

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 4267

(SENATE AUTHORS: LANG)

DATE	D-PG	OFFICIAL STATUS
03/11/2020	5410	Introduction and first reading Referred to Health and Human Services Finance and Policy

1.1 A bill for an act

1.2 relating to health; modifying certification requirements for certain occupations

1.3 regulated by the Emergency Medical Services Regulatory Board; modifying

1.4 requirements for education programs and education program primary instructors;

1.5 amending Minnesota Statutes 2018, sections 144E.001, by adding a subdivision;

1.6 144E.27; 144E.28, subdivisions 1, 3, 7, 8; 144E.283; 144E.285, subdivisions 1,

1.7 2, 4, by adding subdivisions; repealing Minnesota Statutes 2018, section 144E.27,

1.8 subdivisions 1, 1a.

1.9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.10 Section 1. Minnesota Statutes 2018, section 144E.001, is amended by adding a subdivision

1.11 to read:

1.12 Subd. 16. **Education program primary instructor or primary instructor.** "Education

1.13 program primary instructor" or "primary instructor" means an individual, as approved by

1.14 the board, who serves as the lead instructor of an emergency medical care initial certification

1.15 course and who is responsible for planning or conducting the course according to the most

1.16 current version of the National EMS Education Standards by the NHTSA, United States

1.17 Department of Transportation.

1.18 Sec. 2. Minnesota Statutes 2018, section 144E.27, subdivision 2, is amended to read:

1.19 Subd. 2. **Registration.** To be eligible for registration with the board as an emergency

1.20 medical responder, an individual shall ~~complete a board-approved application form and:~~

1.21 (1) ~~successfully complete a board-approved initial emergency medical responder~~

1.22 ~~education program. Registration under this clause is valid for two years and expires on~~

1.23 ~~October 31~~ the United States Department of Transportation course, or its equivalent as

1.24 approved by the board, specific to the emergency medical responder classification; or

2.1 (2) be credentialed as an emergency medical responder by the National Registry of
2.2 Emergency Medical Technicians. ~~Registration under this clause expires the same day as~~
2.3 ~~the National Registry credential;~~ and

2.4 (3) complete a board-approved application form.

2.5 Sec. 3. Minnesota Statutes 2018, section 144E.27, subdivision 3, is amended to read:

2.6 Subd. 3. **Renewal.** (a) The board may renew the registration of an emergency medical
2.7 responder who:

2.8 (1) successfully completes a board-approved refresher course; ~~and~~

2.9 (2) successfully completes a course in cardiopulmonary resuscitation approved by the
2.10 board or the licensee's medical director; and

2.11 ~~(2)~~ (3) submits a completed renewal application to the board before the registration
2.12 expiration date.

2.13 (b) The board may renew the lapsed registration of an emergency medical responder
2.14 who:

2.15 (1) successfully completes a board-approved refresher course; ~~and~~

2.16 (2) successfully completes a course in cardiopulmonary resuscitation approved by the
2.17 board or the licensee's medical director; and

2.18 ~~(2)~~ (3) submits a completed renewal application to the board within 12 months after the
2.19 registration expiration date.

2.20 Sec. 4. Minnesota Statutes 2018, section 144E.28, subdivision 1, is amended to read:

2.21 Subdivision 1. **Requirements.** To be eligible for certification by the board as an EMT,
2.22 AEMT, or paramedic, an individual shall:

2.23 (1) successfully complete the United States Department of Transportation course, or its
2.24 equivalent as approved by the board, specific to the EMT, AEMT, or paramedic classification;

2.25 ~~(2) pass the written and practical examinations approved by the board and administered~~
2.26 ~~by the board or its designee;~~ obtain National Registry of Emergency Medical Technicians
2.27 or its successor certification specific to the EMT, AEMT, or paramedic classification; and

2.28 (3) complete a board-approved application form.

3.1 Sec. 5. Minnesota Statutes 2018, section 144E.28, subdivision 3, is amended to read:

3.2 Subd. 3. **Reciprocity.** The board may certify an individual who possesses a current
3.3 National Registry of Emergency Medical Technicians ~~registration~~ certification from another
3.4 jurisdiction if the individual submits a board-approved application form. The board
3.5 certification classification shall be the same as the National Registry's classification.
3.6 Certification shall be for the duration of the applicant's ~~registration~~ certification period in
3.7 another jurisdiction, not to exceed two years.

3.8 Sec. 6. Minnesota Statutes 2018, section 144E.28, subdivision 7, is amended to read:

3.9 Subd. 7. **Renewal.** (a) Before the expiration date of certification, an applicant for renewal
3.10 of certification as an EMT shall:

3.11 (1) successfully complete a course in cardiopulmonary resuscitation that is approved by
3.12 the board or the licensee's medical director;

3.13 (2) ~~take the United States Department of Transportation EMT refresher course and~~
3.14 ~~successfully pass the practical skills test portion of the course, or successfully complete 48~~
3.15 ~~hours of continuing education in EMT programs that are consistent with the United States~~
3.16 ~~Department of Transportation National EMS Education Standards or its equivalent as~~
3.17 ~~approved by the board or as approved by the licensee's medical director and pass a practical~~
3.18 ~~skills test approved by the board and administered by an education program approved by~~
3.19 ~~the board. The cardiopulmonary resuscitation course and practical skills test may be included~~
3.20 ~~as part of the refresher course or continuing education renewal requirements; and~~ satisfy
3.21 one of the following requirements:

3.22 (i) maintain National Registry of Emergency Medical Technicians certification following
3.23 the requirements of the National Continued Competency Program, or its equivalent as
3.24 approved by the board. The cardiopulmonary resuscitation course required under clause (1)
3.25 shall count toward the continuing education requirements for renewal; or

3.26 (ii) for an individual who only holds Minnesota EMT certification and held the
3.27 certification prior to April 1, 2020, maintain Minnesota certification by completing the
3.28 required hours of continuing education as determined in the National Continued Competency
3.29 Program of the National Registry of Emergency Medical Technicians, or its equivalent as
3.30 approved by the board. The cardiopulmonary resuscitation course required under clause (1)
3.31 shall count toward the continuing education requirements for renewal. This item expires
3.32 April 1, 2036; and

3.33 (3) complete a board-approved application form.

4.1 (b) Before the expiration date of certification, an applicant for renewal of certification
4.2 as an AEMT or paramedic shall:

4.3 (1) for an AEMT, successfully complete a course in cardiopulmonary resuscitation that
4.4 is approved by the board or the licensee's medical director, and for a paramedic, successfully
4.5 complete a course in advanced cardiac life support that is approved by the board or the
4.6 licensee's medical director;

4.7 ~~(2) successfully complete 48 hours of continuing education in emergency medical training~~
4.8 ~~programs, appropriate to the level of the applicant's AEMT or paramedic certification, that~~
4.9 ~~are consistent with the United States Department of Transportation National EMS Education~~
4.10 ~~Standards or its equivalent as approved by the board or as approved by the licensee's medical~~
4.11 ~~director. An applicant may take the United States Department of Transportation Emergency~~
4.12 ~~Medical Technician refresher course or its equivalent without the written or practical test~~
4.13 ~~as approved by the board, and as appropriate to the applicant's level of certification, as part~~
4.14 ~~of the 48 hours of continuing education. Each hour of the refresher course, the~~
4.15 ~~cardiopulmonary resuscitation course, and the advanced cardiac life support course counts~~
4.16 ~~toward the 48-hour continuing education requirement; and~~ satisfy one of the following
4.17 requirements:

4.18 (i) maintain National Registry of Emergency Medical Technicians certification following
4.19 the requirements of the National Continued Competency Program, or its equivalent as
4.20 approved by the board. The cardiopulmonary resuscitation course or advanced cardiac life
4.21 support course required under clause (1) shall count toward the continuing education
4.22 requirements for renewal; or

4.23 (ii) for an individual who only holds Minnesota AEMT or paramedic certification and
4.24 held the certification prior to April 1, 2020, maintain Minnesota certification by completing
4.25 the required hours of continuing education as determined in the National Continued
4.26 Competency Program of the National Registry of Emergency Medical Technicians, or its
4.27 equivalent as approved by the board. The cardiopulmonary resuscitation course or advanced
4.28 cardiac life support course required under clause (1) shall count toward the continuing
4.29 education requirements for renewal. This item expires April 1, 2036; and

4.30 (3) complete a board-approved application form.

4.31 (c) Certification shall be renewed every two years.

4.32 (d) If the applicant does not meet the renewal requirements under this subdivision, the
4.33 applicant's certification expires.

5.1 Sec. 7. Minnesota Statutes 2018, section 144E.28, subdivision 8, is amended to read:

5.2 Subd. 8. **Reinstatement.** (a) Within ~~four~~ two years of a certification expiration date, a
5.3 person whose certification has expired under subdivision 7, paragraph (d), may have the
5.4 certification reinstated upon submission of:

5.5 (1) evidence to the board of training equivalent to the continuing education requirements
5.6 of subdivision 7; and

5.7 (2) a board-approved application form.

5.8 (b) If more than ~~four~~ two years have passed since a certificate expiration date, an applicant
5.9 must complete the initial certification process required under subdivision 1.

5.10 Sec. 8. Minnesota Statutes 2018, section 144E.283, is amended to read:

5.11 **144E.283 PRIMARY INSTRUCTOR QUALIFICATIONS.**

5.12 ~~(a) An emergency medical technician education program primary instructor must:~~

5.13 (1) possess ~~valid~~ current Minnesota certification, registration, or licensure as one of the
5.14 following, at a level that is equivalent to or higher than the level of certification or registration
5.15 being taught:

5.16 (i) an EMR, EMT, AEMT, or paramedic;

5.17 (ii) a physician, with certification in adult or pediatric emergency medicine from the
5.18 American Board of Emergency Medicine or the American Board of Osteopathic Emergency
5.19 Medicine, with certification in an emergency medical services subspecialty, or serving as
5.20 a medical director of a licensed ambulance service;

5.21 (iii) a physician assistant, with experience in emergency medicine; or

5.22 (iv) a registered nurse with certification in adult or pediatric prehospital nursing from
5.23 (A) the Board of Certification for Emergency Nursing, including certified flight registered
5.24 nurse or certified transport registered nurse, or (B) the National Certification Corporation,
5.25 including certified in neonatal pediatric transport;

5.26 (2) ~~have two years of active emergency medical practical experience~~ if required under
5.27 this chapter for Minnesota certification or registration, possess National Registry of
5.28 Emergency Medical Technicians certification or registration as an EMR, EMT, AEMT, or
5.29 paramedic, at a level that is equivalent to or higher than the level of certification or
5.30 registration being taught;

5.31 (3) satisfy one of the following requirements:

6.1 (i) hold at least an associate's degree and have been certified for at least three years at a
 6.2 level that is equivalent to or higher than the level of certification or registration being taught;
 6.3 or

6.4 (ii) have been certified for at least five years at a level that is equivalent to or higher
 6.5 than the level of certification or registration being taught;

6.6 ~~(3)~~ (4) be recommended by a medical director of a licensed hospital, ambulance service,
 6.7 or education program approved by the board;

6.8 ~~(4)~~ (5) satisfy one of the following requirements:

6.9 (i) successfully complete the United States Department of Transportation Emergency
 6.10 Medical Services Instructor Education Program or its equivalent as approved by the board
 6.11 course; and

6.12 (ii) successfully complete the National Association of EMS Educators Instructor level
 6.13 1 course;

6.14 (iii) successfully complete the Fire Instructor I course;

6.15 (iv) hold at least a bachelor's degree in education;

6.16 (v) hold at least a master's degree in a related field of study;

6.17 (vi) have been vetted through the Minnesota State faculty credentialing process; or

6.18 (vii) successfully complete an equivalent course or hold an equivalent degree as approved
 6.19 by the board;

6.20 ~~(5)~~ (6) complete eight hours of continuing education in educational topics every two
 6.21 years, with documentation filed with the education program coordinator;:

6.22 (7) complete a board-approved application form; and

6.23 (8) receive board approval as a primary instructor.

6.24 ~~(b) An emergency medical responder instructor must possess valid registration,~~
 6.25 ~~certification, or licensure as an EMR, EMT, AEMT, paramedic, physician, physician~~
 6.26 ~~assistant, or registered nurse.~~

6.27 Sec. 9. Minnesota Statutes 2018, section 144E.285, subdivision 1, is amended to read:

6.28 Subdivision 1. **Approval required.** (a) All education programs for an EMR, EMT,
 6.29 AEMT, or paramedic must be approved by the board.

6.30 (b) To be approved by the board, an education program must:

- 7.1 (1) submit an application prescribed by the board that includes:
- 7.2 (i) type ~~and length~~ of course to be offered;
- 7.3 (ii) names, addresses, and qualifications of the program medical director, program
7.4 education coordinator, and instructors;
- 7.5 ~~(iii) names and addresses of clinical sites, including a contact person and telephone
7.6 number;~~
- 7.7 ~~(iv)~~ (iii) admission criteria for students; and
- 7.8 ~~(v)~~ (iv) materials and equipment to be used;
- 7.9 (2) for each course, implement the most current version of the United States Department
7.10 of Transportation EMS Education Standards, or its equivalent as determined by the board
7.11 applicable to EMR, EMT, AEMT, or paramedic education;
- 7.12 (3) have a program medical director and a program coordinator;
- 7.13 (4) utilize primary instructors who meet the requirements of section 144E.283 for teaching
7.14 at least 50 percent of the course content. The remaining 50 percent of the course may be
7.15 taught by guest lecturers approved by the education program coordinator or medical director;
- 7.16 ~~(5) have at least one instructor for every ten students at the practical skill stations;~~
- 7.17 ~~(6) maintain a written agreement with a licensed hospital or licensed ambulance service
7.18 designating a clinical training site;~~
- 7.19 ~~(7)~~ (5) retain documentation of program approval by the board, course outline, and
7.20 student information;
- 7.21 ~~(8)~~ (6) notify the board of the starting date of a course prior to the beginning of a course;
7.22 and
- 7.23 ~~(9)~~ (7) submit the appropriate fee as required under section 144E.29; and.
- 7.24 ~~(10) maintain a minimum average yearly pass rate as set by the board on an annual basis.
7.25 The pass rate will be determined by the percent of candidates who pass the exam on the
7.26 first attempt. An education program not meeting this yearly standard shall be placed on
7.27 probation and shall be on a performance improvement plan approved by the board until
7.28 meeting the pass rate standard. While on probation, the education program may continue
7.29 providing classes if meeting the terms of the performance improvement plan as determined
7.30 by the board. If an education program having probation status fails to meet the pass rate~~

8.1 ~~standard after two years in which an EMT initial course has been taught, the board may~~
8.2 ~~take disciplinary action under subdivision 5.~~

8.3 Sec. 10. Minnesota Statutes 2018, section 144E.285, is amended by adding a subdivision
8.4 to read:

8.5 Subd. 1a. **EMR requirements.** The National EMS Education Standards established by
8.6 the NHTSA, United States Department of Transportation specifies the minimum requirements
8.7 for knowledge and skills for emergency medical responders. A medical director of an
8.8 emergency medical responder group may establish additional knowledge and skill
8.9 requirements for EMRs.

8.10 Sec. 11. Minnesota Statutes 2018, section 144E.285, is amended by adding a subdivision
8.11 to read:

8.12 Subd. 1b. **EMT requirements.** In addition to the requirements under subdivision 1,
8.13 paragraph (b), an education program applying for approval to teach EMTs must:

8.14 (1) in the application prescribed by the board, include names and addresses of clinical
8.15 sites, including a contact person and telephone number;

8.16 (2) maintain a written agreement with a licensed hospital or licensed ambulance service
8.17 designating a clinical training site; and

8.18 (3) maintain a minimum average yearly pass rate as set by the board. An education
8.19 program not meeting the standard in this subdivision shall be placed on probation and must
8.20 comply with a performance improvement plan approved by the board until the program
8.21 meets the pass-rate standard. While on probation, the education program may continue to
8.22 provide classes if the program meets the terms of the performance improvement plan, as
8.23 determined by the board. If an education program that is on probation status fails to meet
8.24 the pass-rate standard after two years in which an EMT initial course has been taught, the
8.25 board may take disciplinary action under subdivision 5.

8.26 Sec. 12. Minnesota Statutes 2018, section 144E.285, subdivision 2, is amended to read:

8.27 Subd. 2. **AEMT and paramedic requirements.** (a) In addition to the requirements
8.28 under subdivision 1, paragraph (b), an education program applying for approval to teach
8.29 AEMTs and paramedics must:

8.30 (1) be administered by an educational institution accredited by the Commission of
8.31 Accreditation of Allied Health Education Programs (CAAHEP);

9.1 (2) in the application prescribed by the board, include names and addresses of clinical
 9.2 sites, including a contact person and telephone number; and

9.3 (3) maintain a written agreement with a licensed hospital or licensed ambulance service
 9.4 designating a clinical training site.

9.5 (b) An AEMT and paramedic education program that is administered by an educational
 9.6 institution not accredited by CAAHEP, but that is in the process of completing the
 9.7 accreditation process, may be granted provisional approval by the board upon verification
 9.8 of submission of its self-study report and the appropriate review fee to CAAHEP.

9.9 (c) An educational institution that discontinues its participation in the accreditation
 9.10 process must notify the board immediately and provisional approval shall be withdrawn.

9.11 ~~(d) This subdivision does not apply to a paramedic education program when the program~~
 9.12 ~~is operated by an advanced life support ambulance service licensed by the Emergency~~
 9.13 ~~Medical Services Regulatory Board under this chapter, and the ambulance service meets~~
 9.14 ~~the following criteria:~~

9.15 ~~(1) covers a rural primary service area that does not contain a hospital within the primary~~
 9.16 ~~service area or contains a hospital within the primary service area that has been designated~~
 9.17 ~~as a critical access hospital under section 144.1483, clause (9);~~

9.18 ~~(2) has tax-exempt status in accordance with the Internal Revenue Code, section~~
 9.19 ~~501(c)(3);~~

9.20 ~~(3) received approval before 1991 from the commissioner of health to operate a paramedic~~
 9.21 ~~education program;~~

9.22 ~~(4) operates an AEMT and paramedic education program exclusively to train paramedics~~
 9.23 ~~for the local ambulance service; and~~

9.24 ~~(5) limits enrollment in the AEMT and paramedic program to five candidates per~~
 9.25 ~~biennium.~~

9.26 Sec. 13. Minnesota Statutes 2018, section 144E.285, subdivision 4, is amended to read:

9.27 Subd. 4. **Reapproval.** An education program shall apply to the board for reapproval at
 9.28 least three months prior to the expiration date of its approval and must:

9.29 (1) submit an application prescribed by the board specifying any changes from the
 9.30 information provided for prior approval and any other information requested by the board
 9.31 to clarify incomplete or ambiguous information presented in the application; ~~and~~

- 10.1 (2) comply with the requirements under subdivision 1, paragraph (b), clauses (2) to ~~(10)~~.
- 10.2 (7);
- 10.3 (3) be subject to a site visit;
- 10.4 (4) for education programs that teach EMTs, comply with the requirements in subdivision
- 10.5 1b; and
- 10.6 (5) for education programs that teach AEMTs and paramedics, comply with the
- 10.7 requirements in subdivision 2 and maintain accreditation with the CAAHEP.
- 10.8 Sec. 14. **REPEALER.**
- 10.9 Minnesota Statutes 2018, section 144E.27, subdivisions 1 and 1a, are repealed.

144E.27 EDUCATION PROGRAMS; BOARD APPROVAL.

Subdivision 1. **Education program instructor.** An education program instructor must be an emergency medical responder, EMT, AEMT, paramedic, physician, physician assistant, or registered nurse.

Subd. 1a. **Approval required.** (a) All education programs for an emergency medical responder must be approved by the board.

(b) To be approved by the board, an education program must:

(1) submit an application prescribed by the board that includes:

(i) type and length of course to be offered;

(ii) names, addresses, and qualifications of the program medical director, program education coordinator, and instructors;

(iii) admission criteria for students; and

(iv) materials and equipment to be used;

(2) for each course, implement the most current version of the United States Department of Transportation EMS Education Standards, or its equivalent as determined by the board applicable to Emergency Medical Responder registration education;

(3) have a program medical director and a program coordinator;

(4) have at least one instructor for every ten students at the practical skill stations;

(5) retain documentation of program approval by the board, course outline, and student information; and

(6) submit the appropriate fee as required under section 144E.29.

(c) The National EMS Education Standards by the NHTSA, United States Department of Transportation contains the minimal entry level of knowledge and skills for emergency medical responders. Medical directors of emergency medical responder groups may expand the knowledge and skill set.