

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Public Policy, to which was referred House Bill No. 1186, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, delete lines 1 through 12.
- 2 Page 2, delete lines 26 through 42.
- 3 Delete pages 3 through 8.
- 4 Page 9, delete lines 1 through 16, begin a new paragraph and insert:
- 5 "SECTION 2. IC 16-18-2-266 IS AMENDED TO READ AS
- 6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 266. "Paramedic", for
- 7 purposes of IC 16-31, means an individual who:
- 8 (1) is:
- 9 (A) affiliated with a certified paramedic organization;
- 10 (B) employed by a sponsoring hospital approved by the
- 11 commission; or
- 12 (C) employed by a supervising hospital with a contract for
- 13 inservice education with a sponsoring hospital approved by the
- 14 commission;
- 15 (2) has completed a prescribed course in advanced life support;
- 16 and
- 17 (3) has been ~~certified~~ **licensed** by the Indiana emergency medical
- 18 services commission."
- 19 Page 11, between lines 20 and 21, begin a new paragraph and insert:
- 20 "SECTION 5. IC 16-31-2-7, AS AMENDED BY P.L.20-2008,
- 21 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

- 1 JULY 1, 2012]: Sec. 7. The commission shall do the following:
- 2 (1) Develop and promote, in cooperation with state, regional, and
- 3 local public and private organizations, agencies, and persons, a
- 4 statewide program for the provision of emergency medical
- 5 services that must include the following:
- 6 (A) Preparation of state, regional, and local emergency
- 7 ambulance service plans.
- 8 (B) Provision of consultative services to state, regional, and
- 9 local organizations and agencies in developing and
- 10 implementing emergency ambulance service programs.
- 11 (C) Promotion of a statewide system of emergency medical
- 12 service facilities by developing minimum standards,
- 13 procedures, and guidelines in regard to personnel, equipment,
- 14 supplies, communications, facilities, and location of such
- 15 centers.
- 16 (D) Promotion of programs for the training of personnel
- 17 providing emergency medical services and programs for the
- 18 education of the general public in first aid techniques and
- 19 procedures. The training shall be held in various local
- 20 communities of the state and shall be conducted by agreement
- 21 with publicly and privately supported educational institutions
- 22 or hospitals licensed under IC 16-21, wherever appropriate.
- 23 (E) Promotion of coordination of emergency communications,
- 24 resources, and procedures throughout Indiana and, in
- 25 cooperation with interested state, regional, and local public
- 26 and private agencies, organizations, and persons, the
- 27 development of an effective state, regional, and local
- 28 emergency communications system.
- 29 (F) Organizing and sponsoring a statewide emergency medical
- 30 services conference to provide continuing education for
- 31 persons providing emergency medical services.
- 32 (2) Regulate, inspect, and certify **or license** services, facilities,
- 33 and personnel engaged in providing emergency medical services
- 34 as provided in this article.
- 35 (3) Adopt rules required to implement an approved system of
- 36 emergency medical services.
- 37 (4) Adopt rules concerning triage and transportation protocols for
- 38 the transportation of trauma patients consistent with the field
- 39 triage decision scheme of the American College of Surgeons
- 40 Committee on Trauma.
- 41 (5) Apply for, receive, and accept gifts, bequests, grants-in-aid,
- 42 state, federal, and local aid, and other forms of financial

1 assistance for the support of emergency medical services.

2 (6) Employ necessary administrative staff.

3 SECTION 6. IC 16-31-2-12, AS ADDED BY P.L.101-2006,
4 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2012]: Sec. 12. The commission may impose a reasonable fee
6 for the issuance of a certification **or license** under this chapter. The
7 commission shall deposit the fee in the emergency medical services
8 fund established by IC 16-31-8.5-3.

9 SECTION 7. IC 16-31-3-1, AS AMENDED BY P.L.74-2006,
10 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2012]: Sec. 1. (a) Except as provided in subsection (b), a
12 person other than:

13 (1) a licensed physician;

14 (2) a registered nurse or an individual acting under the
15 supervision of a licensed physician; or

16 (3) a person providing health care in a hospital or an ambulatory
17 outpatient surgical center licensed under IC 16-21;

18 may not furnish, operate, conduct, maintain, advertise, or otherwise be
19 engaged in providing emergency medical services, except for the use
20 of an automated external defibrillator, as a part of the regular course of
21 doing business, either paid or voluntary, unless that person holds a
22 valid certificate **or license** issued by the commission.

23 (b) A:

24 (1) licensed physician;

25 (2) registered nurse or an individual acting under the supervision
26 of a licensed physician; or

27 (3) person providing health care in a hospital or an ambulatory
28 outpatient surgical center licensed under IC 16-21;

29 who operates a business of transporting emergency patients by
30 ambulance or using a nontransporting emergency medical services
31 vehicle must hold a valid certificate issued by the commission under
32 this article.

33 SECTION 8. IC 16-31-3-2, AS AMENDED BY P.L.71-2008,
34 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2012]: Sec. 2. The commission shall establish standards for
36 persons required to be certified **or licensed** by the commission to
37 provide emergency medical services. To be certified **or licensed**, a
38 person must meet the following minimum requirements:

39 (1) The personnel certified **or licensed** under this chapter must do
40 the following:

41 (A) Meet the standards for education and training established
42 by the commission by rule.

- 1 (B) Successfully complete a basic or an inservice course of
 2 education and training on sudden infant death syndrome that
 3 is certified by the commission in conjunction with the state
 4 health commissioner.
- 5 (C) Beginning January 1, 2009, successfully complete a basic
 6 or an inservice course of education and training on autism that
 7 is certified by the commission.
- 8 (2) Ambulances to be used must conform with the requirements
 9 of the commission and must either be:
- 10 (A) covered by insurance issued by a company licensed to do
 11 business in Indiana in the amounts and under the terms
 12 required in rules adopted by the commission; or
- 13 (B) owned by a governmental entity covered under IC 34-13-3.
- 14 (3) Emergency ambulance service shall be provided in accordance
 15 with rules adopted by the commission. However, the rules
 16 adopted under this chapter may not prohibit the dispatch of an
 17 ambulance to aid an emergency patient because an emergency
 18 medical technician is not immediately available to staff the
 19 ambulance.
- 20 (4) Ambulances must be equipped with a system of emergency
 21 medical communications approved by the commission. The
 22 emergency medical communication system must properly
 23 integrate and coordinate appropriate local and state emergency
 24 communications systems and reasonably available area
 25 emergency medical facilities with the general public's need for
 26 emergency medical services.
- 27 (5) Emergency medical communications shall be provided in
 28 accordance with rules adopted by the commission.
- 29 (6) A nontransporting emergency medical services vehicle must
 30 conform with the commission's requirements."
- 31 Page 11, after line 42, begin a new paragraph and insert:
- 32 "SECTION 10. IC 16-31-3-6 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) As used in this
 34 section, "volunteer fire department" has the meaning set forth in
 35 IC 36-8-12-2.
- 36 (b) As used in this section, "volunteer firefighter" has the meaning
 37 set forth in IC 36-8-12-2.
- 38 (c) A certificate **or paramedic license** is not required for a
 39 volunteer fire department or volunteer firefighter to engage in
 40 extrication or rescue services.
- 41 SECTION 11. IC 16-31-3-7 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. The commission may

1 not withhold certification **or licensure** from a person providing
 2 emergency medical services that include extrication and rescue
 3 services because the person is not affiliated with a hospital, law
 4 enforcement agency, or fire department.

5 SECTION 12. IC 16-31-3-8 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. An application for
 7 a certificate **or license** must be made upon the forms, provide the
 8 information, and be in accordance with the procedures prescribed by
 9 the commission.

10 SECTION 13. IC 16-31-3-9 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. Except as otherwise
 12 provided in this chapter, all certificates **and licenses** are valid for a
 13 period specified by the commission unless earlier suspended, revoked,
 14 or terminated."

15 Page 12, line 3, after "certificate" insert "**or license**".

16 Page 12, line 4, after "certificate" insert "**or license**".

17 Page 12, line 6, after "certificate" insert "**or license**".

18 Page 12, line 7, delete "," and insert "**or license**,".

19 Page 12, line 9, delete "." and insert "**or licensure**."

20 Page 12, line 12, after "certificate" insert "**or a paramedic license**".

21 Page 12, line 14, delete "," and insert "**or license**,".

22 Page 12, line 28, after "certificate" insert "**or license**".

23 Page 12, line 34, after "certificate" insert "**or a paramedic license**".

24 Page 12, line 36, delete "," and insert "**or license**,".

25 Page 13, line 6, after "certificate" insert "**or license**".

26 Page 13, between lines 8 and 9, begin a new paragraph and insert:

27 "SECTION 15. IC 16-31-3-11 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. A certificate **or**
 29 **license** issued under this chapter is not assignable or transferable.

30 SECTION 16. IC 16-31-3-12 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. An official entry
 32 made upon a certificate **or license** may not be defaced, removed, or
 33 obliterated.

34 SECTION 17. IC 16-31-3-13.5, AS ADDED BY P.L.101-2006,
 35 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2012]: Sec. 13.5. The commission may impose a reasonable
 37 fee for the issuance of a certification **or license** under this chapter. The
 38 commission shall deposit the fee in the emergency medical services
 39 fund established by IC 16-31-8.5-3.

40 SECTION 18. IC 16-31-3-14, AS AMENDED BY P.L.182-2011,
 41 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2012]: Sec. 14. (a) A person holding a certificate **or license**

1 issued under this article must comply with the applicable standards and
2 rules established under this article. A certificate holder **or license**
3 **holder** is subject to disciplinary sanctions under subsection (b) if the
4 department of homeland security determines that the certificate holder
5 **or license holder**:

- 6 (1) engaged in or knowingly cooperated in fraud or material
7 deception in order to obtain a certificate **or license**, including
8 cheating on a certification **or licensure** examination;
- 9 (2) engaged in fraud or material deception in the course of
10 professional services or activities;
- 11 (3) advertised services or goods in a false or misleading manner;
- 12 (4) falsified or knowingly allowed another person to falsify
13 attendance records or certificates of completion of continuing
14 education courses required under this article or rules adopted
15 under this article;
- 16 (5) is convicted of a crime, if the act that resulted in the
17 conviction has a direct bearing on determining if the certificate
18 holder **or license holder** should be entrusted to provide
19 emergency medical services;
- 20 (6) is convicted of violating IC 9-19-14.5;
- 21 (7) fails to comply and maintain compliance with or violates any
22 applicable provision, standard, or other requirement of this article
23 or rules adopted under this article;
- 24 (8) continues to practice if the certificate holder **or license holder**
25 becomes unfit to practice due to:
 - 26 (A) professional incompetence that includes the undertaking
27 of professional activities that the certificate holder **or license**
28 **holder** is not qualified by training or experience to undertake;
 - 29 (B) failure to keep abreast of current professional theory or
30 practice;
 - 31 (C) physical or mental disability; or
 - 32 (D) addiction to, abuse of, or dependency on alcohol or other
33 drugs that endanger the public by impairing the certificate
34 holder's **or license holder's** ability to practice safely;
- 35 (9) engages in a course of lewd or immoral conduct in connection
36 with the delivery of services to the public;
- 37 (10) allows the certificate holder's **or license holder's** name or a
38 certificate **or license** issued under this article to be used in
39 connection with a person who renders services beyond the scope
40 of that person's training, experience, or competence;
- 41 (11) is subjected to disciplinary action in another state or
42 jurisdiction on grounds similar to those contained in this chapter.

- 1 For purposes of this subdivision, a certified copy of a record of
 2 disciplinary action constitutes prima facie evidence of a
 3 disciplinary action in another jurisdiction;
- 4 (12) assists another person in committing an act that would
 5 constitute a ground for disciplinary sanction under this chapter;
 6 or
- 7 (13) allows a certificate **or license** issued by the commission to
 8 be:
- 9 (A) used by another person; or
 10 (B) displayed to the public when the certificate **or license** is
 11 expired, inactive, invalid, revoked, or suspended.
- 12 (b) The department of homeland security may issue an order under
 13 IC 4-21.5-3-6 to impose one (1) or more of the following sanctions if
 14 the department of homeland security determines that a certificate
 15 holder **or license holder** is subject to disciplinary sanctions under
 16 subsection (a):
- 17 (1) Revocation of a certificate holder's certificate **or license**
 18 **holder's license** for a period not to exceed seven (7) years.
 19 (2) Suspension of a certificate holder's certificate **or license**
 20 **holder's license** for a period not to exceed seven (7) years.
 21 (3) Censure of a certificate holder **or license holder**.
 22 (4) Issuance of a letter of reprimand.
 23 (5) Assessment of a civil penalty against the certificate holder **or**
 24 **license holder** in accordance with the following:
- 25 (A) The civil penalty may not exceed five hundred dollars
 26 (\$500) per day per violation.
 27 (B) If the certificate holder **or license holder** fails to pay the
 28 civil penalty within the time specified by the department of
 29 homeland security, the department of homeland security may
 30 suspend the certificate holder's certificate **or license holder's**
 31 **license** without additional proceedings.
- 32 (6) Placement of a certificate holder **or license holder** on
 33 probation status and requirement of the certificate holder **or**
 34 **license holder** to:
- 35 (A) report regularly to the department of homeland security
 36 upon the matters that are the basis of probation;
 37 (B) limit practice to those areas prescribed by the department
 38 of homeland security;
 39 (C) continue or renew professional education approved by the
 40 department of homeland security until a satisfactory degree of
 41 skill has been attained in those areas that are the basis of the
 42 probation; or

- 1 (D) perform or refrain from performing any acts, including
 2 community restitution or service without compensation, that
 3 the department of homeland security considers appropriate to
 4 the public interest or to the rehabilitation or treatment of the
 5 certificate holder **or license holder**.
- 6 The department of homeland security may withdraw or modify
 7 this probation if the department of homeland security finds after
 8 a hearing that the deficiency that required disciplinary action is
 9 remedied or that changed circumstances warrant a modification
 10 of the order.
- 11 (c) If an applicant or a certificate holder **or license holder** has
 12 engaged in or knowingly cooperated in fraud or material deception to
 13 obtain a certificate **or license**, including cheating on the certification
 14 **or licensure** examination, the department of homeland security may
 15 rescind the certificate **or license** if it has been granted, void the
 16 examination or other fraudulent or deceptive material, and prohibit the
 17 applicant from reapplying for the certificate **or license** for a length of
 18 time established by the department of homeland security.
- 19 (d) The department of homeland security may deny certification **or**
 20 **licensure** to an applicant who would be subject to disciplinary
 21 sanctions under subsection (b) if that person were a certificate holder
 22 **or license holder**, has had disciplinary action taken against the
 23 applicant or the applicant's certificate **or license** to practice in another
 24 state or jurisdiction, or has practiced without a certificate **or license** in
 25 violation of the law. A certified copy of the record of disciplinary
 26 action is conclusive evidence of the other jurisdiction's disciplinary
 27 action.
- 28 (e) The department of homeland security may order a certificate
 29 holder **or license holder** to submit to a reasonable physical or mental
 30 examination if the certificate holder's **or license holder's** physical or
 31 mental capacity to practice safely and competently is at issue in a
 32 disciplinary proceeding. Failure to comply with a department of
 33 homeland security order to submit to a physical or mental examination
 34 makes a certificate holder **or license holder** liable to temporary
 35 suspension under subsection (i).
- 36 (f) Except as provided under subsection (a), subsection (g), and
 37 section 14.5 of this chapter, a certificate **or license** may not be denied,
 38 revoked, or suspended because the applicant, ~~or~~ certificate holder, **or**
 39 **license holder** has been convicted of an offense. The acts from which
 40 the applicant's, ~~or~~ certificate holder's, **or license holder's** conviction
 41 resulted may be considered as to whether the applicant or certificate
 42 holder **or license holder** should be entrusted to serve the public in a

1 specific capacity.

2 (g) The department of homeland security may deny, suspend, or
3 revoke a certificate **or license** issued under this article if the individual
4 who holds or is applying for the certificate **or license** is convicted of
5 any of the following:

6 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.

7 (2) Possession of methamphetamine under IC 35-48-4-6.1.

8 (3) Possession of a controlled substance under IC 35-48-4-7(a).

9 (4) Fraudulently obtaining a controlled substance under
10 IC 35-48-4-7(b).

11 (5) Manufacture of paraphernalia as a Class D felony under
12 IC 35-48-4-8.1(b).

13 (6) Dealing in paraphernalia as a Class D felony under
14 IC 35-48-4-8.5(b).

15 (7) Possession of paraphernalia as a Class D felony under
16 IC 35-48-4-8.3(b).

17 (8) Possession of marijuana, hash oil, hashish, salvia, or a
18 synthetic cannabinoid as a Class D felony under IC 35-48-4-11.

19 (9) Maintaining a common nuisance under IC 35-48-4-13.

20 (10) An offense relating to registration, labeling, and prescription
21 forms under IC 35-48-4-14.

22 (11) Conspiracy under IC 35-41-5-2 to commit an offense listed
23 in subdivisions (1) through (10).

24 (12) Attempt under IC 35-41-5-1 to commit an offense listed in
25 subdivisions (1) through (10).

26 (13) An offense in any other jurisdiction in which the elements of
27 the offense for which the conviction was entered are substantially
28 similar to the elements of an offense described by subdivisions (1)
29 through (12).

30 (h) A decision of the department of homeland security under
31 subsections (b) through (g) may be appealed to the commission under
32 IC 4-21.5-3-7.

33 (i) The department of homeland security may temporarily suspend
34 a certificate holder's certificate **or license holder's license** under
35 IC 4-21.5-4 before a final adjudication or during the appeals process if
36 the department of homeland security finds that a certificate holder **or**
37 **license holder** would represent a clear and immediate danger to the
38 public's health, safety, or property if the certificate holder **or license**
39 **holder** were allowed to continue to practice.

40 (j) On receipt of a complaint or information alleging that a person
41 certified **or licensed** under this chapter or IC 16-31-3.5 has engaged in
42 or is engaging in a practice that is subject to disciplinary sanctions

1 under this chapter, the department of homeland security must initiate
2 an investigation against the person.

3 (k) The department of homeland security shall conduct a factfinding
4 investigation as the department of homeland security considers proper
5 in relation to the complaint.

6 (l) The department of homeland security may reinstate a certificate
7 **or license** that has been suspended under this section if the department
8 of homeland security is satisfied that the applicant is able to practice
9 with reasonable skill, competency, and safety to the public. As a
10 condition of reinstatement, the department of homeland security may
11 impose disciplinary or corrective measures authorized under this
12 chapter.

13 (m) The department of homeland security may not reinstate a
14 certificate **or license** that has been revoked under this chapter.

15 (n) The department of homeland security must be consistent in the
16 application of sanctions authorized in this chapter. Significant
17 departures from prior decisions involving similar conduct must be
18 explained in the department of homeland security's findings or orders.

19 (o) A certificate holder may not surrender the certificate holder's
20 certificate, **and a license holder may not surrender the license**
21 **holder's license**, without the written approval of the department of
22 homeland security, and the department of homeland security may
23 impose any conditions appropriate to the surrender or reinstatement of
24 a surrendered certificate **or license**.

25 (p) For purposes of this section, "certificate holder" means a person
26 who holds:

- 27 (1) an unlimited certificate;
- 28 (2) a limited or probationary certificate; or
- 29 (3) an inactive certificate.

30 **(q) For purposes of this section, "license holder" means a person**
31 **who holds:**

- 32 **(1) an unlimited license;**
- 33 **(2) a limited or probationary license; or**
- 34 **(3) an inactive license.**

35 SECTION 19. IC 16-31-3-14.5, AS AMENDED BY P.L.182-2011,
36 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2012]: Sec. 14.5. The department of homeland security may
38 issue an order under IC 4-21.5-3-6 to deny an applicant's request for
39 certification **or licensure** or permanently revoke a certificate **or license**
40 under procedures provided by section 14 of this chapter if the
41 individual who holds the certificate **or license** issued under this title is
42 convicted of any of the following:

- 1 (1) Dealing in or manufacturing cocaine or a narcotic drug under
- 2 IC 35-48-4-1.
- 3 (2) Dealing in methamphetamine under IC 35-48-4-1.1.
- 4 (3) Dealing in a schedule I, II, or III controlled substance under
- 5 IC 35-48-4-2.
- 6 (4) Dealing in a schedule IV controlled substance under
- 7 IC 35-48-4-3.
- 8 (5) Dealing in a schedule V controlled substance under
- 9 IC 35-48-4-4.
- 10 (6) Dealing in a substance represented to be a controlled
- 11 substance under IC 35-48-4-4.5.
- 12 (7) Knowingly or intentionally manufacturing, advertising,
- 13 distributing, or possessing with intent to manufacture, advertise,
- 14 or distribute a substance represented to be a controlled substance
- 15 under IC 35-48-4-4.6.
- 16 (8) Dealing in a counterfeit substance under IC 35-48-4-5.
- 17 (9) Dealing in marijuana, hash oil, hashish, salvia, or a synthetic
- 18 cannabinoid under IC 35-48-4-10(b).
- 19 (10) Conspiracy under IC 35-41-5-2 to commit an offense listed
- 20 in subdivisions (1) through (9).
- 21 (11) Attempt under IC 35-41-5-1 to commit an offense listed in
- 22 subdivisions (1) through (9).
- 23 (12) A crime of violence (as defined in IC 35-50-1-2(a)).
- 24 (13) An offense in any other jurisdiction in which the elements of
- 25 the offense for which the conviction was entered are substantially
- 26 similar to the elements of an offense described under subdivisions
- 27 (1) through (12).

28 SECTION 20. IC 16-31-3-16 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. A person who is not
 30 certified **or licensed** under this chapter and identifies or holds out to
 31 other persons that the person is:

- 32 (1) certified **or licensed** under this chapter; or
 - 33 (2) authorized to do any act allowed under this chapter;
- 34 commits a Class C misdemeanor.

35 SECTION 21. IC 16-31-3-17, AS AMENDED BY P.L.1-2009,
 36 SECTION 116, IS AMENDED TO READ AS FOLLOWS
 37 [EFFECTIVE JULY 1, 2012]: Sec. 17. (a) The department of homeland
 38 security established by IC 10-19-2-1 may issue an order to a person
 39 who has practiced without a certificate **or license** in violation of this
 40 article imposing a civil penalty of not more than five hundred dollars
 41 (\$500) per occurrence.

- 42 (b) A decision of the department of homeland security under

1 subsection (a) may be appealed to the commission under
2 IC 4-21.5-3-7."

3 Page 13, between lines 16 and 17, begin a new line block indented
4 and insert:

5 "**(2) Requirements and procedures for the licensure of**
6 **paramedics.**"

7 Page 13, line 17, strike "(2)" and insert "(3)".

8 Page 13, line 19, delete "licensed".

9 Page 13, delete lines 29 through 42, begin a new paragraph and
10 insert:

11 "SECTION 24. IC 16-31-6-4 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) This section does
13 not apply to an act or omission that was a result of gross negligence or
14 willful or intentional misconduct.

15 (b) An act or omission of a paramedic, an emergency medical
16 technician-intermediate, an emergency medical technician-basic
17 advanced, an emergency medical technician, or a person with
18 equivalent certification **or licensure** from another state that is
19 performed or made while providing advanced life support or basic life
20 support to a patient or trauma victim does not impose liability upon the
21 paramedic, the emergency medical technician-intermediate, the
22 emergency medical technician-basic advanced, an emergency medical
23 technician, the person with equivalent certification **or licensure** from
24 another state, a hospital, a provider organization, a governmental entity,
25 or an employee or other staff of a hospital, provider organization, or
26 governmental entity if the advanced life support or basic life support
27 is provided in good faith:

28 (1) in connection with a disaster emergency declared by the
29 governor under IC 10-14-3-12 in response to an act that the
30 governor in good faith believes to be an act of terrorism (as
31 defined in IC 35-41-1-26.5); and

32 (2) in accordance with the rules adopted by the Indiana
33 emergency medical services commission or the disaster
34 emergency declaration of the governor.

35 SECTION 25. IC 16-31-8-1 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The emergency
37 medical services restitution fund is established for the purpose of
38 reimbursing persons who:

39 (1) are certified **or licensed** under IC 16-31-3; and

40 (2) provided emergency medical services to individuals injured as
41 a result of an accident caused by an individual who:

42 (A) was operating a vehicle while intoxicated at the time the

- 1 accident occurred; and
 2 (B) was subsequently convicted under IC 9-30-5 of that
 3 offense."
 4 Delete pages 14 through 16.
 5 Page 17, delete lines 1 through 13.
 6 Page 17, line 25, delete "licensed".
 7 Page 17, line 25, reset in roman "(as defined in IC 16-18-2-266)".
 8 Page 17, line 25, delete "licensed" and insert ",".
 9 Page 17, line 26, delete "under IC 16-31-3.2,".
 10 Page 20, between lines 2 and 3, begin a new line block indented and
 11 insert:
 12 **"(27) A respiratory care practitioner practicing the**
 13 **practitioner's profession under IC 25-34.5."**
 14 Page 20, delete lines 28 through 42.
 15 Page 21, delete lines 1 through 3.
 16 Page 21, delete line 42.
 17 Delete pages 22 through 24, begin a new paragraph and insert:
 18 "SECTION 28. [EFFECTIVE JULY 1, 2012] **(a) As used in this**
 19 **SECTION, "commission" refers to the health finance commission**
 20 **established by IC 2-5-23-3.**
 21 **(b) The commission shall study during the 2012 legislative**
 22 **interim issues concerning the licensing of paramedics.**
 23 **(c) This SECTION expires December 31, 2012."**
 24 Renumber all SECTIONS consecutively.
 (Reference is to HB 1186 as printed January 23, 2012.)

and when so amended that said bill do pass .

Committee Vote: Yeas 9, Nays 0.

Senator Alting, Chairperson