Louisiana Department of Education

### **§301.Duties and Responsibilities**

- A. Meetings
  - 1. The task force shall have regular meetings at a time and place to be fixed by the task force. The task force shall hold meetings at least quarterly.
  - 2. The chairman, or a majority of the task force, upon giving adequate notice to each member, may call special meetings or cancel regular meetings.
  - 3. The task force shall give public notice to any regular, special, or rescheduled meeting.
  - 4. Such notice shall include the agenda, date, time and place of the meeting. The agenda shall not be changed less than twenty-four hours, exclusive of Saturdays, Sundays, and legal holidays, prior to the scheduled time of the meeting.
  - 5. The agenda for any meeting shall be presented to the members of the task force not less than three business days prior to the scheduled meeting. In addition to the agenda, any supporting material associated with a particular agenda item shall be submitted to the task force members concurrent with the agenda. The agenda and supporting material may be provided electronically through email or facsimile.
  - 6. Upon unanimous approval of the members present at a meeting of the task force, the task force may take up a matter not on the agenda.
  - 7. The task force shall keep records and minutes of its business and official actions. The minutes of the proceedings of the task force shall be prepared and maintained on behalf of, and subject to, the approval of the task force.
- B. Chairman
  - 1. The task force members shall elect a chairman and vice-chairman annually from the duly appointed members of the task force. The term for each position shall be one year.
  - 2. If necessary, the task force shall elect other necessary officers from among its membership.
- C. Removal of Members
  - 1. The LDH Secretary may remove any member of the task force for cause, including misconduct, incompetence, neglect of duty, or absence from more than half of the regularly scheduled task force meetings in any calendar year.
  - 2. The task force may request that the secretary remove a member from the task force for cause. The recommendation shall come after a hearing by the task force during which cause for removal has been established and provided that a majority of the members have recommended removal.
  - 3. If circumstances regarding the member's representation of the stakeholder group in which they were appointed to represent changes, it will be recommended that the member be replaced at the expiration of their current term.

- D. Quorum
  - 1. A majority of the task force members duly appointed by the LDH Secretary, excluding vacant positions, present in person shall constitute a quorum. No action may be taken without a quorum present and voting.
- E. Voting
  - 1. Each duly appointed member shall have one vote on all matters before the task force. Members of state agencies that participate in task force meetings shall be considered ex-officio members of the task force, have no voting privileges, and shall not be considered for the purposes of a quorum.
  - 2. Members must vote in person at scheduled task force meetings. Voting by proxy is not permitted.
- F. Public
  - 1. All meetings and hearings of the task force shall be open to the public. Time at each meeting shall be set designated for public comment.
- G. Sub-Committees
  - 1. The Task Force may establish subcommittees as needed to conduct the business of the Task Force.
  - 2. There shall be a minimum of two (2) duly appointed members of the Task Force serving on each and every sub-committee, one of which will serve as the chairperson of the sub-committee.
  - 3. In addition to the two (2) duly appointed members of the Task Force serving on a sub-committee, additional members from the community, the public, subject matter experts, or any other person for any reason may serve on a sub-committee of the Task Force, subject to the discretion of the sub-committee chairperson.
  - 4. The task force may establish subcommittees as needed to conduct the business of the task force.
    - a. Education – Jeff Anderson Chair
    - b. Military Relations – Justin Arnone, Chair
    - c. Clinical Care – Dr. Angela Cornelius, Chair
    - d. Ambulance Standards – Carl Flores, Chair
    - e. Legislative – Kirk Lacour & Dr. Angela Cornelius, Co-Chairs
- H. Meeting Attendance
  - 1. Appointed members of the Task Force must attend no less than one-third of regularly scheduled meetings of the Task Force, in person, as a member of the quorum.
  - 2. Appointed members of the Task Force must attend at least fifty percent (50%) of all regularly scheduled meeting of the Task Force as either voting members, in person as a member of the quorum, or via teleconference.
- I. Executive Session
  - 1. There are certain confidential and/or sensitive matters that may arise from time to time, which require special consideration by the appointed membership of the Task Force.
    - a. It may be necessary for the appointed members of the Task Force to discuss such matters outside the public's purview.
    - b. When confidential and/or sensitive matters arise requiring discussion by the Task Force members, the Task Force shall upon motion by a voting member and a vote approved by a simple majority enter into an executive session.
  - 2. An executive session of the Task Force shall consist only of duly appointed members of the Task Force and any specifically named subject matter experts and/or presenter required by the members of the Task Force.

- a. Whenever possible, an executive session shall occur after the conclusion of all other business of the Task Force.
  - b. Should it be required, and should the members vote to enter into executive session as required herein, executive session may be had at any time during the course of any regular meeting or special meeting of the Task Force.
- 3. In any executive session of the Task Force, minutes shall be kept.
  - a. The minutes shall be kept under seal for the lesser of five (5) years or upon approval of a majority of voting members present at any regular or special meeting of the Task Force.

## ***EDUCATION***

### ***Educational Guidelines***

The State of Louisiana requires that Emergency Medical Services practitioners adhere to the strictest standards of quality as it related to education, training, testing, and service. Training Programs are required to design and implement a competency-based curriculum to ensure students are adequately prepared for the National Registry of EMTs cognitive and psychomotor certification examinations and/or Louisiana licensure. The National EMS Education Standards define the minimal entry-level educational competencies for each level of EMS personnel.

#### **§401 Instructor to Student Ratio**

- A. In following with other national healthcare programs, the instructor to student ratio for all levels of EMS education should be 1:6/8 for the lab and psychomotor portion of the program.
- B. EMS and other Healthcare Practitioners with the appropriate expertise may be utilized for fulfilling these ratios.

#### **§403 Education Program Responsibilities**

- A. The responsibilities of the Education Program include, but are not limited to:
  - 1. Provide administrative support (to include clerical, audiovisual, student record keeping, and student counseling).
  - 2. Provide training equipment and supplies unique to this program.
  - 3. Maintain the current standards of compliance with the guidelines of the CoAEMSP (if applicable), the National Registry of EMTs and the Louisiana Bureau of EMS for this Education Program.
  - 4. Maintain student selection criteria consistent with the workforce demands and national guidelines (if applicable).
  - 5. Maintain instructor qualification standards consistent with the workforce demands.
    - a. Education Programs are responsible for employing educators and the subsequent actions of these employees
    - b. Education programs are responsible for submitting in writing to the Bureau of EMS the names and qualifications of prospective agency instructor appointees. The Bureau of EMS will verify eligibility and must approve the appointment before the appointee may provide instruction.
      - i. Individuals not approved as instructors by the Bureau of EMS are not permitted to teach any EMS content.
      - ii. Any coursework provided by an unapproved instructor shall be deemed invalid and the education program may face disciplinary action.
  - 6. Negotiate field internship and hospital clinical agreements with required supporting agencies (ambulance providers and hospitals) of both parties.

- B. The Education Program must notify the Bureau of EMS immediately:
  - 1. Upon the discovery of any potential criminal activity on the part of a current student, instructor, or employee.
  - 2. Upon the dismissal of a student from a course or program for any reason other than attendance or academic reasons.

## **§405 Course Documentation/Records**

- A. Education Programs shall submit the following information to the Bureau of EMS via the Information Management System:
  - 1. Program Information
    - a. Location
    - b. Levels/Types of Instruction
    - c. Personnel
      - i. List of authorized program administrators
      - ii. List of authorized primary instructors
      - iii. Name of program Medical Director
  - 2. Course Information
    - a. Course title
    - b. Course type
    - c. Primary instructor
    - d. Co-Instructor(s)
    - e. Location
    - f. Hours of credit granted
    - g. Start date
    - h. End date
    - i. Upload of syllabus
    - j. Course participants
      - i. Name
      - ii. Verification of Attendance
      - ii. Disposition (pass, fail, withdraw, incomplete)
- B. Timelines
  - 1. All courses must be registered with the Bureau of EMS and have an assigned course number prior to the first day of class.
  - 2. All students must be enrolled in the course and entered onto the electronic course roster by the scheduled registration close date.
  - 3. Within 14 days of the course end date, the student(s) final course disposition must be recorded in the Bureau of EMS Information Management System.

## **§407 Student Requirements**

- A. Emergency Medical Responder
  - 1. Entry Requirements
    - a. Must possess a valid Louisiana Driver's license or state-issued ID.
    - b. Prospective students must complete the criminal background affidavit in the Bureau of EMS Information Management System.
  - 2. Initial Course
    - a. Must include at least 48 hours of instruction that covers the cognitive, psychomotor, and affective domain information.
    - b. Must include a BLS CPR course.
    - c. A written exam(s) must be given and a minimum of 70% must be achieved.
    - d. A psychomotor exam(s) must be given, and a passing score must be received.

- e. Must include the required competencies as outlined in the National EMS Education Standards.
  - 3. Renewal Course
    - a. Required every two years.
    - b. Must include at least 16 hours of instruction that covers the cognitive, psychomotor, and affective domain information.
    - c. Must include a BLS CPR course with a maximum of 4 hours counting toward the total hours of the renewal course.
    - d. A written exam(s) must be given and a minimum of 70% must be achieved.
    - e. A psychomotor exam(s) must be given, and a passing score must be received.
    - f. Renewal courses must be taken within 18 months of the license expiration date.
- B. Emergency Medical Technician
  - 1. Entry Requirements
    - a. Must possess a valid Louisiana Driver's license or state-issued ID.
    - b. Students are required to prove high school graduation or equivalency to obtain a Louisiana EMT license.
    - c. Must demonstrate 8<sup>th</sup> grade reading level on a standardized proficiency exam.
    - d. Prospective students must complete the criminal background affidavit in the Bureau of EMS Information Management System.
  - 2. Initial Course
    - a. Must be within the guidelines of the National EMS Education Standards.
    - b. Must include a BLS CPR course.
    - c. Must include the required competencies as outlined in the National EMS Education Standards.
  - 3. Renewal Course
    - a. Required every two years.
    - b. Must complete the recertification requirements outlined by NREMT.
- C. Advanced Emergency Medical Technician
  - 1. Entry Requirements
    - a. Must possess a current NREMT EMT certification and Louisiana EMT license or have successfully completed a Bureau of EMS approved EMT program and be licensed as an EMT before any patient contact during the clinical or field internship portion of the AEMT course occurs.
    - b. Must possess a valid Louisiana Driver's license or state-issued ID.
    - c. Must demonstrate 10<sup>th</sup> grade reading level and an 8<sup>th</sup> grade math level on a standardized proficiency exam.
    - d. Prospective students must complete the criminal background affidavit in the Bureau of EMS Information Management System.
  - 2. Initial Course
    - a. Must be within the guidelines of the National EMS Education Standards.
    - b. Must include the required competencies as outlined in the National EMS Education Standards.
  - 3. Renewal Course/Continuing Education Courses
    - a. Required every two years.
    - b. Must complete the recertification requirements outlined by NREMT.
- D. Paramedic
  - 1. Entry Requirements
    - a. Must possess a current NREMT EMT or AEMT certification and Louisiana



- EMT or AEMT license or have successfully completed a Bureau of EMS approved EMT program and be licensed as an EMT before any patient contact during the clinical or field internship portion of the Paramedic course occurs.
  - b. Must possess a valid Louisiana Driver's license or state-issued ID.
  - c. Must demonstrate 12<sup>th</sup> grade reading level and a 10<sup>th</sup> grade math level on a standardized proficiency exam.
  - d. Prospective students must complete the criminal background affidavit in the Bureau of EMS Information Management System.
- 2. Initial Course
  - a. Must be within the guidelines of the National EMS Education Standards.
  - b. Human Anatomy and Physiology is required as a prerequisite or a corequisite.
  - c. Must include the required competencies as outlined in the National EMS Education Standards.
- 3. Renewal Course/Continuing Education Courses
  - a. Required every two years.
  - b. Must complete the requirements outlined by NREMT.

## **§409 Medical Directors for Education Programs**

- A. All EMS instruction must be performed under the supervision of a Medical Director.
- B. The Medical Director position may be voluntary or paid by the Education Program.
- C. The Medical Director should be actively involved in emergency medicine or a related field.
- D. The Medical Director shall review and approve the content for each course syllabus.

## **§411 High School Education Programs**

- A. High school teachers who possess a current teaching certificate issued by the Louisiana Department of Education may teach Emergency Medical Responder courses within their educational system after successfully completing the following:
  - 1. Emergency Medical Responder Course
  - 2. National Registry of EMTs Emergency Medical Responder Exam (computer adaptive exam and psychomotor exam)
  - 3. CPR Instructor Course.
    - A. Must possess a current CPR Instructor Card
- B. High school teachers who possess a current teaching certificate issued by the Louisiana Department of Education may teach Emergency Medical Technician courses within their education system after successfully completing the following:
  - 1. Emergency Medical Technician Course
  - 2. National Registry of EMTs Emergency Medical Technician Exam (computer adaptive exam and psychomotor exam)
  - 3. CPR Instructor Course.
    - a. Must possess a current CPR Instructor Card
  - 4. Submission and approval of an education program application to the Bureau of EMS.

## **§413 Right to Practice EMS as a Student**

- A. Individuals seeking to function as an EMT level EMS Student during the supervised clinical or internship phase of a Bureau of EMS approved course shall:
  - 1. Submit a completed application, in the format prescribed by the Bureau of EMS and receive an EMS Student Authorization.

2. Be enrolled, in good standing, in a Bureau of EMS approved EMT course.
  3. Perform patient care under the direct supervision of a Louisiana licensed healthcare provider from the list below:
    - a. Advanced Emergency Medical Technician
    - b. Paramedic
    - c. Registered Nurse
    - d. Respiratory Therapist
    - e. Physician Assistant
    - f. Physician
  4. Maintain a valid BLS CPR card.
- B. Individuals seeking to function as an AEMT level EMS Student during the supervised clinical or internship phase of a Bureau of EMS approved course shall:
1. Be licensed by the Louisiana Bureau of EMS as an EMT.
  2. Submit a completed application, in the format prescribed by the Bureau of EMS and receive an EMS Student Authorization.
  3. Be enrolled in a Bureau of EMS approved AEMT course.
  4. Perform patient care under the direct supervision of a Louisiana licensed healthcare provider from the list below:
    - a. Paramedic
    - b. Registered Nurse
    - c. Respiratory Therapist
    - d. Physician Assistant
    - e. Physician
  5. Students, who are affiliated with a Louisiana licensed EMS Provider, may utilize on-duty responses to meet formative EMS experience requirements. The Education Program Director, the Education Program Medical Director, the EMS Provider Director/Chief and EMS Provider Medical Director must authorize the expansion of the Scope of Practice to provide AEMT-level care, under the direct supervision of an approved Paramedic Preceptor.
    - a. The student may be authorized to perform advanced airway management, establish peripheral IV/IO access, infuse IV fluids, and administer medications that are within the scope of the National EMS Education Standards via intravenous, intramuscular, inhalation, intranasal, subcutaneous, sublingual, and oral routes.
      - i. These attempts (both successful and unsuccessful) may be counted as skill attempts/completions provided that the proper documentation is completed and submitted to the Educational Program.
  6. Maintain a valid BLS CPR card.
- C. Individuals seeking to function as a Paramedic level EMS Student during the supervised clinical or internship phase of a Bureau of EMS approved course shall:
1. Be licensed as an EMT or AEMT by the Louisiana Bureau of EMS.
  2. Submit a completed application, in the format prescribed by the Bureau of EMS and receive an EMS Student Authorization.
  3. Be enrolled in a Bureau of EMS approved course as part of a CAAHEP accredited Paramedic program.
  4. Perform patient care under the direct supervision of a Louisiana license healthcare provider from the list below:
    - a. Paramedic (with at least 3 years experience)
    - b. Registered Nurse
    - c. Respiratory Therapist
    - d. Physician Assistant

- e. Physician
- 5. Students, who are affiliated with a Louisiana licensed EMS Provider, may utilize on-duty responses to meet formative EMS experience requirements. The Education Program Director, the Education Program Medical Director, the EMS Provider Director/Chief and EMS Provider Medical Director must authorize the expansion of the Scope of Practice to provide Paramedic-level care, under the direct supervision of an approved Paramedic Preceptor.
  - a. The student may be authorized to perform advanced airway management, establish peripheral IV/IO access, infuse IV fluids, acquire and interpret single lead and 12 lead ECGs, perform defibrillation and cardioversion, and administer medication via intravenous, intramuscular, inhalation, intranasal, subcutaneous, sublingual and oral routes.
    - i. These attempts (both successful and unsuccessful) may be counted as skill attempts/completions provided that the proper documentation is completed and submitted to the Educational Program.
- 6. Maintain a valid BLS CPR card.
- D. All policies outlined in Chapter 2 apply to all EMS Student applicants and the applicant may be denied entry or progress into any clinical or internship aspect of an EMS course.
  - 1. Applicants who are denied the right to practice EMS as a student shall not be eligible to submit a new application until the following conditions are met.
    - a. A hearing or conference is held before the EMS Certification Commission to review the evidence, to afford the applicant the opportunity to prove that the cause for the denial no longer exists, and to provide an opportunity for the EMS Certification Commission to evaluate changes in the person or conditions; or
    - b. A minimum of two years has passed since the denial was issued; or
    - c. The applicant presents evidence that the cause for the denial no longer exists.

#### **§415 Education Program Certification**

- A. The Bureau of EMS shall grant approval to an Education Program applicant who is of good reputation and meets the requirements set forth.
- B. The Bureau of EMS shall grant or deny approval within 90 days of receipt of the application.
- C. The Bureau of EMS may issue or renew approval on a provisional basis to an applicant who is of good reputation and is in substantial compliance with the requirements. The Bureau of EMS shall inform an applicant receiving such approval of the conditions that must be met to complete compliance.
- D. An approval is valid for up to five years and may be renewed by the Bureau of EMS pursuant to procedures and standards established in these policies.
- E. An approval issued on a provisional basis is valid for the length of time established by the Bureau of EMS.
  - 1. If the Bureau of EMS finds that the holder of a provisional approval has met the conditions it specifies; the Bureau of EMS shall issue the appropriate approval.
- F. Approval is valid only for the EMS Education Program for which it is issued. The program may apply to operate additional training sites. All training sites shall expire on the expiration date of the applicant's current approval.
- G. The approved program may offer courses at more than one location.

## **§417 Education Program Certification Requirements**

- A. The Bureau of EMS shall issue approval to any applicant who is of good reputation and demonstrates that the EMS training program meets the following requirements:
1. Has submitted a completed an application for an Education Agency via the Bureau of EMS Information Management System.
  2. Has an authorizing official in good standing with the Bureau of EMS who assumes responsibility for the following:
    - a. Serves as program director or designates a person in good standing with the Bureau of EMS to serve as program director.
    - b. Administers and operates the EMS Education Program.
    - c. Complies with all rules and laws applicable to EMS education and the EMS Education Program.
    - d. Performs ongoing review and maintains a written evaluation of the Education Program content and instructors.
    - e. Maintains written documentation of regular evaluations of student performance and achievement throughout the course.
    - f. Assigns faculty responsibilities and scheduling of program courses.
    - g. Defines the role and objective of student preceptors.
    - h. Assures courses offered within an EMS Education Program are developed in consultation with a physician who specializes in emergency medicine.
    - i. Prepares or approves all documents required to be submitted for approval pursuant to this policy.
    - j. Issues a certificate of completion to each student who successfully completes the EMS Education Program and passes the course final cognitive and psychomotor examinations. Such certificates may be paper or electronic, and shall include, but not limited to the following information:
      - i. Medical Director's signature (if required by a national accrediting body).
      - ii. Program director's signature.
      - iii. Student's name.
      - iv. Date course completed.
      - v. Course title.
      - vi. Bureau of EMS Course ID number.
    - k. Performs ongoing review and maintains written evaluation of clinical and prehospital internship sites.
    - l. Outlines the requirements of the EMS Educators employed for the Education Program
  3. Has a program Medical Director who assists in the development of the medical components of the Education Program.
  4. Meets the curriculum requirements for licensure as an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic as set forth in the policies.
  5. Utilizes individuals as educators who hold valid and current certifications and/or licenses as mandated by their credentialing agency.
  6. Has a sufficient number of EMS instructors or assistant EMS instructors to ensure the ratio of instructors to students in all psychomotor skills does not exceed 1:8.
  7. Has and maintains one office in a fixed geographic location where records are maintained in a secure fashion.
  8. Has successfully completed a site visit by a Bureau of EMS representative to determine that adequate classroom and laboratory facilities exist to accommodate the students participating in the program.

9. Provides classroom environments that are safe, sanitary and conducive to learning.
10. Possesses, or has affiliation agreements for use of, equipment to adequately train EMS students to meet the course requirements
11. Possesses current and valid written affiliation agreements with each organization that provides EMS students clinical experience and/or prehospital internship required by the EMS training program.
12. Possesses current and valid written affiliation agreements with clinical and/or prehospital organizations to assure sufficient training opportunities for EMS students to meet the course requirements.
13. Utilizes a sufficient number of preceptors to provide appropriate supervision and written evaluation of students in both the clinical experience and/or prehospital internship components of the EMS training program.
14. Requires a student to possess and maintain a current and valid Louisiana license to practice as an Emergency Medical Technician, at a minimum, prior to the start of any Advanced Emergency Medical Technician, or Paramedic Education Program.
15. Has written policies that are made available to student identifying all the following:
  - a. Admission requirements.
  - b. Prohibition of discrimination in acceptance of students based on race, color, religion, sex, or national origin.
  - c. Costs associated with the training program, including tuition, materials and fees
  - d. Refund of tuition payments.
  - e. Information regarding course schedules, subject areas content, and objectives approved by the Bureau of EMS.
  - f. Criteria for successful completion of each component of the curriculum.
  - g. Criteria for successful completion of the full training program.
  - h. Methodology used in determining grades.
  - i. Attendance requirements.
  - j. Requirements or restrictions regarding student attire.
  - k. Procedures for voluntary student withdrawal from the program.
  - l. Disciplinary policy that includes grounds for dismissal from the program.
  - m. Grievance procedures including a mechanism for appeals.
  - n. Requirement that students are not used to meet minimum staffing requirements or in substitution for essential personnel in a clinical experience or prehospital internship setting.
  - o. Requirement that all students are notified of the process for obtaining a license to practice under section 40:1133 of the Revised Statute, and that a Louisiana license to practice may not be granted if the individual fails to meet the qualifications for a certificate to practice set forth in these rules.
  - p. Security parameters protecting the students' financial and personal information in accordance with state and federal laws.
- B. In addition to meeting the requirements set forth in this policy, an EMS approved Education Program or applicant for approval to operate an EMS Paramedic training program shall meet all the following:
  1. Has been accredited by CAAHEP or issued a letter of review from CoAEMSP no later than January 1, 2015.
- C. An EMS approved Education Program or applicant for approval shall:
  1. Allow access by the Bureau of EMS, during regular business hours and at all other reasonable times, to conduct an inspection of students' EMS training records and all EMS instructor records for the purposes of investigations or scholastic audits.

2. Allow the Bureau of EMS to review the program materials and monitor the testing process utilized by the EMS training program.
3. Maintain written documentation, to include documentation of compliance with these rules, of all EMS training programs including the following:
  - a. EMS continuing education programs.
  - b. EMS instructor training programs, to include documentation of all requirements set forth in these rules.
  - c. EMS courses taught at an offsite location.
- D. An EMS approved Education Program shall retain written or electronic files in a secure location with the following documentation for each course offered by the institution:
  1. Course schedules/syllabi, lesson plans, and policies in compliance with this rule.
  2. Record of a valid and current certificate and/or license to practice for each instructor utilized in the EMS Education Program.
  3. Written affiliation agreements as outlined in this rule and documentation of compliance with terms therein.
  4. Attendance records for each EMS education course conducted by an EMS approved Education Program, which demonstrate completion of the required hours and standards by the EMS education program in accordance with written policies that are made available to students.
  5. Evaluations of student cognitive performance.
  6. Evaluations of student in-class and final psychomotor skills performance.
  7. Preceptor evaluations of student performance.
  8. Records of clinical skills requirements.
  9. Student evaluations of course and instructors.
  10. Accident and injury reports.
- E. The EMS approved Education Program shall maintain all documentation required in this policy for the duration of the current approval cycle and for the previous approval cycle.
- F. An approved Education Program that provides education through the online or distance learning delivery systems shall comply with all requirements set forth in these policies and maintain documentation of compliance.
- G. An approved Education Program shall only provide an EMS training program through online education or distance learning delivery systems when first approved by the Bureau of EMS and is compliant with all requirements set forth in these policies.

#### **§419 Education Program Certification Application**

- A. An applicant for approval shall submit a "Certification Application" in the format prescribed by the Bureau of EMS.
- B. A "Certification Application" that is not filled out in the manner as specified on the application will be deemed incomplete. Incomplete applications will not be considered and will not be reviewed by the Bureau of EMS.

#### **§421 Mandatory Notifications**

- A. An EMS approved Education Program shall provide written notice to the Bureau of EMS no later than ten days after any of the following changes occur in the Program for which the approval was issued:
  1. Mailing address and/or physical location
  2. Authorizing official name and/or contact information
  3. Program director name and/or contact information
  4. Program medical director name and/or contact information.

- B. An EMS approved Education Program may not make substantive changes to the Education Program without first receiving approval for the proposed changes from the Bureau of EMS.

### **§423 Renewal of Certificate of Approval**

- A. No later than ninety days prior to its expiration, Education Program shall notify the Bureau of EMS of the intention to renew the Education Program's approval status.
- B. The Bureau of EMS shall renew approval if all of the following apply:
  - 1. The "Approval Application" is completed and submitted to the Bureau of EMS no later than the thirtieth day prior to the expiration of the current approval;
  - 2. The Education Program remains in compliance with the requirements for approval as set forth in this policy;
  - 3. During the cycle for approval being renewed, each EMS training program meets one of the following:
    - a. Not less than eighty percent of the EMS Education Program's students who took the cognitive portion of the initial certification examination (up to a maximum of six attempts) received a passing score; or
    - b. Not less than sixty-five percent of the EMS Education Program's students who took the cognitive portion of the initial certification examination received a passing score in their first attempt to pass the examination.
    - c. The Education Program's cumulative pass rate is within 5 percentage points of the national pass rate for the same period.
  - 4. Otherwise, the Bureau of EMS may deny approval or issue a provisional approval.

### **§425 Bureau of EMS Approved Courses**

- A. Courses required to be conducted by a Bureau of EMS Education Program institution:
  - 1. All initial EMR, EMT, AEMT, or Paramedic courses conducted, with the purpose of preparing participants for licensure as an EMS Practitioner must be conducted by an Education Program approved by the Bureau of EMS.
  - 2. All "state-approved" refresher courses at the EMR, EMT, AEMT, or Paramedic level must be conducted by a training institution approved by the Bureau of EMS.
  - 3. All "state-approved" continuing education courses at the EMR, EMT, AEMT, or Paramedic level must be conducted by an Education Program that is approved by the Bureau of EMS.
  - 4. All "state-approved" NREMT recertification required courses at the EMR, EMT, AEMT or Paramedic level must be conducted by an Education Program approved by the Bureau of EMS.
- B. Any EMS courses taught that do not adhere to the policies outlined in this manual shall be deemed "invalid" and may not be used for the purposes of qualifying of the National Registry cognitive and psychomotor certification exam and/or for Louisiana licensure.

### **§427 Education Course Content**

- A. Emergency Medical Responder (EMR) Training Course Requirements
  - 1. The EMR education course shall include content and behavioral objectives that meet or exceed the *National EMS Education Standards and Instructional Guidelines* as published by the National Highway Traffic Safety Administration.
  - 2. An Education Program may develop a curriculum to teach any additional skills, equipment or medications that are included in the Louisiana approved scope of practice.

3. In accordance with Act 308, the Education Program shall ensure that Alzheimer's and dementia content is incorporated into the course.
  4. The Education Program shall utilize the Bureau of EMS approved cognitive and psychomotor exams at the conclusion of the course.
  5. The Education Program shall ensure all EMR students at the successful completion of the Education Program has a current BLS CPR or equivalent credential, as approved by the Bureau of EMS, and have demonstrated competence in the Emergency Medical Responder (EMR) skills.
  6. The Education Program shall instruct the student on the requirements and the process of applying for a Louisiana EMR license.
- B. Emergency Medical Responder (EMR) Renewal Training Course Requirements
1. The EMR education course shall meet or exceed the content and behavioral objectives that meet or exceed the Bureau of EMS approved EMR curriculum.
  2. An Education Program may develop a curriculum to teach any additional skills, equipment or medications that are included in the Louisiana approved scope of practice.
  3. The Education Program shall ensure all EMR students at the successful completion of the program has a current BLS CPR or equivalent credential, as approved by the Bureau of EMS, and have demonstrated competence in Emergency Medical Responder (EMR) skills.
  4. The Education Program shall instruct the student on the requirements and the process of renewing or applying for a Louisiana EMR license.
  5. The EMR renewal training course must include the content as outlined by the National Registry of EMTs' National Core Competency Program.
  6. In accordance with Act 308, the Education Program shall ensure that Alzheimer's and dementia content is incorporated into the course.
- C. Emergency Medical Technical (EMT) Training Course Requirements
1. The EMT education course shall include content and behavioral objectives that meet or exceed the *National EMS Education Standards and Instructional Guidelines* as published by the National Highway Traffic Safety Administration.
  2. An Education Program may develop a curriculum to teach any additional skills, equipment or medications that are included in the Louisiana approved scope of practice.
  3. In accordance with Act 308, the Education Program shall ensure that Alzheimer's and dementia content is incorporated into the course.
  4. The Education Program shall ensure all EMT students at the successful completion of the program has a current BLS CPR or equivalent credential, as approved by the Bureau of EMS, and have demonstrated competence in the Emergency Medical Technician (EMT) skills.
  5. The Education Program shall arrange for supervised field training of students with an ambulance service provider that is licensed at or above the level of education provided to the students. The arrangement shall be in a written agreement between the education program and the ambulance service provider.
  6. An Education Program shall ensure that any student who enters supervised field training holds an EMS student authorization issued by the Bureau of EMS.
  7. The Education Program shall instruct the student on how to apply for the NREMT cognitive and psychomotor exams at the conclusion of the course.
  8. The Education Program shall instruct the student on the requirements and the process of applying for a Louisiana EMT license.



- D. Emergency Medical Technician (EMT) Renewal Training Course Requirements
1. The EMT education course shall meet or exceed the content and behavioral objectives that meet or exceed the Bureau of EMS approved EMT curriculum.
  2. An Education Program may develop a curriculum to teach any additional skills, equipment or medications that are included in the Louisiana approved scope of practice.
  3. In accordance with Act 308, the Education Program shall ensure that Alzheimer's and dementia content is incorporated into the course.
  4. The Education Program shall ensure all EMT students at the successful completion of the program has a current BLS CPR or equivalent credential, as approved by the Bureau of EMS, and have demonstrated competence in Emergency Medical Technician (EMT) skills.
  5. The Education Program shall instruct the student on the requirements and the process of renewing or applying for a Louisiana EMT license.
- E. Advanced EMT (AEMT) Training Course Requirement
1. The Advanced EMT education program shall include content and behavioral objectives that meet or exceed the *National EMS Education Standards and Instructional Guidelines* as published by the National Highway Traffic Safety Administration.
  2. An Education Program may develop a curriculum to teach any additional skills, equipment or medications that are included in the Louisiana approved scope of practice.
  3. In accordance with Act 308, the Education Program shall ensure that Alzheimer's and dementia content is incorporated into the course.
  4. The Education Program shall ensure all AEMT students at the successful completion of the program has a current BLS CPR or equivalent credential, as approved by the Bureau of EMS, and have demonstrated competence in Advanced Emergency Medical Technician (AEMT) skills.
  5. The Education Program shall arrange for supervised field training of students with an ambulance service provider that is licensed at or above the level of training provided to the students. The arrangement shall be in a written agreement between the education program and the ambulance service provider.
  6. An Education Program shall ensure that any student who enters supervised field training holds an EMS Student authorization issued by the Bureau of EMS.
  7. The Education Program shall instruct the student on how to apply for the NREMT cognitive and psychomotor exams at the conclusion of the course.
  8. The Education Program shall instruct the student on the requirements and the process of applying for a Louisiana AEMT license.
- F. Advanced EMT (AEMT) Renewal Training Course Requirements
1. The Advanced-EMT education course shall meet or exceed the Bureau of EMS approved AEMT curriculum.
  2. An Education Program may develop a curriculum to teach any additional skills, equipment or medications that are included in the Louisiana approved scope of practice.
  3. In accordance with Act 308, the Education Program shall ensure that Alzheimer's and dementia content is incorporated into the course.
  4. The Education Program shall ensure all AEMT students at the successful completion of the program has a current BLS CPR or equivalent credential, as approved by the Bureau of EMS, and have demonstrated competence in Advanced Emergency Medical Technician (AEMT) skills.

5. The Education Program shall instruct the student on the requirements and the process of renewing or applying for a Louisiana Advanced EMT licensed.
- G. Paramedic Training Course Requirements
1. The Paramedic education course shall include content and behavioral objectives that meet or exceed the *National EMS Education Standards and Instructional Guidelines* as published by the National Highway Traffic Safety Administration.
  2. The Education Program may develop a curriculum to teach any additional skills, equipment or medications that are included in the Louisiana approved scope of practice.
  3. In accordance with Act 308, the Education Program shall ensure that Alzheimer's and dementia content is incorporated into the course.
  4. An Education Program shall ensure all Paramedic students at the successful completion of the program has a current BLS CPR or equivalent credential, as approved by the Bureau of EMS, and have demonstrated competence in Paramedic skills.
  5. The Education Program shall arrange for supervised field and clinical training of students with an ambulance service provider and healthcare facility that is licensed at or above the level of training provided to the students. The arrangement shall be set in a written agreement between the education program and the ambulance service provider.
  6. The Education Program shall ensure that any student who enters supervised field training holds an EMS Student authorization issued by the Bureau of EMS.
  7. The Education Program shall instruct the student on how to apply for the NREMT cognitive and psychomotor exams at the conclusion of the course.
  8. The Education Program shall instruct the student on the requirements and the process of applying for a Louisiana Paramedic license.
  9. A new Paramedic Education Program is required to submit a CoAEMSP Letter of Review before the Bureau of EMS will approve the admission of students.
  10. A Paramedic Education Program must have at least two full-time equivalent employees. This includes the full-time program director who should have time dedicated to administrative tasks. The second full-time position can be multiple employees whose time and contribution to the program equals at least one full-time person.
- H. Paramedic Renewal Training Course Requirements
1. The Paramedic education course shall meet or exceed the content and behavioral objectives that meet or exceed the Bureau of EMS approved Paramedic curriculum.
  2. The Education Program may develop curriculum to teach any additional skills, equipment or medications that are included in the Louisiana approved scope of practice.
  3. In accordance with Act 308, the Education Program shall ensure that Alzheimer's and dementia content is incorporated into the course.
  4. The Education Program shall ensure all Paramedic students at the successful completion of the program has a current BLS CPR or equivalent credential, as approved by the Bureau of EMS, and have demonstrated competence in Paramedic skills.
  5. The Education Program shall instruct the student on the requirements and the process of renewing or applying for a Louisiana Paramedic license.

## **§429 Scope of Practice Optional Modules**

- A. An agency may elect to provide the additional education and training required to permit staff members to perform the optional modules as listed in the Scope of Practice.
  - 1. Agencies utilizing these skills must maintain documentation demonstrating all individuals authorized by the agency's Medical Director to perform these skill(s)/procedure(s) have attended an agency-specific training module.
    - a. The continuing education course must be registered in the Bureau of EMS Information Management System (IMS).
    - b. A syllabus containing a medical director's signature must be uploaded as an attachment to the course.
    - c. The course roster must be completed and include each student's name and the student's outcome in the course.
  - 2. Agency documentation of the competency validation is required every 24 months.

## **§431 Quality Assurance & Complaint Investigations**

- A. The Bureau of EMS, in order to ensure the quality and integrity of EMS educational programs, may conduct site visits, scholastic audits, review of documentation, and investigations.
- B. The Bureau of EMS shall conduct complaint investigations brought against an Education Program in accordance with R.S. 40:1131 and R.S. 40:1133, et seq.
- C. Complaint investigations may be unannounced.
- D. Upon request by the Bureau of EMS, an acceptable plan of correction must be submitted to the Bureau of EMS for any complaint investigation where deficiencies have been cited.
- E. A follow-up survey may be conducted for any complaint investigation where deficiencies have been cited to ensure correction to the deficient practices.
- F. The Bureau of EMS may issue appropriate sanctions, including but not limited to, civil fines, directed plans of correction, provisional approval, denial of approval renewal, and approval revocation for non-compliance with any state law or regulation.
- G. The Bureau of EMS's surveyors, investigators, and staff shall be given access to all areas of the education program and all relevant files during any complaint investigation. The department's surveyors, investigators, and staff shall be allowed to interview any instructor, staff or student as necessary or required to conduct the investigation.
- H. Any program that is found to knowingly interfere with a scholastic audit or investigation being performed by a Bureau of EMS representative(s) shall be subject to immediate revocation of approved status and the individuals involved shall be referred to the EMS Certification Commission for disciplinary action.

## ***EXAMINATION***

The Bureau of EMS utilizes the National Registry of Emergency Medical Technicians' examination as its certification examination and recertification process. The NREMT authorizes use of its practical exams. The NREMT trains and supervises the National Registry representatives. Candidates must pass the National Registry exam before they are eligible for state licensure at the EMT level or above. The Bureau of EMS conducts regularly scheduled exams that meet or exceed the guidelines set forth by the National Registry of EMTs.

### **§501 Emergency Medical Responder**

- A. Examination Process
  - 1. Written and practical exams are administered as part of the course (except for High School Instructors).
  - 2. The National Registry exam is optional for the EMR level (except for High School Instructors) and consists of a cognitive computer adaptive exam and a psychomotor exam.
  - 3. A separate fee is required for the National Registry cognitive exam.
  - 4. High School Instructors should refer to section 413.
- B. Psychomotor Skill Stations
  - 1. Cardiac Arrest Management/AED
  - 2. Patient Assessment/Management Trauma
  - 3. Patient Assessment/Management Medical
  - 4. BVM Ventilation of an Apneic Adult Patient
  - 5. Oxygen Administration by Non-rebreather mask

### **§503 Emergency Medical Technician**

- A. Examination Process
  - 1. The computer adaptive exam can be scheduled on the NREMT website.
  - 2. The psychomotor exams are scheduled by the Bureau of EMS and are held multiple times throughout the month.
    - a. specific dates can be found on the Bureau of EMS Information Management System and website calendar.
  - 3. Candidates are strongly encouraged to register for a psychomotor exam at least 15 days prior to the date of the exam.
  - 4. The psychomotor stations at the EMT level are regulated by the Bureau of EMS.
- B. Psychomotor Skills Stations (before 1/1/20)
  - 1. Legacy exam
    - a. Patient Assessment/Management Trauma
    - b. Patient Assessment/Management Medical
    - c. BVM Ventilation of an Apneic Adult Patient
    - d. Oxygen Administration by Non-rebreather mask
    - e. Spinal Immobilization (Supine Patient)
    - f. Cardiac Arrest Management/AED

- g. Random Station
    - i. Bleeding Control/Shock Management
    - ii. Joint Immobilization
    - iii. Long Bone Immobilization
- C. Psychomotor Skill Stations (optional after 7/1/2019 and mandatory after 1/1/20)
  - 1. The psychomotor stations are:
    - a. Integrated Out of Hospital Scenario A
    - b. Integrated Out of Hospital Scenario B
    - c. Cardiac Arrest Management/AED
  - 2. Pass/Fail Criteria
    - a. Successful completion of all three stations – PASS
    - b. Unsuccessful completion of the Cardiac Arrest Management/AED station – ELIGIBLE FOR RETEST
    - c. Unsuccessful completion of one Integrated Out of Hospital Scenario – ELIGIBLE FOR RETEST
      - i. Must retest same scenario group
    - d. Unsuccessful completion of Cardiac Arrest Management/AED station and one Integrated Out of Hospital Scenario – ELIGIBLE FOR RETEST
      - i. Must retest same scenario group
    - e. Unsuccessful completion of both Integrated Out of Hospital Scenario stations – FAILURE OF ATTEMPT
    - f. Unsuccessful completion of all three stations – FAILURE OF ATTEMPT
  - 3. Prompts for Scenario Stations
    - a. The candidate will receive two prompts per error for up to two significant errors. A multitude of prompts causing the partner to become the team leader would constitute incompetency.
      - i. A significant error in the scenario station would be treatment of the wrong field diagnosis, dosage errors or incorrect medication and/or failure to assess and manage life-threatening issues.
      - ii. An insignificant error is an error that can be attributable to nerves, i.e., holding a BVM but calling it a non-rebreather mask.

## **§505 Advanced Emergency Medical Technician**

- A. Examination Process
  - 1. The computer adaptive exam is scheduled on the NREMT website.
  - 2. The psychomotor exams are scheduled by the Bureau of EMS and are held at least once a month.
    - a. specific dates can be found on the Bureau of EMS Information Management System and website calendar.
  - 3. NREMT mandates that registration for the psychomotor exam take place at least 2 weeks prior to the date of the exam.
  - 4. Candidates are required to provide a PATT number when registering for the exam.
- B. Psychomotor Skill Stations
  - 1. The required psychomotor skill stations can be found on the NREMT website.

## **§507 Paramedic**

- A. Examination Process
  - 1. The computer adaptive exam is scheduled on the NREMT website.

2. The psychomotor exams are scheduled by the Bureau of EMS and are held at least once a month.
    - a. specific dates can be found on the Bureau of EMS Information Management System and website calendar.
  3. NREMT mandates that registration for the psychomotor exam take place at least 2 weeks prior to the date of the exam.
  4. Candidates are required to provide a PATT number when registering for the exam.
- B. Psychomotor Skill Stations
1. The required psychomotor skill stations can be found on the NREMT website.

## **§509 Exam Guidelines**

- A. Reservations
1. Reservations will be accepted on a first-come, first serve basis with the number dependent on the size of the exam site.
  2. EMR and EMT students must have a status of “pass” for their education program in the licensing information management system before reservations will be granted.
  3. AEMT and Paramedic students may qualify for early eligibility for the psychomotor exam. Early eligibility allows a student to take a psychomotor examination before course completion if the Paramedic Program Director approves eligibility.
- B. Cancellation
1. Cancellations must be made no later than 5 days prior to the exam date.
  2. Exam fees are non-refundable. However, a credit can be awarded if the cancellation policy is adhered to.
  3. It is the responsibility of the candidate to request a reservation for a later date.
- C. Failure to Show
1. Failure to appear at the scheduled exam will forfeit all fees submitted for the exam.
  2. A new exam application must be completed, and applicable fees must be paid.
- D. Exam Results
1. The Compliance Coordinator or the National Registry Representative will notify each candidate of the results of their psychomotor exam the day of the exam after the individual has completed the entire psychomotor exam.
  2. Results at the Paramedic or Advanced EMT level are unofficial results and must be validated by National Registry before they are official.
- E. Routing Procedure
1. The candidate must register for the psychomotor exam when they arrive at the exam. During the registration process, the candidate’s ID will be viewed, and they will receive a document to be completed.
  2. When the document is completed, the candidate will receive a routing badge. The number on the badge will be called when the candidate is sent to a station.
  3. When the routing number is called, the candidate is to report to the routing table for assignment to the psychomotor station. The candidate will receive a station card that will have the name of the station on it.
  4. The candidate will go directly to the assigned psychomotor station, knock on the door and wait for the examiner to direct the candidate to enter the station.
  5. The examiner will ask for the candidate’s name and routing number.
  6. Before the station begins, the examiner will read a brief set of instructions for the station. These instructions will contain pertinent information pertaining to that specific station.
  7. When the candidate is finished with the station, they must take the station card and return directly to the routing table.

8. When arriving at the routing table, the candidate must advise the router of their routing number and return the station card to the router.
- F. Complaints
1. Complaints regarding the administration of the examination may be filed by completing a document that can be obtained at the routing desk.
  2. Complaints will not be valid after the results are issued.
  3. A complaint may be filed for two reasons:
    - a. The candidates feels that they have been discriminated against. Any situation that can be documented in which the candidate received an unfair evaluation of their abilities may be considered discriminatory.
    - b. An equipment failure or malfunction occurred during the station.
- G. Invoicing for Examination of an Education Program
1. An EMS program may elect to pay for the students of their program to take the psychomotor exam. The following procedures will apply for this circumstance:
    - a. The program director/instructor will contact the compliance coordinator to register/schedule the students to take the psychomotor exam.
    - b. The compliance coordinator will register the students for the psychomotor exam.
    - c. Within 7 days after the psychomotor exam an invoice will be sent to the education program
    - d. If the invoice has not been paid after 60 days, a final invoice will be sent notifying the education program that the invoice must be paid within 30 days.
    - e. If the invoice has not been paid after 90 days, the education program will be suspended until payment has been received.

## §511 Staffing the Exams

- A. The Bureau of EMS will contract with EMS Practitioners to carry out the functions of examiner, partner, bystander or patient for the psychomotor exams. Contracted examiners must abide by the rules and instructions as outlined by the NREMT and/or the Bureau of EMS, which includes, but is not limited to, discussing any portion of the exam materials with anyone other than the NREMT Representative, the Compliance Coordinator and/or the Exam Facilitator.
- B. Job Descriptions
1. *Medical Director* is a licensed physician who provides clinical direction over the exam. This individual participates on the Quality Assurance committee when investigating a complaint. It is preferred that this individual has completed training by the National Registry of EMTs to conduct an exam.
  2. *National Registry Representative* is a Paramedic that has successfully completed training by the National Registry of EMTs to conduct the exam. This individual is responsible for all aspects of the exam that includes, but it not limited to:
    - a. Providing concise and accurate exam instructions to the candidates
    - b. Securing the exam materials to ensure confidentiality
    - c. Accurately grading the evaluation instruments
    - d. Promptly notifying the candidates of the exam results
    - e. Investigating all complaints from candidates and/or examiners that occur during the exam and facilitating the quality assurance committee in determining the validity of the complaint
    - f. Facilitating the registration of the candidates

3. *Compliance Coordinator* is a Bureau of EMS employee who is responsible for the day-to-day scheduling and examination activities. This person can also act as the National Registry Representative. Duties include, but are not limited to:
    - a. Scheduling exams
    - b. Ensuring the exam documents are available and ready for use
    - c. Ensuring that the equipment is clean and in good working order
    - e. Monitor the routing room to ensure that the candidates' behavior is appropriate
    - f. Completing the exam report for the Bureau of EMS Director
    - g. Ensuring that the evaluation sheets are routed to the grading room
    - h. Assisting the National Registry Representative with grading evaluation instruments
    - i. Completing the reporting forms to ensure that the completion reflects the candidate's performance
  4. *Exam Facilitator* is an individual who is responsible for assisting with the administration of the exam. Duties include, but are not limited to:
    - a. Organizing evaluators so that they are provided with the information and materials needed to accurately perform the functions required to execute the skill station appropriately
    - b. Providing concise and accurate exam instructions to the evaluation team members
    - c. Scheduling breaks and lunch for the evaluators in a manner that the exam continues to be conducted in an organized and efficient manner
    - d. Assisting the examiners with questions or clarification related to the specific skills station in which they are an examiner.
    - e. Facilitating the logistics of the exam
    - f. Audit the exam skill stations to ensure that the candidates are receiving a fair and objective exam
  5. *Evaluator* is an individual who participates within a specific skill stations to ensure that the candidate is able to perform skills required to meet minimal competencies. Evaluators, whose role may include that of documenter, patient, or partner, possesses expertise in the specific skill that enables to candidate to perform the simulation in an optimal setting.
  6. *Router* is an individual who ensures that candidates are routed to the skill stations in an efficient manner so as to not allow for undue delays in the examination process.
- B. Responsibilities of the Evaluation Team
1. All members of the evaluation team must report to the exam site at the time indicated on the exam invitation.
  2. Evaluation team members are responsible for notifying the Bureau of EMS if they are unable to attend a scheduled exam.
  3. All members must be willing to accept reassignments as deemed appropriate by the Compliance Coordinator, National Registry Representative, or Exam Facilitator. The Compliance Coordinator has the final decision on examiner assignments.
  4. Report all complaints from the candidates or evaluators to the National Registry Representative and/or Compliance Coordinator.
  5. Evaluation team members must have a positive attitude towards the examination process at all times.
  6. Evaluation team members are required to assure the testing site and exam equipment is clean, assembled and ready for use for the next exam.
  7. Evaluation team members must attend an "exit" session as applicable.



8. Evaluation team members must attend examiner workshops as applicable.

### **§513 Challenge of National Registry Exam**

- A. Physicians
  1. Physicians are permitted to challenge the NREMT exam, at any level, after the following criteria is met.
    - a. Provide official evidence of a current and valid Louisiana State Medical license.
    - b. Meet all other entry requirements outlined in the current requirements to take the Paramedic exam on the NREMT website.
    - c. All challenges of NREMT exams must be initiated through NREMT using support@nremt.org.
- B. Other Healthcare Practitioners
  1. The Bureau of EMS does not authorize the challenge of EMS courses or certification exams for the following (but not limited to):
    - a. Physician's Assistants
    - b. Registered Nurses
    - c. Licensed Practical Nurses
    - d. Nurse Practitioners
  2. Healthcare practitioners seeking to become a Louisiana Licensed Paramedic are encouraged to contact a CoAEMSP Accredited Paramedic Program for pathways of eligibility to take the NREMT Paramedic exam.

### **§515 NREMT Psychomotor Examinations**

- A. Authority
  1. The Bureau of EMS shall be the primary responsible party and point of contact for all NREMT examinations conducted in Louisiana.
- B. Eligibility for Examination
  1. To be eligible for examination, an applicant must meet the requirements established by the NREMT and submit an application and applicable fees to the Bureau of EMS.
  2. The Bureau of EMS reserves the right to accept or deny an application to take the psychomotor exam.
- C. Dates, Places of Examinations
  1. The dates and places where the NREMT psychomotor examinations are given shall be scheduled and approved by the Bureau of EMS.
  2. Requests to become an exam site shall be submitted to the Bureau of EMS at least 90 days in advance of the initial requested exam date.
    - a. The request shall be made by the program director of the approved education program
    - b. The request shall include the requested exam type, location, date, time and estimated number of students.
    - c. The requestor shall be responsible for providing the required equipment, supplies, and materials, as designated by the NREMT.
    - d. The requestor shall be responsible for providing examiners to conduct the exam. Examiners are subject to the approval of the Bureau of EMS.
    - e. The requestor may charge exam candidates a reasonable and customary facilities fee.

D. Observance of Examinations

1. All NREMT exams shall be attended by an NREMT appointed representative and the Bureau of EMS Compliance Coordinator or a designee approved by the Director of the Bureau of EMS. These representatives are authorized and directed by the Bureau of EMS to obtain positive photographic identification from all exam candidates appearing and properly registered for the examination and to observe that all candidates abide by the rules of conduct established by the NREMT.
2. A candidate who appears for examination shall:
  - a. Present to the NREMT representative and/or the Bureau of EMS Compliance Coordinator or their designee proof of registration for the examination and positive personal photographic and other identification in the form prescribed by the Bureau of EMS; and
  - b. Fully and promptly comply with any and all rules, procedures, instructions, directions, or requests made or prescribed by the NREMT and/or the Bureau of EMS.

E. Subversion of Examination Process

1. An applicant-examinee who engages or attempts to engage in conduct that subverts or undermines the integrity of the examination process shall be subject to the sanctions specified in this policy.
2. Conduct which subverts or undermines the integrity of the examination process shall be deemed to include:
  - a. Refusing or failing to fully and promptly comply with any rules, procedures, instructions, directions, or requests made or prescribed by the NREMT, or the Bureau of EMS;
  - b. Removing from the examination room or rooms any of the examination materials;
  - c. Reproducing or reconstructing, by copying, duplication, written notes, or electronic recording, any portion of the licensing examination;
  - d. Selling, distributing, buying, receiving, obtaining, or having unauthorized possession of a future, current, or previously administered licensing examination;
  - e. Communicating exam material or information, in any manner, with any other examinee or any other person during the administration of the examination;
  - f. Impersonating an examinee by appearing for and as an applicant and taking the examination for, as and in the name of an applicant other than himself;
  - g. Permitting another person to appear for and take the examination on one's behalf and in one's name; or
  - h. Engaging in any conduct that disrupts the examination or the taking thereof by other examinees.

F. Sanctions for Subversion of Examination

1. An applicant who is found by the Bureau of EMS, prior to the administration of the examination, to have engaged in conduct or to have attempted to engage in conduct which subverts or undermines the integrity of the examination process may be permanently disqualified from taking the examination for purposes of licensure and from obtaining an EMS practitioner licensure in the state of Louisiana.
2. An applicant-examinee who is found by the Bureau of EMS to have engaged or to have attempted to engage in conduct that subverts or undermines the integrity of the examination process shall be deemed to have failed the examination for purposes of licensure. Such failure shall be recorded in the official records of the Bureau of EMS and transmitted to the NREMT.

3. In addition to the sanctions permitted or mandated by other sections of this policy, an applicant-examinee found by the Bureau of EMS to have engaged or to have attempted to engage in conduct which subverts or undermines the integrity of the examining process, the Bureau of EMS may:
  - a. Revoke, suspend, or impose probationary conditions on any license issued to such applicant;
  - b. Disqualify the applicant, permanently or for a specified period of time, from eligibility for licensure in the state of Louisiana;
  - c. Disqualify the applicant, permanently or for a specified number of subsequent administrations of the examination, from eligibility for examination for purposes of licensure;
  - d. Refer the case for criminal prosecution.

## ***LICENSING***

### ***Licensing Guidelines***

In the State of Louisiana, both National Registry certification and Louisiana license is required by law at each level of prehospital care (except for Emergency Medical Responder). The licensing agency for all of the Emergency Medical Services Practitioner levels is the Louisiana Bureau of EMS. Failure to obtain licensure will place the individual in violation of RS 40:1131, which mandates licensure by the Bureau of EMS.

### **§601 Recognized Licensure Levels**

- A. Emergency Medical Responder (EMR)
  - 1. Initial License (within two years of completing the course)
    - a. To receive a Louisiana license, the individual must:
      - i. Successfully complete a state approved EMR course or present a valid, unrestricted NREMT certification as an EMR.
      - ii. Complete the EMR application on the Bureau of EMS Information Management System.
      - iii. Submit the required licensure fee. Applications are not reviewed or considered by the Bureau of EMS until the appropriate license fee is paid.
      - iv. Maintain a valid BLS CPR Provider credential.
  - 2. License Renewal
    - a. Every two years the individual EMR must:
      - i. Successfully complete a state approved EMR renewal course within 2 years prior to expiration, or present a valid, unrestricted NREMT certification as an EMR.
      - ii. Complete the EMR application on the Bureau of EMS Information Management System. EMR renewal applications will be accepted six months prior to the license expiration date.
      - iii. Submit the required licensure fee. Applications are not reviewed or considered by the Bureau of EMS until the appropriate license fee is paid.
      - iv. Maintain a valid BLS CPR Provider credential.
  - 3. All required materials must be submitted electronically by September 30 of the expiration year.
    - a. There is a reinstatement period available from October 1 to October 31 of the expiration year.
      - i. This reinstatement period is not to be used as a month's extension to the September 30 deadline.
    - b. Failure to renew a license after October 31, will require the individual to take an initial EMR course and apply for an initial license.

4. Waiver of Licensing Fees
  - a. Licensure fees are waived for volunteer Emergency Medical Responders who serve their community on a voluntary basis and who receive no compensation of any kind for such services. A community volunteer responder is not an individual who provides EMS services as a component of their employment or paid profession.
  - b. Applicants for an initial EMR license that are able to demonstrate enrollment in an approved Louisiana high school program shall be exempt from payment of the initial license fee.
- B. Emergency Medical Technician (EMT)
  1. Initial License (within two years of completing the course)
    - a. To receive a Louisiana license, the individual must:
      - i. Successfully complete a state approved EMT course.
      - ii. Present a valid, unrestricted NREMT certification as an EMT by successfully completing the NREMT computer adaptive exam and a Louisiana Bureau of EMS psychomotor exam.
      - iii. Complete the EMT application on the Bureau of EMS Information Management System.
      - iv. Submit the required licensure fee. Applications are not reviewed or considered by the Bureau of EMS until the appropriate license fee is paid.
      - v. Maintain a valid BLS CPR Provider credential.
  2. License Renewal
    - a. Every two years the individual EMT must:
      - i. Successfully complete the recertification requirements outlined by NREMT or renew by examination conducted by NREMT.
      - ii. Present a valid, unrestricted NREMT certification as an EMT.
      - iii. Complete the EMT application on the Bureau of EMS Information Management System. EMT renewal applications will be accepted six months prior to the license expiration date.
      - iv. Submit the required licensure fee. Applications are not reviewed or considered by the Bureau of EMS until the appropriate license fee is paid.
      - v. Maintain a valid BLS CPR Provider credential.
  3. All required materials must be submitted electronically by March 31 of the expiration year.
    - a. There is a reinstatement period available from April 1 to April 30 of the expiration year.
      - i. This reinstatement period is not to be used as a one-month extension to the March 31 deadline.
    - b. Actions for reinstatement after April 30 are outlined by the National Registry of EMTs.
  4. Waiver of Licensing Fees
    - a. Licensure fees are waived for volunteer Emergency Medical Technicians who serve their community on a voluntary basis and who receive no compensation of any kind for such services. A community volunteer responder is not an individual who provides EMS services as a component of their employment or paid profession.
- C. Advanced Emergency Medical Technician (AEMT)
  1. Initial License (within two years of completing the course)
    - a. To receive a Louisiana license, the individual must:

- i. Successfully complete a state approved AEMT course.
    - ii. Present a valid, unrestricted NREMT certification as an AEMT by completing the NREMT computer adaptive exam and psychomotor exam.
    - iii. Complete the AEMT application on the Bureau of EMS Information Management System.
    - iv. Submit the required licensure fee. Applications are not reviewed or considered by the Bureau of EMS until the appropriate license fee is paid.
    - v. Maintain a valid BLS CPR Provider credential.
  - 2. License Renewal
    - a. Every two years the individual AEMT must:
      - i. Successfully complete the recertification requirements outlined by NREMT or renew by examination conducted by NREMT.
      - ii. Present a valid, unrestricted NREMT AEMT Certification.
      - iii. Complete the AEMT application on the Bureau of EMS Information Management System. AEMT renewal applications will be accepted six months prior to the license expiration date.
      - iv. Submit the required licensure fee. Applications are not reviewed or considered by the Bureau of EMS until the appropriate license fee is paid.
      - v. Maintain a valid BLS CPR Provider credential.
  - 3. All required materials must be submitted electronically by March 31 of the expiration year.
    - a. There is a reinstatement period available from April 1 to April 30 of the expiration year.
      - i. This reinstatement period is not to be used as a one-month extension to the March 31 deadline.
    - b. Actions for reinstatement after April 30 are outlined by the National Registry of EMTs
- D. Paramedic
  - 1. Initial License (within two years of completing the course)
    - a. To receive a Louisiana license, the individual must:
      - i. Successfully complete a state approved Paramedic course.
      - ii. Present a valid, unrestricted NREMT Paramedic certification by completing the NREMT computer adaptive exam and psychomotor exam.
      - iii. Complete the Paramedic application on the Bureau of EMS the Bureau of EMS Information Management System.
      - iv. Submit the required licensure fee. Applications are not reviewed or considered by the Bureau of EMS until the appropriate license fee is paid.
      - v. Maintain a valid BLS CPR Provider credential.
  - 2. License Renewal
    - a. Every two years the individual EMS Practitioner must:
      - i. Successfully complete the recertification requirements outlined by NREMT or renew by examination conducted by NREMT.
      - ii. Present a valid, unrestricted NREMT Paramedic certification.
      - iii. Complete the Paramedic application on the Bureau of EMS Information Management System. Paramedic renewal applications will be accepted six months prior to the license expiration date.

- iv. Submit the required licensure fee. Applications are not reviewed or considered by the Bureau of EMS until the appropriate license fee is paid.
  - v. Maintain a valid BLS CPR Provider credential.
- 3. All required materials must be submitted electronically by March 31 of the expiration year.
  - a. There is a reinstatement period available from April 1 to April 30 of the expiration year.
    - i. This reinstatement period is not to be used as a one-month extension to the March 31 deadline.
  - b. Actions for reinstatement after April 30 are outlined by the National Registry of EMTs.

### **§603 Licensure Periods/Expiration Dates**

- A. The Bureau of EMS licenses individuals who meet the license requirements as an Emergency Medical Responder (EMR), Emergency Medical Technician (EMT), Advanced Emergency Medical Technician (AEMT) or as a Paramedic.
  - 1. Licensed EMS Practitioners must maintain compliance with the license requirements for the duration of the license period. Failure to maintain compliance with the license requirements is grounds for the Bureau of EMS to initiate license discipline in accordance with the policy.
- B. Upon demonstration of compliance with the prescribed requirements, individuals applying for an initial EMT, AEMT, or Paramedic license between the dates of January 1 – June 30, will receive a license with an expiration date of March 31, two years in the future. Individuals successfully completing the process between July 1 and December 31 will receive an expiration date of March 31, three years in the future.
- C. Upon demonstration of compliance with the prescribed requirements, individuals applying for an initial EMR license between dates of January 1 – June 30, will receive a license with an expiration date of September 30, two years in the future. Individuals successfully completing the process between July 1 – December 31 will receive an expiration date of September 30, three years in the future.
- D. Upon demonstration of compliance with the prescribed requirements, individuals applying to renew an EMT, AEMT, or Paramedic license will receive a license with the same expiration date at the NREMT Certification card.
  - 1. There is a reinstatement period available from April 1 to April 30 of the expiration year. This reinstatement period is not to be used as a one-month extension to the March 31 deadline.
- E. Upon demonstration of compliance with the prescribed requirements, individuals applying to renew an EMR license between the dates of April 1 – September 30 will receive a license with an expiration of September 30, two years in the future.
  - 1. There is a reinstatement period available from October 1 to October 31 of the expiration year. This reinstatement period is not to be used as a one-month extension to the September 30 deadline.

### **§605 Review of Applications by the Bureau of EMS**

- A. The Bureau of EMS shall review and decide on an application that has been completed in accordance with all of the Bureau of EMS' instructions for completion within 7 business days of receiving the application. If the Bureau of EMS approves the application, the Bureau of EMS will notify the applicant and issue a license. If the Bureau of EMS denies the

application, the Bureau of EMS will notify the applicant of the reason for the denial and any appeal rights.

- B. Incomplete applications will not be forwarded to the review queue in the Bureau of EMS Information Management System (IMS). If the applicant fails to complete the application within 30 days from the date of the initial submission, the application will be voided. The Bureau of EMS will not take any action on the incomplete application. To be considered further by the Bureau of EMS, the applicant shall meet the eligibility requirements and submit a new application as required.

## **§607 License Fee Waivers**

- A. Active United States Uniformed Service Members
  - 1. Applicants for an EMR, EMT, AEMT or Paramedic license (initial or renewal) that are able to demonstrate active status with the United States Uniformed Service, and otherwise meet the requirements of Louisiana licensing, shall be exempt from payment of the initial or renewal license fees.
  - 2. This waiver is for the use of this license exclusively in the United States Uniformed Service and is not for use for private sector employment.
- B. Federal Government Employee
  - 1. Applicants for EMR, EMT, AEMT or Paramedic license (initial or renewal) that are able to demonstrate employment by the federal government, shall be exempt from payment of the initial or renewal license fees.
  - 2. This waiver is for the use of this license exclusively in the employment of the federal government and is not for use for private sector employment.
- C. High School and Secondary School Students
  - 1. Applicants for an initial EMR license that are able to demonstrate enrollment in an approved Louisiana high school program shall be exempt from payment of the initial license fee.
- D. Volunteer EMR or EMT
  - 1. Applicants for an EMR or EMT license (initial or renewal) who serve as bona fide volunteer community responders and otherwise meet the requirements, shall be exempt from payment of the initial or renewal license fees.
  - 2. Individuals functioning as an EMR or EMT in conjunction with any type of compensated employment, even if the employer classifies the EMR or EMT functions as volunteer, shall not be classified as a volunteer for the purposes of licensure.
  - 3. The Bureau of EMS shall add a notation to all electronic or paper license documents obtained indicating that the licensee is functioning as an EMR or EMT for a volunteer agency, and is not eligible for private sector employment.
- E. EMTs Employed at a Municipality
  - 1. Applicants for EMT license (initial) who serve as an employee of the state of Louisiana or another public entity, a municipal fire department, a fire protection district, or a municipal law enforcement agency who does not perform emergency medical services outside of the individual's official governmental responsibilities for any form of compensation and otherwise meet the requirements, shall pay the reduced fee for an initial EMT license.
  - 2. Applicants for an EMT license (renewal) who serve as an employee of the state of Louisiana or another public entity, a municipal fire department, a fire protection district, or a municipal law enforcement agency who does not perform emergency medical services outside of the individual's official governmental responsibilities for



- any form of compensation and otherwise meets the requirements, shall pay the reduced rate to renew an EMT license.
3. The Bureau of EMS shall add a notation to all electronic or paper license documents obtained indicating that the licensee is functioning as an EMT for a municipality, and is not eligible for private sector employment.

## **§609 Determination of Residency**

- A. Residency Requirements
  1. For the purpose of licensure, licensure fees, and examination, an applicant shall be considered a Louisiana resident if:
    - a. The applicant is domiciled in Louisiana; and
    - b. The official, residential address of the applicant listed on the application is in the State of Louisiana; and
    - c. The applicant has taken the psychomotor exam in the State of Louisiana; or
    - d. The applicant is employed by the federal government; or
    - e. The applicant is a member of the United States Uniformed Services.
  2. Applicants not meeting the criteria in Paragraph A.1. shall be considered non-residents for the purpose of licensure, licensure fees, or examination fees.

## **§610 Reciprocity**

- A. The Bureau of EMS accept reciprocity requests from individuals who are certified by the National Registry of EMTs at the EMR, EMT, AEMT and Paramedic levels.
- B. Individuals apply for a Louisiana EMS license must possess a current National Registry certification for the level in which they are applying as well as provide notice of current licenses held in other states.
  1. All qualified applicants must complete the appropriate license level application the Bureau of EMS Information Management System
    - a. The Bureau of EMS reciprocity application can be found at:  
<http://ldh.la.gov/assets/oph/ems/2020/200422VerificationEMSLicense.pdf>

## **§611 Information Management System License Application Process**

- A. Applicants shall follow the following process to apply for an initial license or renew a license:
  1. Applicants shall complete the first-time user registration process and create an account in the Bureau of EMS Information Management System, if not previously completed.
  2. Applicants shall select “Create Your License Application” and complete the sections:
    - a. License Details
    - b. Legal Questionnaire
    - c. Service Affiliation
    - d. Affidavit
  3. After completion, the applicant should “Proceed to Payment” and submit for processing.
- B. Applicants shall follow the following process to revise their license application
  1. Applicants shall select “Revise Your License Application” to revise an existing license application and edit the information as needed in the sections:
    - a. License Details
    - b. Legal Questionnaire
    - c. Service Affiliation
    - d. Affidavit

2. After completion, the applicant should submit for processing.
- C. When completing a Louisiana Bureau of EMS license application and upon answering affirmative to any of the questions in the criminal background questionnaire, the following information should be uploaded to the practitioner application for licensure:
1. Any and all supporting documentation regarding the affirmative answers on the questionnaire.
  2. A dated and signed letter addressing the EMS Certification Commission regarding the affirmative answers describing the information/incident disclosed and your involvement in the case.
  3. For pending charges/criminal conviction disclosures, a Louisiana State Police Bureau of Criminal Identification and Information Fingerprint Background Report from the last 30 days as well as any and all related case/court documents regarding your affirmative answers on the questionnaire.
  4. For Physical/Mental Limitations or Substance Abuse disclosures: A letter from your physician (on the Physician's practice letterhead) stating the facts of your care and if you are cleared by your physician to work in the rigors and stress of the EMS field regarding your affirmative answers on the questionnaire.
- D. Obtaining a Louisiana Background Check Report from Louisiana State Police
1. Louisiana Bureau of EMS applicants are able to request and receive a Louisiana Background Check Report by fingerprint by visiting the Louisiana State Police (LSP) Headquarters in Baton Rouge. The LSP Bureau of Identification and Information is located at 7919 Independence Blvd., Baton Rouge, LA. The LSP Headquarters hours of operation are 8:00AM – 4:00PM.
  2. The LSP Bureau of Identification and Information Report can also be requested via U.S.P.S. mail. The required information to request the report by mail can be downloaded from the LSP.org website. Applicants will have to have the fingerprinted by local law enforcement and subsequently forward the fingerprint card with all of the other required documentation. The application can take up to 21 days before it is processed by LSP.
  3. The required information to request in person or via U.S.P.S. mail can be downloaded from the LSP.org website.
  4. Each applicant will need to complete and submit via in person or by U.S.P.S. mail:
    - a. Right to Review Authorization Form
    - b. Right to Review Disclosure Form
  5. Payment is required at the time of service. The individual may use a debit/credit card if requesting the report in person. Two money orders made payable to the Louisiana State Police or cashier checks in the amount of \$10 and \$26 will also be accepted in person or by mail.
  6. A valid driver's license.
- E. Applicants can view and/or print their license application, view and/or print their EMS license or edit their contact details by accessing the related links on their account home page.
- F. EMS Licenses can be viewed by the public through the "Click Here to Search Licenses" option on the Bureau of EMS Information Management System homepage.

## ***AMBULANCE STANDARDS***

The Louisiana Department of Health, Office of Public Health, Bureau of EMS has the responsibility of licensing EMS providers, practitioners, and vehicles functioning in the State of Louisiana that are subject to licensing statutes. Emergency Medical Services providers (ambulance services) are licensed by the Louisiana Department of Health, Office of Public Health, Bureau of EMS. This includes both ground and air ambulance services. In addition, all emergency medical vehicles (ground ambulances, air ambulances, emergency medical response and sprint vehicles) are required to be licensed by LDH.

The mission of the Ambulance Standard section of the Bureau of EMS is to enforce regulatory compliance of EMS agencies within the State of Louisiana. This is accomplished through periodic surveys/inspections of the providers that are licensed and/or certified to operate in Louisiana. All inspectors have earned, or are in the process of earning, certification from the Council on Licensure, Enforcement, and Regulation (CLEAR).

The Bureau of EMS also investigates complaints received regarding allegations of abuse, neglect, exploitation, and extortion, and noncompliance with federal and/or state regulations, which fall under the purview of the state survey agency.

### **§701 Initial Licensure of the EMS Provider**

- A. Emergency Medical Services providers shall be licensed by the Louisiana Department of Health (LDH). LDH is the only licensing authority for EMS providers in the State. It shall be unlawful to operate as an EMS Provider without possessing a current, valid license issued by LDH.
- B. A completed initial license application packet for an EMS provider shall be submitted to, and approved by, LDH prior to an applicant functioning as an Emergency Medical Services provider.
- C. An initial licensing packet includes the following:
  - 1. Completed Emergency Medical Services Provider licensure application.
  - 2. Non-refundable licensing fee of \$150 plus \$75 per vehicle (ambulance, sprint, or aircraft).
  - 3. Written declaration of the service area and a map of the service area.
  - 4. Attach copies of all pertinent municipal and parish licenses and permits including Certificates of Need if they apply.
  - 5. List of all ambulance stations – include complete geographical address including zip code.
  - 6. List of all EMS Practitioners and/or employees that are certified or licensed personnel, including National Certification number and expiration, Louisiana license number and expiration date, driver's license number and expiration date, CPR type and expiration date, pilot's license number and expiration date, if applicable.
  - 7. List name of medical director and evidence that such director is a physician licensed to practice medicine by the Louisiana State Board of Medical Examiners.
  - 8. List of all vehicles: ambulance and sprint vehicles include VIN, make, year, model, type, license plate number, and unit (fender) number.

9. Certificates of Insurance: Medical Malpractice, Automobile Liability, General Liability - We do not accept Louisiana Automobile Insurance Identification Cards.
10. Copy of current medical protocols signed by the physician/medical director accompanied by a cover letter from the appropriate parish or component medical society or societies for use in their service area. An electronic copy may be submitted.
11. A copy of the standard operating procedures. An electronic copy may be submitted.
12. A copy of the services current equipment and supply checklist.
13. Attach a copy of your current appropriate CLIA Waiver certificate, Louisiana CDS license, and United States Drug Enforcement Administration Controlled Substance registration.
14. Attach a copy of the Articles of Incorporation.
15. Attach a copy of the Act of Sale or other Act of Transfer.
16. Copy of the applicant's criminal background check from the Louisiana State Police or approved background agency, and proof of United States or legal resident alien status from the United States Department of Homeland Security.
17. For air ambulance services only:
  - a. FAA Part 135 Certificate.
  - b. FAA Aircraft Certificate of Registration\*. (\*denotes that one is required for each aircraft).
  - c. FAA Certificate of Airworthiness\*. (\*denotes that one is required for each aircraft).
  - d. FAA pilot's license (for each pilot).
- D. The applicant must be prepared to be operational for an initial inspection within 90 days after payment of the application fee. If the applicant is unable to do so, the application will be closed.
- E. Prior to the initial license being issued to the provider, an initial licensing inspection shall be conducted on-site at the ambulance provider's location to assure compliance with licensing standards and appropriate federal, state or local statutes, laws, ordinances, rules, and regulations.
- F. Inspection Procedure
  1. All submitted paperwork will be reviewed prior to the inspection date. Any questions, concerns will be addressed on the day of the inspection.
  2. All vehicles will be inspected for:
    - a. Siren
    - b. Emergency lights
    - c. Load lights, if applicable
    - d. Exterior integrity
    - e. Seat belts
    - f. Driver compartment integrity
    - g. Motor vehicle inspection sticker
    - h. License plate
    - i. Functional air conditioner in patient compartment
    - j. Functional heater in patient compartment
    - k. Functional lighting in patient compartment
    - l. Supplies and equipment required as outlined in agency protocol and/or standing operating procedures; types of protocols must include adult, geriatric and pediatric patients:
      - i. Active seizure

- ii. Acute coronary syndrome (bradydysrhythmias, supraventricular tachycardia, suspected cardiogenic chest pain or suspected myocardial infarction, ventricular tachycardia)
- iii. Anaphylactic reactions
- iv. Cardiac arrest
- v. Hospital patient destination
- vi. Hypoglycemia
- vii. Hypovolemic shock
- viii. Injuries from weapons of mass destruction
- ix. Mass casualty incidents
- x. Mental health
- xi. Patient with advanced directives
- xii. Prehospital diversion
- xiii. Respiratory failure or respiratory arrest
- xiv. Stroke or suspected stroke
- xv. Sepsis
- xvi. STEMI
- xvii. Suspected drug overdose
- xviii. Treatment induced unconsciousness, altered mental status, hypotension or respiratory depression from physician ordered or protocol appropriate paramedic administered narcotics
- xix. Unconsciousness or altered mental status
- xx. Traumatic injuries
- m. Medical directive for drug shortages, if applicable
- n. Two-way radio communication for day-to-day operations
- o. Two-way radio communication with state interoperability channels for disaster response
- p. Proof of dispatch facility
- q. Verification of Director of Operation's requirements
- r. Verification of Medical Director's requirements
- s. Verification of Personnel requirements
  - i. Proof of defensive driving
  - ii. National Registry Certification
  - iii. Louisiana Driver's License
  - iv. CPR Provider/Instructor
  - v. Criminal background check
- t. Ability to communicate with a physician and/or hospital
- u. Infection Control equipment and supplies (gloves, face and eye protection/shield, disinfectants, waterless hand cleaners, sharps containers and biohazard waste trash bags)
- v. DEA registration and Louisiana CDS license
  - i. Dispenser log and perpetual inventory
- w. Random audit of patient care reports; verifying the following information for every patient encounter:
  - i. Demographic information
  - ii. Location of response
  - iii. Date and time of response
  - iv. Patient's chief complaint
  - v. Signs and symptoms
  - vi. Narrative that includes an initial and complete assessment of the patient

- vii. Vital signs
    - viii. Past medical history
    - ix. Interventions or treatment
    - x. Transport destination and arrival time, if applicable
    - xi. Any other significant information that pertains to the patient
  - x. Verification that patient records are stored in accordance with HIPAA regulations
  - y. Verification of an emergency preparedness plan; the plan shall include:
    - i. All hazards plan on file that has been approved by the local OHSEP
    - ii. Terrorist incidents and WMD
    - iii. ICS that is compliant with NIMS and the US Department of Homeland Security
    - iv. Mutual aid agreements with all services that are within the same LDH established region
  - z. Verification of an ongoing Quality Assurance process that is included in the standard operating procedures manual; this process must include:
    - i. Goals and objectives of the program
    - ii. Identity of the person responsible for the QA program
    - iii. Annual reports, if applicable
    - iv. Method of evaluation (i.e., patient care reports, unit checklists, etc.)
    - v. Method for resolving problems identified in the QA process
    - vi. Method for implementing practices to improve patient care
    - vii. Annual review and revisions by Medical Director and Director of Operations
- G. Until the initial license is issued to the provider by the department, no patient shall be provided ambulance services.

### **§703 Licensure Renewal of Emergency Medical Services Provider**

- A. An ambulance service license must be renewed annually. In order to renew a license, the Emergency Medical Services provider shall submit a completed license renewal application packet to the department at least 30 days prior to the expiration of the existing current license.
- B. The license renewal application packet shall include:
  - 1. A completed EMS Provider license renewal application.
  - 2. A non-refundable licensing fee of \$100 plus \$75 per vehicle (ground ambulance, sprint, or aircraft).
  - 3. List of all EMS Practitioners and/or employees that are certified or licensed personnel, including National Certification number and expiration (if applicable), Louisiana license number and expiration date, driver's license number and expiration date, CPR type and expiration date, pilot's license number and expiration date, if applicable.
  - 4. List of all ambulance stations – include complete geographical address including zip code.
  - 5. List of all vehicles: ambulance and sprint vehicles include VIN, make, year, model, type, license plate number, and unit (fender) number.
  - 6. Certificates of Insurance: Medical Malpractice, Automobile Liability, General Liability- We do not accept Louisiana Automobile Insurance Identification Cards.
  - 7. A copy of current medical protocols, signed by the physician/medical director and accompanied by a cover letter from the appropriate parish or component medical

- society or societies for use in their service area. An electronic copy may be submitted.
8. A current copy of the standard operating procedures. An electronic copy may be submitted.
  9. For air ambulance services only:
    - a. FAA Part 135 Certificate.
    - b. FAA Aircraft Certificate of Registration\*. (\*denotes that one is required for each aircraft)
    - c. FAA Certificate of Airworthiness\*. (\*denotes that one is required for each aircraft)
    - d. FAA pilot's license (for each pilot)
    - e. A copy of their standard operating procedures. An electronic copy may be submitted.
  10. A copy of the services current equipment and supply checklist;
- C. Inspections will occur during the month of the license expiration. A random list of unit numbers will be supplied the morning that the inspection begins.
- D. Inspection Procedure
1. All submitted paperwork will be reviewed prior to the inspection date. Any questions, concerns will be addressed on the day of the inspection.
  2. All vehicles will be inspected for:
    - a. Siren
    - b. Emergency lights
    - c. Load lights, if applicable
    - d. Exterior integrity
    - e. Seat belts
    - f. Driver compartment integrity
    - g. Motor vehicle inspection sticker
    - h. License plate
    - i. Functional air conditioner in patient compartment
    - j. Functional heater in patient compartment
    - k. Functional lighting in patient compartment
    - l. Supplies and equipment required as outlines in agency protocol and/or standing operating procedures; protocols must include adult, geriatric and pediatric:
      - i. Active seizure
      - ii. Acute coronary syndrome (bradydysrhythmias, supraventricular tachycardia, suspected cardiogenic chest pain or suspected myocardial infarction, ventricular tachycardia)
      - iii. Anaphylactic reactions
      - iv. Cardiac arrest
      - v. Hospital patient destination
      - vi. Hypoglycemia
      - vii. Hypovolemic shock
      - viii. Injuries from weapons of mass destruction
      - ix. Mass casualty incidents
      - x. Mental health
      - xi. Patient with advanced directives
      - xii. Pre-hospital diversion
      - xiii. Respiratory failure or respiratory arrest
      - xiv. Stroke and suspected stroke
      - xv. Sepsis

- xvi. STEMI
- xvii. Suspected drug overdose
- xviii. Treatment induced unconsciousness, altered mental status, hypotension or respiratory depression from physician ordered or protocol appropriate paramedic administered narcotics
- xix. Unconsciousness or altered mental status
- xx. Traumatic injuries
- m. Medical directive for drug shortages, if applicable
- n. Two-way radio communication for day-to-day operations
- o. Two-way radio communication with statewide interoperability channels for disaster response
- p. Proof of dispatch facility
- q. Verification of Director of Operation's requirements
- r. Verification of Medical Director's requirements
- s. Verification of Personnel requirements
  - i. Proof of defensive driving
  - ii. National Registry Certification
  - iii. Louisiana Bureau of EMS license
  - iv. CPR Provider/Instructor
  - v. Criminal background check
- t. Ability to communicate with a physician and/or hospital
- u. Infection control equipment and supplies (gloves, face and eye protection/shield, disinfectants, waterless hand cleaners, sharp containers and biohazard waste trash bags)
- v. DEA registration and Louisiana CDS license
  - i. Dispenser log and perpetual inventory
- w. Random audit of patient care reports; verifying the following information for every patient encounter:
  - i. Demographic information
  - ii. Location of response
  - iii. Date and time of response
  - iv. Patient's chief complaint
  - v. Signs and symptoms
  - vi. Narrative that includes an initial and complete assessment of the patient
  - vii. Vital signs
  - viii. Past medical history
  - ix. Interventions or treatment
  - x. Transport destination and arrival time, if applicable
  - xi. Any other significant information that pertains to the patient
- x. Verification that patient records are stored in accordance with HIPAA regulations
- y. Verification of an emergency preparedness plan; the plan shall include:
  - i. All hazards plan on file that has been approved by the local OHSEP
  - ii. Terrorist incidents and WMD
  - iii. ICS that is compliant with NIMS and the US Department of Homeland Security
  - iv. Mutual aid agreements with all services that are within the same LDH established region



- z. Verification of an ongoing Quality Assurance process that is included in the standards operating procedures manual; this process must include:
  - i. Goals and objectives of the program
  - ii. Identity of the person responsible for the QA program
  - iii. Annual reports, if applicable
  - iv. Method of evaluation (i.e., patient care reports, unit checklists, etc.)
  - v. Method for resolving problems identified in the QA process
  - vi. Method for implementing practices to improve patient care quality
  - vii. Annual review and revisions by Medical Director and Director of Operations

## **§705 EMS Provider Fleet Addition or Temporary Vehicle Use**

- A. Fleet Addition
  - 1. All additions to the fleet (ground, air, or sprint), whether permanent or temporary must be reported to the department and “permitted” for use prior to the vehicle being used to run calls and transport patients.
  - 2. Submit the following:
    - i. Completed Request for Inspection Form.
    - ii. Copy of the certificate of registration from the office of Motor Vehicles or the Federal Aviation Administration.
    - iii. Proof of commercial automobile or aircraft liability insurance on the vehicle.
    - iv. \$75.00 per vehicle inspection fee.
  - 3. If the fleet addition is a replacement to a current fleet vehicle, indicate the vehicle to be removed on the Request for Inspection Form.
  - 4. Once the required documents are received, a 90-day permit will be issued and an inspection date will be established.
  - 5. A full license will be issued after a successful inspection of the vehicle.
- B. Temporary Vehicles
  - 1. Any vehicle borrowed, leased or rented by the service for less than 90 days shall not be subject to a vehicle inspection fee.
  - 2. All vehicles shall be subject to compliance with the minimum licensing regulations for EMS providers and are issued a temporary notice of approval for use. The temporary approval shall be carried in the vehicle at all times.
  - 3. Submit the following:
    - a. Request to Utilize Temporary Vehicle form.
- C. Removal of a vehicle
  - 1. If a vehicle is being removed from the fleet and is not being replaced, notify the Compliance Coordinator with 30 days of removal by completing a request for inspection and only utilize the “unit taken out of service” portion of the form.

## **§707 Bureau of EMS Payment Procedure**

- A. All documents and payments (in the form of a money order or company check) must be mailed to the same location:
  - Bureau of EMS
  - Attn: Compliance Coordinator
  - 7273 Florida Blvd.
  - Baton Rouge, LA 70806

## **§709 Significant Changes in Operation**

- A. EMS Provider Physical Address of the Headquarters
  - 1. Submit the following:
    - a. A "Letter of Intent" describing the specifics of the change (address changed from and to) that has occurred and the effective date of that change.
    - b. A completed license application.
    - c. The fee of \$100.
- B. EMS Agency Name Change
  - 1. Submit the following:
    - a. A "Letter of Intent" describing the specifics of the change that has occurred and the effective date of that change.
    - b. A completed license application.
    - c. The fee of \$25.
    - d. A copy of the documents or articles of incorporation from the Secretary of State's Office indicating the change
- C. Substation Changes
  - 1. Phone number, 24-hour contact procedure, address or phone number of any substation or the addition of any substations, insurance coverage
- D. EMS Agency Key Administrative Personnel Change
  - 1. Any change regarding the facility's key administrative personnel shall be reported in writing to the department within five working days of the change.
  - 2. Key administrative personnel include the following:
    - a. Administrator
    - b. Director of Operations
    - c. Medical Director
  - 3. Key administrative personnel changes should be reported by completing and submitting the Key Personnel Change Form.
- E. EMS Provider Cessation of Business
  - 1. If at any time the ambulance service is no longer operational, for any reason other than man-made or natural disaster, the license shall be deemed invalid and shall be returned to the department within five working days.
  - 2. The agency owner shall be responsible for notifying the department of the location of all records and a contact person.
  - 3. All emergency vehicles no longer in use shall have all audible and visible warning signals and markings indicating their emergency status removed.
- F. EMS Provider Change in Service Area
  - 1. Expansion of Service Areas
    - a. An ambulances service area is that territory which the ambulance provider renders services, has vehicles posted or domiciled, and is legally authorized by the local governing body(ies) to provide services.
    - b. If an ambulance provider wishes to expand into additional service areas, he must notify the department at least 72 hours in advance.
    - c. The provider shall also provide a copy of all necessary local permits and licenses or other legal clearances.
    - d. Within 90 days of moving into a new territory, the ambulance service shall furnish the department with a copy of the necessary protocol approvals by the appropriate parish or component medical society in accordance with RS 40:1234E.1.

2. Withdrawal from a Service Area
  - a. If an ambulance service withdraws from a territory, it must notify the department at least 30 days in advance.
  - b. It must provide the department with evidence that it has notified the appropriate local authorities that it will no longer be providing ambulance service in the area.

## **§711 Change of Ownership of the EMS Provider Information**

- A. Providers must complete this document when they have a change in their ownership structure. This document would be used for both a change of ownership (CHOW) as defined by state and/or federal regulations, or a change of ownership information (CHOI) that does not meet the state and/or federal regulations CHOW definition.
- B. Change in Ownership Information, submit the following documents:
  1. Letter of Intent (including d/b/a and entity name of the previous and the new owner, the effective date of transfer of ownership, address and phone number).
  2. A diagram showing the ownership structure “before” and “after” the change.
  3. Copy of the executed Bill of Sale.
  4. Initial License Application
- C. Change of Ownership, submit the following documents:
  1. All documents listed in B.1-4.
  2. Licensing fee.
  3. Service Area description including map.
  4. Certificate of insurance verifying proof of required automobile or aircraft liability insurance (Medical Malpractice, automobile and general liability).
    - a. Insurance cards are NOT acceptable.
  5. A copy of all medical protocols signed by the physician/medical director with their prescribed approvals by the parish or component medical society, and/or the LERN (electronic copies are acceptable).
  6. Proof that the provider has a Medical Director and such director is a physician licensed to practice by the LSBME and who has responsibility and authority to ensure quality of care and provide guidance for all medical aspects of EMS.
  7. Copies of key personnel certifications and professional licensure(s), inclusive of the director of operations and the medical director.
  8. For providers of advanced life support, verification that the provider possesses a LA controlled substance license and a U.S. DEA controlled substance registration.
  9. List of all units: Ambulance and Sprint Vehicles include VIN, make, year model, type, license plate number, unit (fender) number, and mileage.
  10. For ground transportation providers, a copy of the certification of registration from the Office of Motor Vehicles.
  11. For air ambulances provider, a copy of the FAA Part 135 Commercial air Taxi Certificate.
  12. List of all ambulance stations: include complete geographical address, including zip code.
  13. Proof that the ambulance holds a CLIA certificate commensurate with the level of testing performed.
  14. Documentation that the applicant is in compliance with the criminal history check requirements of R.S. 40:12031-12035.
  15. A copy of all necessary local permits and licenses to operate in a service area.
  16. A copy of the services current equipment and supply checklist.

### **§713 Complaints**

- A. Complete the Complaint Form

### **§715 Inspection of Vehicles**

- A. All fleet additions will be inspected within 90 days of the in-service date.
- B. Only vehicles with a DPS/OMV license will be inspected.
- C. Annual inspections will take place during the month of license expiration.

# ***911 COMMUNICATIONS/TELEPHONE CPR***

The Bureau of EMS shall oversee and identify all public and private agencies, institutions, and individuals that are or may be engaged in the T-CPR training, along with setting minimum standards for course approval based on nationally recognized guidelines.

The Bureau of EMS shall implement an efficient means for each public safety agency employing public safety telecommunicator efficient means for either the public safety agency or the public safety telecommunicator to provide a certificate of completion of the T-CPR training required by the state.

## **§801 Telephone Cardiopulmonary Resuscitation (T-CPR)**

- A. A public safety Telecommunicator shall be trained in telephone cardiopulmonary resuscitation (T-CPR) utilizing training that meets or exceeds nationally recognized emergency cardiovascular care guidelines adopted by the bureau every two years. At the minimum, this training shall incorporate recognitions protocols for out of the hospital cardiac arrest, compression-only CPR instructions for callers and continuing education as appropriate.
  - 1. Emergency Medical Dispatch (EMD) Certifications (APCO, IAED), or the Telephone CPR certification obtained through the LA Bureau of EMS, Quick Links. <http://www.ldh.la.gov/index.cfm/subhome/28> are acceptable.
  - 2. It shall be the Agencies responsibility to ensure their employees stay current with their EMD or T-CPR certifications. It will be the employee responsibility to ensure a copy of their renewed certifications are uploaded into their account on the BEMS Portal system. <https://labems.ldh.la.gov/>
  - 3. It will be the Agencies Administrator responsibility to update, delete or make any changes regarding personnel access level, associated with their agency within the BEMS Portal System.
- B. The T-CPR Certification must be obtained and uploaded into the BEMS Portal system for each parish as follows:
  - 1. On or before January 1, 2019, each public safety telecommunicator in a parish with a population greater than one hundred thousand, according to the latest federal decennial census.
  - 2. On or before January 1, 2020, each public safety telecommunicator in a parish with a population between fifty thousand and one hundred thousand, according to the latest federal decennial census.
  - 3. On or before January 1, 2021, each public safety telecommunicator in a parish with a population less than fifty thousand, according to the latest federal decennial census.
- C. A public safety agency may enter into a reciprocal agreement with another public safety agency to provide T-CPR, provided that the agency that accepts the call has a public safety communicator who is trained in T-CPR.
  - 1. The reciprocal agreement shall be kept on hand for review upon request/audit performed by the Bureau of EMS.
  - 2. If the Agency is unable to obtain a reciprocal agreement, their telecommunicators for their agency shall be required to maintain a certificate of T CPR/EMD.

## **§803 Loading Documentation in the Bureau of EMS Information Management System (IMS)**

- A. Creating a new account/agency in the Bureau of EMS IMS
  1. Telecommunicators that are required to be certified in Telephone CPR (T-CPR) are required to be registered in the Bureau of EMS IMS for tracking purposes.
  2. The Communication's Agency Administrator shall create an account to track current employees.
    - a. The Agency Administration must create a personal account, then create the Agency Account.
    - b. This can be accomplished by logging into the Bureau of EMS IMS at <http://www.ldh.la.gov/index.cfm/page/759> under the IMS "How To" link, step by step instructions on creating a new account/agency are provided.
- B. Updated an existing account in the Bureau of EMS IMS
  1. Log into the Bureau of EMS IMS, <https://labems.ldh.la.gov/>
  2. Update the information by answering YES to "Are you a Telecommunicator?"
  3. Upload a current copy of the EMD/TCPR certificate.
  4. When finished uploading, check the box on the last page under AFFADAVIT next to "I Agree" then submit.