

[First Reprint]

ASSEMBLY, No. 4107

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED MAY 26, 2022

Sponsored by:

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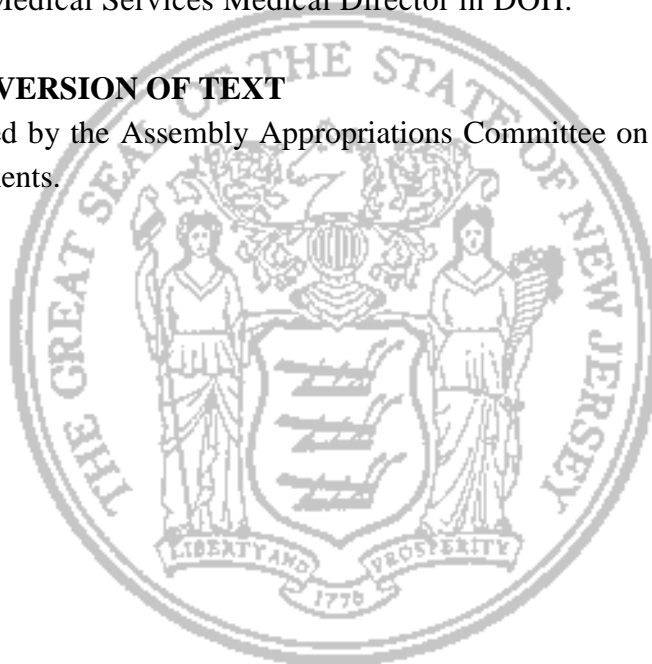
Assemblywoman McCarthy Patrick and Assemblyman Freiman

SYNOPSIS

Makes various changes concerning regulation of emergency medical services; establishes mobile integrated health program and new State Emergency Medical Services Medical Director in DOH.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on June 23, 2022, with amendments.



(Sponsorship Updated As Of: 6/27/2022)

1 AN ACT concerning emergency medical services ¹and mobile
 2 integrated health¹ and amending ¹and supplementing¹ P.L.1984,
 3 c.146.

4
 5 **BE IT ENACTED** by the Senate and General Assembly of the State
 6 of New Jersey:

7
 8 1. Section 1 of P.L.1984, c.146 (C.26:2K-7) is amended to read
 9 as follows:

10 1. As used in this act:

11 a. "Advanced life support" means an advanced level of [pre-
 12 hospital, inter-hospital, and] emergency [service] medical care,
 13 including specialty care transport, which includes basic life support
 14 functions[, cardiac monitoring, cardiac defibrillation, telemetered
 15 electrocardiography, administration of anti-arrhythmic agents,
 16 intravenous therapy, administration of specific medications, drugs
 17 and solutions, use of adjunctive ventilation devices, trauma care and
 18 other techniques and procedures authorized in writing by the
 19 commissioner] and procedures, medications, and equipment
 20 established by the National Highway Traffic Safety
 21 Administration's scope of practice for paramedics, and any other
 22 such procedures, medications, and equipment as set forth in
 23 ¹**[Section] section**¹ 6 of P.L.1984, c.146 (C.26:2K-12);

24 b. "Board of Medical Examiners" means the State Board of
 25 Medical Examiners;

26 c. "Board of Nursing" means the New Jersey Board of Nursing;

27 d. "Commissioner" means the Commissioner of the ¹**[State]**¹
 28 Department of Health;

29 e. "Department" means the ¹**[State]**¹ Department of Health;

30 f. "Emergency [service] department" means a program in a
 31 hospital staffed 24 hours a day by a licensed physician trained in
 32 emergency medicine;

33 g. **["Inter-hospital]** "Specialty care transport" means **[those**
 34 emergency medical] services that are above basic life support
 35 services rendered **[by mobile intensive care units]** to **[emergency]**
 36 patients before and during transportation between **[emergency**
 37 treatment] licensed facilities, during retrieval from those facilities,
 38 and upon arrival within those facilities;

39 h. "Mobile intensive care paramedic" means a person trained in
 40 advanced life support services and **[certified]** licensed by the
 41 commissioner to render advanced life support services as part of a
 42 mobile intensive care unit or as otherwise provided in section 4 of
 43 P.L.1984, c.146 (C.26:2K-10);

44 i. "Mobile intensive care unit" means a specialized emergency

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
 not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AAP committee amendments adopted June 23, 2022.

1 medical service **【vehicle】** unit that is staffed **【by mobile intensive**
2 **care paramedics or registered professional nurses trained in**
3 **advanced life support nursing】** in accordance with paragraph (2) of
4 subsection a. of section 6 of P.L.1984, c.146 (C.26:2K-12) and
5 operated for the provision of advanced life support services under
6 the direction of an authorized hospital;

7 j. "Pre-hospital care" means those **【emergency】** medical
8 services rendered by **【mobile intensive care units to emergency**
9 **patients】** emergency medical services personnel before and during,
10 or in lieu of, transportation to **【emergency treatment】** medical
11 facilities, and upon arrival within those facilities.

12 k. "Volunteer paramedic unit" means an operational subunit
13 within a mobile intensive care unit that is exclusively staffed by at
14 least two volunteer paramedics with access to any vehicle,
15 including a personal vehicle.

16 l. "Agency EMS medical director" means a physician licensed
17 in this State who is certified in emergency medicine or emergency
18 medical services, or both, and is responsible for the medical
19 oversight of a hospital mobile intensive care program.

20 m. "Mobile integrated health" means ¹【the provision of non-
21 emergency】¹ health care services ¹【by a paramedic, registered
22 nurse, advanced practice nurse, or physician assistant under a
23 mobile intensive care program using】 delivered with the approval
24 of the Department of Health to patients outside of a hospital setting,
25 using mobile resources, and employing team-based and¹ patient-
26 centered ¹【, mobile resources in a prehospital】¹ care ¹【environment
27 through an approved mobile intensive care hospital】¹.

28 (cf: P.L.2021, c.480, s.1)

29
30 2. Section 2 of P.L.1984, c.146 (C.26:2K-8) is amended to read
31 as follows:

32 2. a. A mobile intensive care paramedic shall obtain
33 **【certification】** licensure from the commissioner to **【staff a mobile**
34 **intensive care unit】** provide advanced life support and shall make
35 application therefor on forms prescribed by the commissioner.

36 b. The commissioner with the approval of the **【board of**
37 **medical examiners】** State Board of Medical Examiners shall
38 establish written standards which a mobile intensive care paramedic
39 shall meet in order to obtain **【certification】** licensure. The
40 commissioner shall act on a regular basis upon applications of
41 candidates for **【certification】** licensure as a mobile intensive care
42 paramedic. **【The commissioner shall certify a candidate who**
43 **provides satisfactory evidence of the successful completion of an**
44 **educational program approved by the commissioner for the training**
45 **of mobile intensive care paramedics and who passes an examination**
46 **in the provision of advance life support services, which examination**

1 shall be conducted by the department at least twice a year.】 The
2 commissioner shall **【certify】** license a candidate ¹**【for】** as¹ a
3 mobile intensive care paramedic **【certification】** who has equivalent
4 military training or experience in any branch of the active duty or
5 reserve component of the Armed Forces of the United States or the
6 National Guard of any state if the commissioner determines that the
7 candidate's military training and experience exceed or are
8 equivalent to the certification standards established by the
9 **【commissioner】** National Registry of Emergency Medical
10 Technicians. The commissioner shall license a candidate ¹**【for】** as¹
11 a mobile intensive care paramedic who is registered as a paramedic
12 with the National Registry of Emergency Medical Technicians.

13 c. The department shall maintain a register of all applicants for
14 **【certification】** licensure hereunder, which register shall include but
15 not be limited to:

16 (1) The name and residence of the applicant;

17 (2) The date of the application;

18 (3) Information as to whether the applicant was rejected or
19 **【certified】** licensed and the date of that action.

20 The department shall annually compile a list of mobile intensive
21 care paramedics. This list shall be available to the public.

22 (cf: P.L.2013, c.101, s.2)

23

24 3. Section 3 of P.L.1984, c.146 (C.26:2K-9) is amended to read
25 as follows:

26 3. The commissioner after notice and hearing may revoke the
27 **【certification】** license of a mobile intensive care paramedic for
28 violation of any provision of this act or regulation promulgated
29 hereunder.

30 (cf: P.L.1984, c.146, s.3)

31

32 4. Section 4 of P.L.1984, c.146 (C.26:2K-10) is amended to
33 read as follows:

34 4. a. A mobile intensive care paramedic may perform
35 advanced life support services, provided that the paramedic is
36 following a standing order, or if the paramedic maintains direct
37 voice communication with and is taking orders from a licensed
38 physician or physician directed registered professional nurse, both
39 of whom are affiliated with a mobile intensive care hospital which
40 is approved by the commissioner to provide advanced life support
41 services. **【A telemetered electrocardiogram shall be monitored**
42 **when deemed appropriate by the licensed physician or when**
43 **required by written rules and regulations established by the mobile**
44 **intensive care hospital and approved by the commissioner.】**

45 b. (1) A mobile intensive care paramedic may deliver advanced
46 life support services, or any other services within the approved
47 scope of practice for mobile intensive care paramedics, in a pre-

1 hospital setting, in a mobile integrated health care setting, health
2 care specialty setting, or any other hospital-controlled setting,
3 through an approved mobile intensive care hospital, as determined
4 by the commissioner and as authorized by the agency EMS medical
5 director. A mobile intensive care paramedic shall be permitted to
6 provide advanced life support services when operating outside of a
7 mobile intensive care unit in situations directly related to EMS first
8 response or mobile integrated health as authorized by the mobile
9 intensive care paramedic's agency EMS medical director. A single
10 mobile intensive care paramedic shall not be acknowledged as a
11 mobile intensive care unit.

12 (2) The authorized services provided under a mobile integrated
13 health program shall be determined by the agency EMS medical
14 director overseeing the program, and may include, but need not be
15 limited to: providing paramedicine care, chronic disease
16 management, preventive care, and post-discharge follow-up visits;
17 or providing referrals and transportation assistance to appropriate
18 care and services to patients requiring health care services who do
19 not require hospital-based treatment.

20 c. Nothing in this section shall be construed to alter the scope
21 of practice of any licensed health care professional under Title 45 of
22 the Revised Statutes or the scope or authority of any agency, board,
23 department, or other entity in this State that is responsible for
24 licensing health care workers.

25 (cf: P.L.2021, c.480, s.2)

26

27 5. Section 6 of P.L.1984, c.146 (C.26:2K-12) is amended to
28 read as follows:

29 6. a. (1) Only a hospital exclusively authorized to develop and
30 maintain advanced life support services in the municipality in which
31 the trauma center is located pursuant to section 1 of P.L.2015, c.70
32 (C.26:2K-12.1), or a hospital authorized by the commissioner with
33 an accredited emergency [service] department may develop and
34 maintain a mobile intensive care unit, and provide advanced life
35 support services utilizing licensed physicians, registered
36 professional nurses trained in advanced life support nursing, and
37 mobile intensive care paramedics.

38 (2) A mobile intensive care unit, when in service, shall be staffed
39 by a minimum of two persons, which two persons may be two
40 mobile intensive care paramedics, two registered professional
41 nurses trained in advanced life support nursing, one mobile
42 intensive care paramedic and one registered professional nurse
43 trained in advanced life support nursing, or one emergency medical
44 technician and one mobile intensive care paramedic or registered
45 professional nurse trained in advanced life support nursing. Any
46 individual providing advanced life support as provided in this
47 paragraph shall be authorized to render care within that individual's
48 scope of practice based on the agency EMS medical director's

1 determination of competency. In the case of a mobile intensive care
2 unit staffed by one emergency medical technician and one mobile
3 intensive care paramedic or registered professional nurse trained in
4 advanced life support nursing treating a patient in need of advanced
5 life support services, the mobile intensive care paramedic or
6 registered professional nurse trained in advanced life support
7 nursing shall provide primary patient care. A mobile intensive care
8 unit shall not be staffed by an emergency medical technician under
9 this paragraph unless approved by the agency EMS medical
10 director, based on the EMS medical director's determination of the
11 competency of the mobile intensive care paramedic or registered
12 professional nurse trained in advanced life support nursing and the
13 emergency medical technician to work together to provide mobile
14 intensive care services.

15 (3) Agency EMS medical directors shall have the authority to
16 establish advanced life support protocols, within the scope of
17 practice for advanced life support providers established by the
18 commissioner, which protocols shall include, but shall not be
19 limited to, protocols concerning medications, equipment,
20 procedures, and clinical practice. Aspects of clinical practice that
21 exceed the scope established by commissioner shall be submitted by
22 an agency EMS medical director to the mobile intensive care
23 advisory council for review and recommendation to the
24 commissioner.

25 (4) A hospital with a mobile intensive care unit may authorize a
26 board-certified or board-eligible emergency medicine physician,
27 advanced practice nurse, or physician assistant, who has
28 successfully completed an in-house practical competency-based
29 ¹['EMS'] emergency medical services¹ orientation and training
30 guided by respective relevant professional standards and approved
31 by the agency EMS medical director, and is employed by the
32 hospital to deliver care within the approved scope of practice of the
33 ¹['board certified'] board-certified¹ or ¹['board eligible'] board-
34 eligible¹ emergency medicine physician, advanced practice nurse,
35 or physician assistant in a ¹['prehospital'] pre-hospital¹ setting or an
36 interfacility setting, as determined by the agency EMS medical
37 director.

38 b. A hospital authorized by the commissioner pursuant to
39 subsection a. of this section shall provide mobile intensive care unit
40 services on a seven-day-a-week basis.

41 c. The commissioner shall establish, in writing, criteria which a
42 hospital shall meet in order to qualify for the authorization.

43 d. The commissioner may withdraw his authorization if the
44 hospital or unit violates any provision of this act or rules or
45 regulations promulgated pursuant thereto.

46 e. Nothing in this section shall be construed to alter the scope
47 of practice of any licensed health care professional under Title 45 of
48 the Revised Statutes or the scope or authority of any agency, board,

1 department, or other entity in this State that is responsible for
2 licensing health care workers.

3 (cf: P.L.1985, c.351, s.2)

4
5 6. Section 7 of P.L.1984, c.146 (C.26:2K-13) is amended to read
6 as follows:

7 7. a. No person may advertise or disseminate information to
8 the public that the person provides advanced life support services
9 by a mobile intensive care unit unless the person is authorized to do
10 so pursuant to section 6 of ¹**[this act]** P.L.1984, c.146 (C.26:2K-
11 12)¹ .

12 b. No person may impersonate or refer to himself or herself as
13 a mobile intensive care paramedic unless ¹**[he or she]** the person¹ is
14 **[certified]** licensed or approved therefor, as appropriate.

15 (cf: P.L.1984, c.146, s.7)

16
17 7. Section 8 of P.L.1984, c.146 (C.26:2K-14) is amended to read
18 as follows:

19 8. No emergency medical technician, mobile intensive care
20 paramedic, licensed physician, hospital or its board of trustees,
21 officers and members of the medical staff, **[nurses]** registered
22 nurse, advanced practice nurse, physician assistant, or other
23 employees of the hospital, first aid, **[ambulance]** ¹**[emergency**
24 **medical service]** ambulance¹ or rescue squad, licensed emergency
25 medical ¹**[service]** services¹ agency, or officers and members of a
26 first aid, ¹**[emergency medical service]** ambulance¹ or rescue squad
27 shall be liable for any civil damages as the result of an act or the
28 omission of an act committed while in training for or in the
29 rendering of basic and advanced life support services in good faith
30 and in accordance with this act.

31 (cf: P.L.1984, c.146, s.8)

32
33 8. Section 10 of P.L.1984, c.146 (C.26:2K-16) is amended to
34 read as follows:

35 10. ¹**[a]** a.¹ (1) The Commissioner of Health shall appoint a
36 State Emergency Medical Services Medical Director to the Office
37 of Emergency Medical Services ¹in the Department of Health¹ .
38 The State Emergency Medical Services Medical Director shall be a
39 licensed physician in this State and board certified in emergency
40 medicine with leadership experience in the medical oversight of
41 emergency medical services, specifically in advanced life support,
42 basic life support, critical care transport, and emergency medical
43 services dispatching. In selecting the State Emergency Medical
44 Services Medical Director, the Commissioner of Health shall give
45 preference to a candidate who is board certified in emergency
46 medical services. The State Emergency Medical Services Medical
47 Director shall not be permitted to be employed as an agency EMS

1 medical director while serving as State Emergency Medical
2 Services Medical Director.

3 (2) The State Emergency Medical Services Medical Director
4 shall be coequal with the Director of Emergency Medical Services.
5 The State Emergency Medical Services Medical Director shall have
6 primary responsibility for the oversight, regulation, and discipline
7 related to clinical issues pertaining to the provision of emergency
8 medical services in New Jersey, and the Director of Emergency
9 Medical Services shall have primary responsibility for the oversight
10 of non-clinical issues related to the provision of emergency medical
11 services in New Jersey. The State Emergency Medical Services
12 Medical Director shall additionally be responsible for aiding the
13 commissioner in promulgating rules and regulations establishing the
14 scope of practice for providers of emergency medical services,
15 including new standards for basic and advanced life support based
16 on the National EMS Scope of Practice Model and the
17 recommendations of the mobile intensive care advisory council.

18 b. The commissioner shall establish a State mobile intensive
19 care advisory council, which shall: advise the department on all
20 matters of [mobile intensive care services] advanced life support,
21 the Emergency Medical Service Helicopter Response Program and
22 emergency medical transportation; annually review advanced life
23 support scope of practice; and provide recommendations directly to
24 the commissioner for clinical updates. The council shall [select a
25 chairman annually to chair the meetings and coordinate the
26 activities of the advisory council] be chaired by the State
27 Emergency Medical Services Medical Director. Within 60 days
28 following the effective date of ¹[this act] P.L. , c. (pending
29 before the Legislature as this bill) ¹, the council shall create new by-
30 laws, and select a vice-chair from among its members. In the event
31 that the State Emergency Medical Services Medical Director
32 position is vacant, the vice-chair shall act as chair of the council
33 until the State Emergency Medical Services Medical Director
34 position is no longer vacant. The [chairman] chair shall appoint
35 subcommittees to review and recommend policy on subjects
36 including, but not limited to, advanced life support training
37 programs, advanced life support patient care equipment, biomedical
38 and telecommunications equipment and procedures, treatment
39 protocols, and helicopter equipment and procedures, as well as
40 other medical matters.

41 (cf: P.L.1986, c.106, s.5)

42
43 ¹9. (New section) a. The Department of Health shall establish a
44 mobile integrated health program. In establishing the mobile
45 integrated health program, the Department of Health shall consider
46 relevant standards and criteria developed or adopted by nationally
47 recognized agencies or organizations, as well as recommendations
48 of interested stakeholders, including, but not limited to, the State

1 Trauma System Advisory Committee and the Mobile Intensive Care
2 Advisory Council.

3 b. The Department of Health shall establish, in writing, criteria
4 by which an entity may apply for and receive authorization from the
5 department to participate in the mobile integrated health program,
6 and criteria by which an entity may lose authorization to participate
7 in the mobile integrated health program.

8 c. The Commissioner of Health shall adopt rules and regulations
9 as are necessary to effectuate the provisions of this section, which
10 rules and regulations shall be effective immediately upon filing
11 with the Office of Administrative Law for a period not to exceed 18
12 months, and shall, thereafter, be amended, adopted, or readopted in
13 accordance with the provisions of the "Administrative Procedure
14 Act," P.L.1968, c.410 (C.52:14B-1 et seq.)."¹

15

16 ¹**[9.] 10.**¹ Section 11 of P.L.1984, c.146 (C.26:2K-17) is
17 amended to read as follows:

18 11. The commissioner shall promulgate such rules and
19 regulations in accordance with the "Administrative Procedure Act,"
20 P.L.1968, c.410 (C.52:14B-1 et seq.) as **[he]** the commissioner
21 deems necessary to effectuate the purposes of this act, and the
22 **[board of medical examiners]** State Board of Medical Examiners
23 and the [board of nursing] New Jersey Board of Nursing shall
24 promulgate such rules and regulations as they deem necessary to
25 carry out their functions under this act.
26 (cf: P.L.1984, c.146, s.11)

27

28 ¹**[10.] 11.**¹ This act shall take effect immediately.