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SENATE BILL 527

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Allen V. Hurt

AN ACT

RELATING TO EMERGENCY MEDICAL SERVICES; EXPANDING THE SCOPE OF THE EMERGENCY MEDICAL SERVICES ACT; AMENDING AND ENACTING SECTIONS OF THE EMERGENCY MEDICAL SERVICES ACT; PROVIDING FOR A PENALTY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 24-10B-2 NMSA 1978 (being Laws 1983, Chapter 190, Section 2, as amended) is amended to read:

"24-10B-2. PURPOSE. -- The purpose of the Emergency Medical Services Act is to enhance and regulate a comprehensive emergency medical services system in the state [~~including providing pre-hospital and interfacility care, establishing standards for and designating trauma care facilities, training and licensing of emergency medical technicians and establishing standards for medical direction and air ambulance services~~] as

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1 set forth in that act. Nothing in the Emergency Medical
2 Services Act shall be construed to preclude a local emergency
3 medical services system from adopting standards that are more
4 stringent than those authorized by the Emergency Medical
5 Services Act. "

6 Section 2. Section 24-10B-3 NMSA 1978 (being Laws 1993,
7 Chapter 161, Section 2) is amended to read:

8 "24-10B-3. DEFINITIONS. -- As used in the Emergency Medical
9 Services Act:

10 A. "academy" means [~~a separately funded~~] an
11 emergency medical services training program administered
12 through the department of emergency medicine of the university
13 of New Mexico school of medicine;

14 B. "advance directive" means a written instruction,
15 such as a living will, [~~or~~] durable power of attorney for
16 health care or emergency medical services do not resuscitate
17 form recognizable under state law and relating to the provision
18 of health care when an individual is incapacitated;

19 [~~C. "advanced life support" means advanced pre-~~
20 ~~hospital and interfacility care and treatment, including basic~~
21 ~~and intermediate life support, as prescribed by regulation,~~
22 ~~which may be performed only by an individual licensed as a~~
23 ~~paramedic by the bureau and operating under medical direction;~~

24 ~~D.]~~ C. "air ambulance service" means any
25 governmental or private service that provides air

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1 transportation specifically designed to accommodate the medical
2 needs of a person who is ill, injured or otherwise mentally or
3 physically incapacitated and who requires in-flight medical
4 supervision;

5 ~~[E.]~~ D. "approved emergency medical services
6 training program" means an emergency medical services training
7 program that is sponsored by a post-secondary educational
8 institution, ~~[is] accredited by [the joint review committee on~~
9 ~~educational programs]~~ a national educational accrediting
10 organization for emergency medical services or active in the
11 accreditation process, ~~[as verified by the chair of the joint~~
12 ~~review committee on educational programs, or]~~ and is approved
13 by the joint organization on education committee and
14 participates in the joint organization on education committee;

15 ~~[F. "basic life support" means pre-hospital and~~
16 ~~interfacility care and treatment, as prescribed by regulation,~~
17 ~~which can be performed by all licensed emergency medical~~
18 ~~technicians;~~

19 ~~G.]~~ E. "bureau" means the ~~[primary care]~~ injury
20 prevention and emergency medical services bureau of the public
21 health division of the department ~~[of health];~~

22 ~~[H. "certified emergency medical services first~~
23 ~~responder" means a person who is certified by the bureau and~~
24 ~~who functions within the emergency medical services system to~~
25 ~~provide initial emergency aid, but not basic, intermediate or~~

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1 ~~advanced life support, to a person in need of medical~~
2 ~~assistance;]~~

3 F. "certified emergency medical service" means an
4 organization that meets minimum standards to provide emergency
5 services and is approved by the bureau, including emergency
6 medical dispatch agencies, pre-hospital or interfacility care
7 services and special event services organized to provide
8 emergency medical services;

9 [~~F.~~] G. "critical incident stress [debriefing]
10 management program" means a program of preventive education and
11 crisis intervention intended to reduce the negative effects of
12 critical stress on emergency responders;

13 [~~J.~~] ~~"curricula" means programs of study, the~~
14 ~~minimum content of which has been developed by the joint~~
15 ~~organization on education, for the initial and mandatory~~
16 ~~refresher training of emergency medical technicians and~~
17 ~~certified emergency medical services first responders;~~

18 [~~K.~~] H. "department" means the department of health;

19 I. "emergency medical dispatch" means an advanced
20 form of dispatch communications used to improve emergency
21 medical services response to medical and traumatic emergencies
22 that utilizes specially trained emergency medical dispatchers,
23 in accordance with an emergency medical dispatch priority
24 reference system and the department-approved scopes of
25 practice;

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1 ~~[L.]~~ J. "emergency medical dispatcher" means a
2 person who is trained and ~~[certified]~~ licensed pursuant to
3 Subsection F of Section 24-10B-4 NMSA 1978 to receive calls for
4 emergency medical assistance, provide pre-arrival medical
5 instructions, dispatch emergency medical assistance and
6 coordinate its response;

7 ~~[M.]~~ K. "emergency medical services" means the
8 services rendered by ~~[emergency medical technicians, certified~~
9 ~~emergency medical services first responders or emergency~~
10 ~~medical dispatchers]~~ providers in response to an individual's
11 need for immediate medical care to prevent loss of life or
12 aggravation of physical or psychological illness or injury;

13 L. "emergency medical services first responder"
14 means a person who is licensed by the department and who
15 functions within the emergency medical services system to
16 provide initial emergency aid;

17 ~~[N.]~~ M. "emergency medical services system" means a
18 coordinated system of health care delivery that responds to the
19 needs of the sick and injured and includes ~~[community education~~
20 ~~and prevention programs, centralized access and emergency~~
21 ~~medical dispatch, trained first responders, medical rescue~~
22 ~~services, ambulance services, hospital emergency departments~~
23 ~~and specialty care hospitals that respond to the needs of the~~
24 ~~acutely sick and injured]~~ emergency medical services;

25 ~~[O.]~~ N. "emergency medical technician" means a

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1 ~~[health care]~~ provider who has been licensed ~~[to practice by~~
2 ~~the bureau]~~ by the department to provide patient care;

3 ~~[P. "intermediate life support" means certain~~
4 ~~advanced pre-hospital and interfacility care and treatment,~~
5 ~~including basic life support, as prescribed by regulation,~~
6 ~~which may be performed only by an individual licensed by the~~
7 ~~bureau and operating under medical direction;~~

8 ~~Q. "joint review committee" means the joint review~~
9 ~~committee on educational programs for the emergency medical~~
10 ~~technician-paramedic, a nonprofit organization incorporated in~~
11 ~~the state of Massachusetts;~~

12 ~~R. "medical control" means supervision provided by~~
13 ~~or under the direction of physicians to providers by written~~
14 ~~protocol or direct communications;]~~

15 O. "health care facility" means a hospital, clinic
16 or other entity licensed or approved by the department;

17 P. "injury prevention" means to promote and
18 implement efforts to reduce the risk and severity of
19 intentional and unintentional injuries;

20 ~~[S.]~~ Q. "medical direction" means guidance or
21 supervision provided by a physician to a provider or emergency
22 medical services system and [which includes] that may include
23 authority over and responsibility for emergency medical
24 dispatch, direct patient care and transport of patients,
25 arrangements for medical control and all other aspects of

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1 patient care delivered by a provider;

2 ~~[T. "medical rescue service" means a provider that~~
3 ~~is part of the emergency medical services system, but not~~
4 ~~subject to the authority of the state corporation commission~~
5 ~~under the Ambulance Standards Act, and which may be dispatched~~
6 ~~to the scene of an emergency to provide rescue or medical~~
7 ~~care;]~~

8 R. "paramedic" means a provider licensed at that
9 level by the department to provide patient care;

10 ~~[U.]~~ S. "physician" means a doctor of medicine or
11 doctor of osteopathy who is licensed or otherwise authorized to
12 practice medicine or osteopathic medicine in New Mexico;

13 ~~[V.]~~ T. "protocol" means a predetermined, written
14 medical care plan and includes standing orders;

15 ~~[W.]~~ U. "provider" means a person [or entity
16 delivering emergency medical services] who has been licensed by
17 the department to provide patient care within a designated
18 scope of practice;

19 ~~[X.]~~ V. "regional office" means [a regional] an
20 emergency medical services planning and development agency
21 formally recognized and supported by the bureau;

22 ~~[Y.]~~ W. "secretary" means the secretary of health;

23 ~~[Z.]~~ X. "special skills" means a set of procedures
24 or therapies that are beyond the [usual] scope of practice of a
25 given level of [life support] licensure and that have been

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1 approved by the medical direction committee for use by a
2 specified provider; and

3 [AA-] Y. "state emergency medical services medical
4 director" means a physician [employed] designated by the
5 [bureau] department to provide overall medical direction to the
6 statewide emergency medical services [program] system, whose
7 duties include serving as a liaison to the medical community
8 and chairing the medical direction committee."

9 Section 3. Section 24-10B-4 NMSA 1978 (being Laws 1983,
10 Chapter 190, Section 4, as amended) is amended to read:

11 "24-10B-4. BUREAU--DUTIES.--The bureau is designated as
12 the lead agency for the emergency medical services system,
13 including injury prevention, and shall establish and maintain a
14 program for regional planning and development, improvement,
15 expansion and direction of emergency medical services
16 throughout the state, including:

17 A. design, development, implementation and
18 coordination of emergency medical services communications
19 systems to join the personnel, facilities and equipment of a
20 given region or system that will allow for medical [control of
21 ~~pre-hospital or interfacility care~~] direction;

22 B. provision of technical assistance to the public
23 regulation commission for further development and
24 implementation of standards for certification of ambulance
25 services, vehicles and equipment;

. 144170. 1

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1 C. development of requirements for the collection
2 of data and statistics to evaluate the availability, operation
3 and quality of providers in the state;

4 D. adoption of [~~regulations~~] rules for emergency
5 medical services medical direction [~~of a provider or emergency~~
6 ~~medical services system~~] upon the recommendation of the medical
7 direction committee; [~~including:~~

8 (1) ~~development of model guidelines for~~
9 ~~medical direction of all components of an emergency medical~~
10 ~~services system;~~

11 (2) ~~a process for notifying the bureau of the~~
12 ~~withdrawal of medical control by a physician from a provider;~~
13 ~~and~~

14 (3) ~~specific requirements for medical~~
15 ~~direction of intermediate and advanced life support personnel~~
16 ~~and basic life support personnel with special skills approval;~~

17 E. ~~maintenance of a list of approved emergency~~
18 ~~medical services training programs, the graduates of which~~
19 ~~shall be the only New Mexico emergency medical services~~
20 ~~students eligible to apply for emergency medical technician~~
21 ~~licensure or certified emergency medical services first~~
22 ~~responder certification;~~

23 F.] E. approval of continuing education programs
24 for emergency medical services personnel;

25 [G.] F. adoption of [~~regulations~~] rules pertaining

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1 to the training and [~~certification~~] licensure of emergency
2 medical dispatchers and their instructors;

3 [~~H.-~~] G. adoption of [~~regulations~~] rules based upon
4 the recommendations of [~~the~~] a trauma advisory committee, for
5 implementation and monitoring of a statewide, comprehensive
6 trauma care system, including:

7 (1) minimum standards for designation or
8 retention of designation as a trauma center or a participating
9 trauma facility;

10 (2) pre-hospital care management guidelines
11 for the triage and transportation of traumatized persons;

12 (3) establishment for interfacility transfer
13 criteria and transfer agreements;

14 (4) standards for collection of data relating
15 to trauma system operation, patient outcome and trauma
16 prevention; and

17 (5) creation of a state trauma care plan;

18 [~~I.-~~] H. adoption of [~~regulations~~] rules, based upon
19 the recommendations of the air transport advisory committee,
20 for the certification of air ambulance services;

21 [~~J.-~~] I. adoption of [~~regulations~~] rules pertaining
22 to authorization of providers to honor advance directives, such
23 as emergency medical services do not resuscitate forms, to
24 withhold or terminate care in certain pre-hospital or
25 interfacility circumstances, as guided by local medical

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1 protocols;

2 ~~[K. development of guidelines, with consultation~~
3 ~~from the state fire marshal, pertaining to the operation of~~
4 ~~medical rescue services within the emergency medical services~~
5 ~~system;~~

6 ~~E.]~~ J. operation of a critical incident stress
7 ~~[debriefing]~~ management program for emergency ~~[responders]~~
8 providers utilizing specifically trained volunteers who shall
9 be considered public employees for the purposes of the Tort
10 Claims Act when called upon to perform ~~[a debriefing; and]~~
11 their duties;

12 ~~[M-]~~ K. adoption of rules to establish a cardiac
13 arrest targeted response program pursuant to the Cardiac Arrest
14 Response Act, including registration of automated external
15 defibrillator programs, maintenance of equipment, data
16 collection, approval of automated external defibrillator
17 training programs and a schedule of automated external
18 defibrillator program registration fees;

19 L. adoption of rules for the administration of an
20 emergency medical services licensure program; and

21 M promoting, developing, implementing,
22 coordinating and evaluating risk reduction and injury
23 prevention systems. "

24 Section 4. Section 24-10B-5 NMSA 1978 (being Laws 1983,
25 Chapter 190, Section 5, as amended) is amended to read:

. 144170. 1

1 "24-10B-5. [~~PERSONNEL~~] LICENSURE REQUIRED- - PENALTY. - -

2 A. The department shall by [~~regulation~~] rule adopt
3 and enforce licensure [~~and certification~~] requirements,
4 including minimum standards for training, continuing education
5 and disciplinary actions consistent with the Uniform Licensing
6 Act, for all persons who provide emergency medical services
7 within the state, irrespective of whether the services are
8 remunerated. [~~Such regulation~~] The rules shall include
9 authorization for the bureau to issue at least annually an
10 updated list of skills, techniques and medications approved for
11 use at each level of [~~life support.~~ ~~When setting requirements~~
12 ~~for licensure of persons also subject to the Ambulance~~
13 ~~Standards Act, the bureau shall consult with the state~~
14 ~~corporation commission~~] licensure. The secretary may waive
15 licensure requirements as needed during a declared emergency.

16 B. Licensed emergency medical technicians may
17 function within health care facilities under their licensure
18 and approved New Mexico emergency medical services scope of
19 practice. Nothing in this subsection shall prohibit a health
20 care facility from assigning additional duties and
21 responsibilities in accordance with law. This subsection shall
22 not expand the New Mexico emergency medical services scope of
23 practice under the emergency medical technician's license.

24 [~~B.~~] C. In addition to the requirements specified
25 in Subsection A of this section, the department may:

. 144170. 1

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1 (1) prohibit the use of "emergency medical
2 dispatcher", "emergency medical technician", "[~~certified~~
3 emergency medical services first responder", "paramedic" or
4 similar terms connoting expertise in providing emergency
5 medical services by any person not licensed or certified under
6 the Emergency Medical Services Act;

7 (2) deny, suspend or revoke licensure [~~or~~
8 ~~certification~~] in accordance with the provisions of the Uniform
9 Licensing Act; and

10 (3) establish a schedule of reasonable fees
11 for application, examination or licensure [~~or certification~~]
12 and regular renewal thereof.

13 D. Any person who represents himself to be an
14 "emergency medical dispatcher", "emergency medical technician-
15 basic", "emergency medical technician-intermediate", "emergency
16 medical technician-paramedic", "emergency medical services
17 first responder" or "paramedic", or who uses similar terms
18 connoting expertise in providing emergency medical services
19 while not currently licensed under the Emergency Medical
20 Services Act is guilty of a misdemeanor."

21 Section 5. Section 24-10B-5.1 NMSA 1978 (being Laws 1993,
22 Chapter 161, Section 5) is amended to read:

23 "24-10B-5.1. LICENSING COMMISSION ESTABLISHED. --

24 A. The secretary shall appoint an "emergency
25 medical services licensing commission", which shall be staffed

. 144170. 1

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1 by the bureau and composed of one lay person, three emergency
2 medical technicians, one from each level of [~~life support~~]
3 licensure, and three physicians, at least two of whom shall
4 have expertise in emergency medicine and who are appointed from
5 a list proposed by the New Mexico chapter of the American
6 college of emergency physicians.

7 B. The composition of the emergency medical
8 services licensing commission shall reflect geographic
9 diversity and both public and private interests. The members
10 shall serve for three-year staggered terms. The duties of and
11 procedures for the emergency medical services licensing
12 commission shall be delineated in [~~regulations~~] rules
13 promulgated pursuant to Subsection A of Section 24-10B-5 NMSA
14 1978. Such duties include:

15 (1) providing a forum for the receipt of
16 public comment regarding emergency medical services licensing
17 matters;

18 (2) oversight of the bureau's licensure
19 functions;

20 (3) receiving complaints, directing
21 investigations and authorizing the initiation of actions by the
22 bureau regarding contemplated refusal to grant initial
23 licensure and for disciplinary actions against licensees; and

24 (4) the granting of waivers, for good cause
25 shown, of [~~regulations~~] rules pertaining to licensure renewal.

. 144170. 1

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1 C. The emergency medical services licensing
2 commission may compel the production of books, records and
3 papers pertinent to any investigation authorized by the
4 Emergency Medical Services Act and may seek enforcement of any
5 subpoena so issued through the district court in the county in
6 which the custodian of the document is located in camera.

7 [~~C.~~] D. The emergency medical services licensing
8 commission shall meet as needed, but not less frequently than
9 semiannually. The emergency medical services licensing
10 commission shall be subject to the provisions of the Per Diem
11 and Mileage Act. "

12 Section 6. Section 24-10B-6 NMSA 1978 (being Laws 1983,
13 Chapter 190, Section 6, as amended) is amended to read:

14 "24-10B-6. TREATMENT AUTHORIZED. --

15 A. Notwithstanding the provisions of [~~Sections~~
16 ~~61-6-1 through 61-6-31 NMSA 1978]~~ the Medical Practice Act,
17 Sections 61-10-1 through 61-10-22 NMSA 1978 or the Nursing
18 Practice Act, any person licensed [~~or certified]~~ by the bureau
19 may render emergency medical services commensurate with his
20 level of licensure [~~or certification]~~, as medically indicated.

21 B. Individuals licensed [~~or certified under~~
22 ~~Sections 61-6-1 through 61-6-31 NMSA 1978]~~ pursuant to the
23 provisions of the Medical Practice Act, Sections 61-10-1
24 through 61-10-22 NMSA 1978 or the Nursing Practice Act are not
25 required to be licensed [~~or certified]~~ under the Emergency

. 144170. 1

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1 Medical Services Act. "

2 Section 7. Section 24-10B-7 NMSA 1978 (being Laws 1983,
3 Chapter 190, Section 7, as amended) is amended to read:

4 "24-10B-7. COMMITTEES ESTABLISHED. --

5 A. The secretary shall appoint a statewide
6 emergency medical services advisory committee to advise the
7 bureau in carrying out the provisions of the Emergency Medical
8 Services Act. The advisory committee shall include, at a
9 minimum, representatives from the state medical society, the
10 state emergency medical technicians' association, the state
11 firefighters' association, the New Mexico ambulance
12 association, the state nurses' association, the association of
13 public safety communications organization/national emergency
14 numbers association, the lead state agency for public safety
15 and emergency preparedness, the state emergency services
16 council, the New Mexico health and hospital systems
17 association, the university of New Mexico health sciences
18 center, the state fire chiefs' association, a consumer,
19 emergency medical service regional offices and other interested
20 provider and consumer groups as determined by the secretary.
21 The advisory committee shall establish appropriate
22 subcommittees, including a trauma advisory committee and an air
23 transport advisory committee.

24 B. The joint organization on education [~~in~~
25 ~~emergency medical services~~] committee shall be composed, at a

. 144170. 1

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1 minimum, of the [~~directors~~] director and medical [~~directors~~]
2 director of the academy and each approved emergency medical
3 services training program or their designee, the state
4 emergency medical services medical director, [~~and the bureau~~
5 ~~chief or his designee, who shall serve without vote, and three~~
6 ~~persons who instruct emergency medical technicians, one at each~~
7 ~~level of life support~~] the state emergency medical services
8 director, each emergency medical services regional office
9 training coordinator and one provider from the three highest
10 levels of licensure, who are appointed by the secretary from a
11 list proposed by the statewide emergency medical services
12 advisory committee. The duties of the joint organization on
13 education committee include:

14 (1) developing minimum curricula content for
15 approved emergency medical services training programs;

16 (2) establishing minimum standards for
17 approved emergency medical services training programs;

18 (3) reviewing and approving the applications
19 of organizations seeking to become approved emergency medical
20 services training programs; and

21 (4) developing minimum qualifications for and
22 maintaining a list of instructors for each of the approved
23 emergency medical services training programs.

24 C. The secretary shall appoint a medical direction
25 committee to advise the bureau on matters relating to [~~medical~~

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1 ~~control and~~ medical direction. The state emergency medical
2 services medical director shall be a member of the committee
3 and shall act as its chairman. The medical direction committee
4 shall include, at a minimum, a physician representative
5 experienced in pre-hospital medical care selected from a list
6 proposed by the New Mexico chapter of the American college of
7 emergency physicians, a physician representative from the
8 academy, one physician from each of the emergency medical
9 services geographic regions [~~and one emergency medical~~
10 ~~technician at each level of life support~~], one physician with
11 pediatric emergency medicine expertise, one physician
12 representing emergency medical dispatchers and one provider
13 from the three highest levels of licensure. Members shall be
14 selected to represent both public and private interests. The
15 duties of the medical direction committee include:

16 (1) reviewing the medical appropriateness of
17 all [~~regulations~~] rules proposed by the bureau;

18 (2) reviewing and approving the applications
19 of providers for special skills authorizations;

20 (3) assisting in the development of
21 [~~regulations~~] rules pertaining to medical direction; and

22 (4) [~~updating~~] reviewing at least annually a
23 list of skills, techniques and medications approved for use at
24 each level of [~~life support~~] licensure that [~~will~~] shall be
25 approved by the secretary and [~~that will be~~] issued by the

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1 bureau.

2 D. The committees created in this section [~~shall~~
3 ~~be~~] are subject to the provisions of the Per Diem and Mileage
4 Act, to the extent that funds are available for that purpose.

5 [~~E. Any decision that the bureau proposes to make~~
6 ~~contrary to the recommendation of any committee created in this~~
7 ~~section shall be communicated in writing to that committee.~~
8 ~~Upon the request of that committee, the decision shall be~~
9 ~~submitted for reconsideration to the director of the public~~
10 ~~health division of the department and subsequently to the~~
11 ~~secretary. Any decision made pursuant to a request for~~
12 ~~reconsideration shall be communicated in writing by the~~
13 ~~department to the appropriate committee.]"~~

14 Section 8. Section 24-10B-9 NMSA 1978 (being Laws 1983,
15 Chapter 190, Section 9, as amended) is amended to read:

16 "24-10B-9. EMERGENCY FIRST AID. -- [~~Nothing in the~~
17 ~~Emergency Medical Services Act shall prevent fire and rescue~~
18 ~~services, public safety organizations and other trained units~~
19 ~~or individuals from rendering emergency first aid to the public~~
20 ~~commensurate with their training.] Nothing in the Emergency~~
21 ~~Medical Services Act shall be construed to supersede other~~
22 ~~statutory authority permitting the rendering of first aid at~~
23 ~~the scene of an emergency.~~"

24 Section 9. Section 24-10B-9.1 NMSA 1978 (being Laws 1993,
25 Chapter 161, Section 11) is amended to read:

. 144170. 1

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1 "24-10B-9.1. EMERGENCY TRANSPORTATION. -- Any person may be
2 transported to an appropriate health care facility by an
3 emergency medical technician, under medical ~~[control]~~
4 direction, when the emergency medical technician makes a good
5 faith judgment that the person is incapable of making an
6 informed decision about his own safety or need for medical
7 attention and is reasonably likely to suffer disability or
8 death without the medical intervention available at such a
9 facility."

10 Section 10. Section 24-10B-12 NMSA 1978 (being Laws 1993,
11 Chapter 161, Section 7) is amended to read:

12 "24-10B-12. ACADEMY--DUTIES.--The academy is designated
13 as the lead emergency medical services training agency ~~[for~~
14 ~~providers]~~. Its duties include:

15 A. administering ~~[all basic life support]~~ formal
16 emergency medical services training conducted in New Mexico,
17 other than ~~[classes administered]~~ training provided by other
18 approved emergency medical services training programs;

19 B. furthering the knowledge ~~[base]~~ of emergency
20 medical services education; ~~[and]~~

21 C. securing a physician as its medical director to
22 advise it in medical matters and to serve as liaison to the
23 state emergency medical services medical director and the
24 medical community as a whole;

25 D. supporting, promoting and conducting scholarly

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1 research regarding emergency medical services; and

2 E. reporting and publishing emergency medical
3 services information. "

4 Section 11. A new section of the Emergency Medical
5 Services Act is enacted to read:

6 "[NEW MATERIAL] RECORDS CONFIDENTIALITY. --

7 A. Any files or records in the possession of the
8 bureau, a regional office or a provider containing identifying
9 information about individuals requesting or receiving treatment
10 or other health services and any unsubstantiated complaints
11 received by the bureau regarding any provider shall be
12 confidential and not subject to public inspection.

13 B. Such files, records and complaints may be
14 subject to subpoena for use in any pending cause in any
15 administrative proceeding or in any of the courts of this
16 state, unless otherwise provided by law. "

17 Section 12. A new section of the Emergency Medical
18 Services Act is enacted to read:

19 "[NEW MATERIAL] APPROVED TRAINING PROGRAMS. -- Approved
20 emergency medical services training programs for providers are
21 an integral part of the emergency medical services system and
22 the programs shall include:

23 A. improving and expanding emergency medical
24 services within regions through focused emergency medical
25 services educational activities;

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B. furthering the knowledge base of emergency medical services education; and

C. securing physicians as medical directors to advise approved training programs in medical matters and to serve as liaison to the state emergency medical services medical director and the medical community as a whole. "

Section 13. A new section of the Emergency Medical Services Act is enacted to read:

"[NEW MATERIAL] REGIONAL OFFICES-- DUTIES. --

A. Regional offices may be established by the department to assist the bureau to provide regional planning and development, improvement, expansion and direction of emergency medical services and injury prevention in their respective geographic regions.

B. Regional offices may provide technical support and assistance, training coordination, outreach, advocacy, prevention and public education and leadership to communities and providers in their respective geographic regions. They may also provide specific support to the bureau for functions such as licensing examination, planning, evaluation and Emergency Medical Services Fund Act administration. "

Section 14. EFFECTIVE DATE. --The effective date of the provisions of this act is July 1, 2003.