

[First Reprint]

**SENATE, No. 2768**

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# **STATE OF NEW JERSEY**

## **220th LEGISLATURE**

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INTRODUCED MAY 26, 2022

**Sponsored by:**

**Senator JOSEPH F. VITALE**

**District 19 (Middlesex)**

**Senator ROBERT W. SINGER**

**District 30 (Monmouth and Ocean)**

### **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 Senate Health, Human Services and Senior Citizens Committee on June 23, 2022, with amendments.



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

1 AN ACT concerning emergency medical services <sup>1</sup>and mobile  
 2 integrated health<sup>1</sup> and amending <sup>1</sup>and supplementing<sup>1</sup> 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 <sup>1</sup>**[Section]** section<sup>1</sup> 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 <sup>1</sup>**[State]**<sup>1</sup>  
 28 Department of Health;

29 e. "Department" means the <sup>1</sup>**[State]**<sup>1</sup> 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  
 45 medical service **[vehicle]** unit that is staffed **[by mobile intensive**

**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:

<sup>1</sup>Senate SHH committee amendments adopted June 23, 2022.

1 care paramedics or registered professional nurses trained in  
2 advanced life support nursing] in accordance with paragraph (2) of  
3 subsection a. of section 6 of P.L.1984, c.146 (C.26:2K-12) and  
4 operated for the provision of advanced life support services under  
5 the direction of an authorized hospital;

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

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

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

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

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

28  
29 2. Section 2 of P.L.1984, c.146 (C.26:2K-8) is amended to read  
30 as follows:

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

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

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

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

- 15 (1) The name and residence of the applicant;
- 16 (2) The date of the application;
- 17 (3) Information as to whether the applicant was rejected or  
18 **【certified】** licensed and the date of that action.

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

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

22

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

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

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

30

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

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

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

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

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

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

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

25

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

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

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

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

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

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

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

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

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

45 e. Nothing in this section shall be construed to alter the scope  
46 of practice of any licensed health care professional under Title 45 of  
47 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 <sup>1</sup>**[this act]** P.L.1984, c.146 (C.26:2K-  
11 12)<sup>1</sup> .

12 b. No person may impersonate or refer to himself or herself as  
13 a mobile intensive care paramedic unless <sup>1</sup>**[he or she]** the person<sup>1</sup> 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]** <sup>1</sup>**[emergency**  
24 **medical service]** ambulance<sup>1</sup> or rescue squad, licensed emergency  
25 medical <sup>1</sup>**[service]** services<sup>1</sup> agency, or officers and members of a  
26 first aid, <sup>1</sup>**[emergency medical service]** ambulance<sup>1</sup> 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. <sup>1</sup>**[a]** a.<sup>1</sup> (1) The Commissioner of Health shall appoint a  
36 State Emergency Medical Services Medical Director to the Office  
37 of Emergency Medical Services <sup>1</sup>in the Department of Health<sup>1</sup> .  
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 <sup>1</sup>[this act] P.L. , c. (pending  
29 before the Legislature as this bill) <sup>1</sup>, 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 <sup>1</sup>9. (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



1 of interested stakeholders, including, but not limited to, the State  
2 Trauma System Advisory Committee and the Mobile Intensive Care  
3 Advisory Council.

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

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

16

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

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

27 (cf: P.L.1984, c.146, s.11)

28

29 <sup>1</sup>**[10.] 11.**<sup>1</sup> This act shall take effect immediately.