



Indiana EMS Commission  
Non-Rule Policy  
Provider organization Late Applications

**Background of Policy:**

This policy addresses all organization certifications for EMS:

836 IAC 1-2-2 Application for certification; renewal

(d) Application for **ambulance service provider organization** certification renewal shall be made not less than sixty (60) days prior to the expiration date of the current certificate to assure continuity of certification. Application for renewal shall be made on forms as provided by the agency

836 IAC 1-11-2 Application for certification; renewal

(d) Application for emergency medical services **nontransport provider organization** certification renewal shall be made not less than sixty (60) days prior to the expiration date of the current certificate to assure continuity of certification.

LSA Document #12-393(E) Advanced EMT Emergency Rule

Section 15(b)(1) An applicant shall complete and submit the required forms to the agency at least sixty (60) days before the requested effective date of the certificate.

836 IAC 2-2-2 Application for certification; renewal

(e) Application for **paramedic provider organization** certification renewal should be made not less than sixty (60) days prior to the expiration date of the current certification.

836 IAC 2-4.1-1 Certification as a **supervising hospital**; renewal

(b) Application for certification shall be submitted to the commission not less than sixty (60) days prior to the date for which approval is requested and made on forms provided by the agency.

836 IAC 4-2-1 General requirements for training institutions; staff

(f) A certified **training institution** shall submit an application for recertification to the agency at least sixty (60) days prior to the date of certification expiration.

Individual EMS certifications are due on the final date of a certification cycle and are subject to random audit.

Provider organization certifications, including training institutions, are submitted on paperwork approved by the Department and are personally reviewed by IDHS EMS staff. A review takes time to determine that all requirements have been met and that the provider organization is complying with the rules in its operations. Therefore, the rules require submission of an application for approval at least sixty (60) days prior to expiration.

The problem is that provider organizations are generally ignoring the 60 day advance renewal application and applying for recertification just a week or days before the expiration. Not only does this create an unnecessary burden on the EMS staff to try to review at the last minute, it impairs the ability to fully review the application and, often, there are unresolved issues from the application that require the provider organization to submit additional information which can push the provider organization into an expired certification.

Currently, the EMS section is just sending notifications to the provider that their status is approaching or has become expired. There are no repercussions for a provider organization that fails to submit within either the 60 days advance window or even right at or after expiration of the current certification period.

### **Non-Rule Policy**

The Indiana EMS Commission adopts this non-rule policy to reinforce the 60-days in advance recertification requirement for provider organizations and to define the sanctions that IDHS should issue when violations occur.

IC 16-31-3-14(a)(7) permits disciplinary sanctions for a certified or licensed EMS provider organization that “fails to comply and maintain compliance with or violates any applicable provision, standard, or other requirement of this article or rules adopted under this article .”

IC 16-31-3-14(b) permits IDHS to issue an administrative order on behalf of the EMS Commission that includes “one (1) or more of the following sanctions” if there is a rule violation such as (a)(7). The sanctions include:

- (3) Censure of a certificate holder or license holder; and/or
- (5) Assessment of a civil penalty against the certificate holder or license holder in accordance with the following:
  - (A) The civil penalty may not exceed five hundred dollars (\$500) per day per violation.

(B) If the certificate holder or license holder fails to pay the civil penalty within the time specified by the department of homeland security, the department of homeland security may suspend the certificate holder's certificate or license holder's license without additional proceedings.

While the EMS Commission authorizes IDHS to adjust these guidelines for noted cause in an administrative Order, the following sanctions apply to provider organizations for failure to comply with the advance renewal for a certification renewal should be standard:

1. A renewal date is always when IDHS, on behalf of the EMS Commission, has APPROVED a renewal application. It is not the date that the application was submitted. IDHS is not permitted by law to backdate an application.
2. Application submitted between 30-60 days prior to the certification expiration date
  - a. Sanction: First offense is Censure. Second offense is a Censure with a \$50.00 civil penalty.
3. Application submitted between 8-29 days prior to the certification expiration date
  - a. Sanction: Censure with a \$50.00 civil penalty.
4. Application submitted between 7 days or less prior to the certification expiration date
  - a. Sanction: Censure with a \$100.00 civil penalty.
5. Application submitted after the expiration date
  - a. Provider organization is not certified and may not provide either emergency medical services or EMS education (if a training institution). Any EMS functions by a provider organization during an expired period are not legally authorized. IDHS to notify the expired provider organization as soon as possible.
    - i. Note that operating or providing EMS or even EMS education during an expired period will subject a provider organization to sanctions separate from this policy.
  - b. Sanction: When renewed (if within 60 days of expiration), the provider organization shall receive a Censure with a \$250.00 civil penalty.

Adopted by the Indiana EMS Commission on April 16, 2021.