



906756

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/02/2022	.	
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The Committee on Health Policy (Brodeur) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (8) is added to section 401.25,
Florida Statutes, to read:

401.25 Licensure as a basic life support or an advanced
life support service.—

(8) (a) Notwithstanding paragraph (2) (d) or any general law,
special act, or local ordinance to the contrary, and except as



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11 provided in paragraph (b), the department shall issue a
12 governmental entity a license to provide advanced life support
13 nontransport services without requiring it to obtain a
14 certificate of public convenience and necessity if the
15 governmental entity maintains a fire rescue infrastructure that
16 dispatches first responders as defined in s. 112.1815(1) and
17 meets all other licensure requirements of this section. A
18 governmental entity issued a license under this subsection is
19 subject to all of the following requirements and limitations:

20 1. The governmental entity must require its medical
21 director to issue standing orders or protocols to implement the
22 medical standards of any countywide common medical protocol
23 applicable to the entity, if such protocol is instituted. An
24 entity must submit an affidavit with its licensure application
25 certifying that its medical director has issued such standing
26 orders or protocols. As used in this subparagraph, the term
27 "countywide common medical protocol" means medical standards
28 issued by a county's medical director or a council created by
29 county ordinance which specify protocols for the provision of
30 basic and advanced life support services in that county. Such
31 standards must be based on whether the procedures are being
32 performed by an emergency medical technician or a paramedic and
33 not based on the employer of, or type of response vehicle used
34 by, such emergency medical personnel.

35 2. The governmental entity is eligible only for advanced
36 life support nontransport vehicle permits issued under s.
37 401.26.

38 3. The governmental entity may provide only advanced life
39 support nontransport services and is authorized to provide such



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40 services within its jurisdictional boundaries and areas that it
41 serves in accordance with a closest unit response agreement or
42 mutual or automatic aid agreement.

43 (b) The exemption under this subsection does not apply to a
44 governmental entity that:

45 1. Is located within a county in which there is a
46 countywide emergency medical services authority created by
47 special act;

48 2. Is located within a county that has more than 35
49 municipalities; or

50 3. Contracts with a private entity licensed by the
51 department to provide emergency medical services.

52 (c) A county may not limit, prohibit, or prevent a
53 governmental entity that has been issued a license under this
54 subsection from providing advanced life support nontransport
55 services, including, but not limited to, requiring the
56 governmental entity to obtain a license, certificate, or vehicle
57 permit or to pay a fee to provide such services in that county.

58 (d) This subsection may not be construed to exempt an
59 applicant from any other requirement for licensure under state
60 law or to exempt a licensee from otherwise complying with this
61 part or department rules.

62 Section 2. Subsection (1) of section 401.26, Florida
63 Statutes, is amended to read:

64 401.26 Vehicle permits for basic life support and advanced
65 life support services.—

66 (1) Every licensee shall possess a valid permit for each
67 transport vehicle, advanced life support nontransport vehicle,
68 and aircraft in use. Applications for such permits must ~~shall~~ be



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69 made upon forms prescribed by the department. The licensee shall
70 provide documentation that each vehicle for which a permit is
71 sought meets the appropriate requirements for a basic life
72 support or advanced life support service vehicle, whichever is
73 applicable, as specified by rule of the department. A permit is
74 not required for an advanced life support nontransport vehicle
75 that is intended to be used for scene supervision, incident
76 command, or the augmentation of supplies. A governmental entity
77 issued a license under s. 401.25(8) is eligible only for an
78 advanced life support nontransport vehicle permit.

79 Section 3. Present subsection (5) of section 401.265,
80 Florida Statutes, is redesignated as subsection (6), a new
81 subsection (5) is added to that section, and subsection (4) of
82 that section is amended, to read:

83 401.265 Medical directors.—

84 (4) Each medical director who uses a paramedic or emergency
85 medical technician to perform blood pressure screenings or
86 ~~screening,~~ health promotion~~,~~ and wellness activities~~,~~ or to
87 administer immunizations or medical countermeasures in a
88 nonemergency environment ~~immunization on any patient~~ under a
89 protocol as specified in s. 401.272~~,~~ ~~which is not in the~~
90 ~~provision of emergency care,~~ is liable for any act or omission
91 of any paramedic or emergency medical technician acting under
92 his or her supervision and control when performing such
93 activities and services.

94 (5) A State Emergency Medical Services (EMS) Medical
95 Director shall be appointed by and report to the State Surgeon
96 General. The State EMS Medical Director must be a physician
97 licensed under chapter 458 or chapter 459 who has specialized



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98 training and experience in the provision of emergency medical
99 services and who has recognized skills in leadership and the
100 promotion of emergency medical services programs. The State EMS
101 Medical Director shall perform such duties as directed by the
102 State Surgeon General and serve on the Emergency Medical
103 Services Advisory Council created under s. 401.245.

104 Section 4. Section 401.272, Florida Statutes, is amended to
105 read:

106 401.272 Emergency medical services community health care.—

107 (1) As used in this section, the term:

108 (a) “Health promotion and wellness activities” means the
109 provision of public health programs relating to the prevention
110 or reduction of illness or injury.

111 (b) “Medical countermeasures” means lifesaving medication
112 or medical supplies regulated by the United States Food and Drug
113 Administration which can be used to diagnose, prevent, protect
114 from, or treat conditions associated with chemical, biological,
115 radiological, or nuclear threats, emerging infectious diseases,
116 or natural disasters.

117 (2) The purpose of this section is to encourage more
118 effective utilization of the skills of emergency medical
119 technicians and paramedics by enabling them to perform, in
120 partnership with local county health departments, specific
121 additional health care tasks that are consistent with the public
122 health and welfare.

123 (3) ~~(2)~~ Notwithstanding any other ~~provision of~~ law to the
124 contrary:

125 (a) Paramedics or emergency medical technicians may perform
126 health promotion and wellness activities and blood pressure



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127 screenings in a nonemergency environment, within the scope of
128 their training, and under the direction of a medical director.
129 ~~As used in this paragraph, the term "health promotion and~~
130 ~~wellness" means the provision of public health programs~~
131 ~~pertaining to the prevention of illness and injury.~~

132 (b) Paramedics may administer immunizations or medical
133 countermeasures in a nonemergency environment, within the scope
134 of their training, and under the direction of a medical
135 director. There must be a written agreement between the
136 paramedic's medical director and the department or the county
137 health department located in each county in which the paramedic
138 administers immunizations or medical countermeasures. This
139 agreement must establish the protocols, policies, and procedures
140 under which the paramedic must operate.

141 ~~(4)~~~~(3)~~ Each medical director under whose direction a
142 paramedic administers immunizations or medical countermeasures
143 must verify and document that the paramedic has received
144 sufficient training and experience to administer immunizations
145 or medical countermeasures, as applicable. The verification must
146 be documented on forms developed by the department, and the
147 completed forms must be maintained at the service location of
148 the licensee and made available to the department upon request.

149 (5) An independent special fire control district as defined
150 in s. 191.003 may allow its paramedics and emergency medical
151 technicians to perform blood pressure screenings or health
152 promotion and wellness activities or administer immunizations or
153 medical countermeasures in accordance with this section.

154 ~~(6)~~~~(4)~~ The department may adopt and enforce all rules
155 necessary to enforce the provisions relating to a paramedic's



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156 administration of immunizations and medical countermeasures and
157 the performance of health promotion and wellness activities and
158 blood pressure screenings by a paramedic or emergency medical
159 technician in a nonemergency environment.

160 Section 5. This act shall take effect upon becoming a law.

161

162 ===== T I T L E A M E N D M E N T =====

163 And the title is amended as follows:

164 Delete everything before the enacting clause
165 and insert:

166 A bill to be entitled
167 An act relating to advanced life support nontransport
168 services and medical countermeasures; amending s.
169 401.25, F.S.; exempting certain governmental entities
170 from the requirement to obtain a certificate of public
171 convenience and necessity for a license to provide
172 advanced life support nontransport services; providing
173 requirements for, and limitations on, the provision of
174 advanced life support nontransport services by such
175 entities; defining the term "countywide common medical
176 protocol"; providing applicability; prohibiting
177 counties from limiting, prohibiting, or preventing
178 such entities from providing advanced life support
179 nontransport services; providing construction;
180 amending s. 401.26, F.S.; conforming a provision to
181 changes made by the act; amending s. 401.265, F.S.;
182 providing that a medical director is liable for any
183 act or omission of a paramedic under his or her
184 supervision who administers medical countermeasures in



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185 a nonemergency environment; providing for a State
186 Emergency Medical Services Medical Director appointed
187 by the State Surgeon General; requiring the medical
188 director to meet certain minimum qualifications and
189 perform certain duties; amending s. 401.272, F.S.;
190 defining the terms "health promotion and wellness
191 activities" and "medical countermeasures"; authorizing
192 paramedics to administer medical countermeasures in a
193 nonemergency environment under the direction of a
194 medical director; providing that a paramedic's medical
195 director may have a certain required written agreement
196 with the Department of Health, rather than only with a
197 county health department; requiring medical directors
198 to verify and document that paramedics under their
199 direction have received sufficient training and
200 experience to administer medical countermeasures;
201 authorizing independent special fire control districts
202 to allow their paramedics and emergency medical
203 technicians to perform certain activities and
204 administer certain services in accordance with
205 specified provisions; providing an effective date.