
A BILL FOR AN ACT

RELATING TO EMERGENCY MEDICAL SERVICES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that existing laws
2 relating to the licensing or certification of emergency medical
3 personnel address only emergency ambulance service personnel,
4 including licensed emergency medical technicians - basic
5 (EMT-B), advanced emergency medical technicians (AEMT), and
6 mobile intensive care technicians (MICT or paramedics). There
7 is no licensure category for emergency medical responders.
8 Emergency medical responders provide at-the-scene, life-saving
9 care with minimal equipment to critical care patients and have
10 the knowledge and skills necessary to provide immediate
11 interventions while awaiting arrival of additional emergency
12 medical services. Emergency medical responders are a vital part
13 of a comprehensive emergency medical services system response.
14 Emergency medical responders include firefighters and ocean
15 safety lifeguards who provide immediate life-saving
16 interventions to patients but do not provide emergency ambulance
17 services.



1 To align Hawaii with national trends and mitigate the
2 unintended consequences associated with the deregulation of
3 Hawaii's emergency medical services system, the purpose of this
4 Act is to:

5 (1) Enable the Hawaii medical board to issue licenses for
6 emergency medical responders and other emergency
7 ambulance service personnel, which shall be based on
8 certain requirements; and

9 (2) Include emergency medical responders to the State's
10 pre-hospital response.

11 SECTION 2. Section 321-222, Hawaii Revised Statutes, is
12 amended by amending the definition of "emergency medical
13 services personnel" to read as follows:

14 ""Emergency medical services personnel" means any mobile
15 intensive care technician or emergency medical technician who is
16 [~~certified or~~] licensed by the State."

17 SECTION 3. Section 321-229, Hawaii Revised Statutes, is
18 amended by amending subsection (a) to read as follows:

19 "(a) The University of Hawaii shall provide training
20 courses in basic, intermediate, and advanced life support for
21 emergency medical services personnel. The curricula and syllabi



1 of these courses shall be approved in advance by the department
2 of health. The curricula and syllabi of courses for ambulance
3 personnel shall be consistent with the scope and level of the
4 practice of emergency medical services associated with emergency
5 ambulance personnel [~~certification~~] licensure defined by the
6 Hawaii medical board under part II of chapter 453."

7 SECTION 4. Section 453-2, Hawaii Revised Statutes, is
8 amended by amending subsection (b) to read as follows:

9 "(b) Nothing herein shall:

- 10 (1) Apply to so-called Christian Scientists; provided that
11 the Christian Scientists practice the religious tenets
12 of their church without pretending a knowledge of
13 medicine or surgery;
- 14 (2) Prohibit service in the case of emergency or the
15 domestic administration of family remedies;
- 16 (3) Apply to any commissioned medical officer in the
17 United States armed forces or public health service
18 engaged in the discharge of one's official duty,
19 including a commissioned medical officer employed by
20 the United States Department of Defense, while
21 providing direct telehealth support or services to



1 neighbor island beneficiaries within a Hawaii National
2 Guard armory on the island of Kauai, Hawaii, Molokai,
3 or Maui; provided that the commissioned medical
4 officer employed by the United States Department of
5 Defense is credentialed by Tripler Army Medical
6 Center;

7 (4) Apply to any practitioner of medicine and surgery from
8 another state when in actual consultation, including
9 in-person, mail, electronic, telephonic, fiber-optic,
10 or other telehealth consultation with a licensed
11 physician or osteopathic physician of this State, if
12 the physician or osteopathic physician from another
13 state at the time of consultation is licensed to
14 practice in the state in which the physician or
15 osteopathic physician resides; provided that:

16 (A) The physician or osteopathic physician from
17 another state shall not open an office, or
18 appoint a place to meet patients in this State,
19 or receive calls within the limits of the State
20 for the provision of care for a patient who is
21 located in this State;



1 (B) The licensed physician or osteopathic physician
2 of this State retains control and remains
3 responsible for the provision of care for the
4 patient who is located in this State; and

5 (C) The laws and rules relating to contagious
6 diseases are not violated;

7 (5) Prohibit services rendered by any person [~~certified~~]
8 licensed under part II of this chapter to provide
9 emergency medical services, or any physician
10 assistant, when the services are rendered under the
11 direction and control of a physician or osteopathic
12 physician licensed in this State except for final
13 refraction resulting in a prescription for spectacles,
14 contact lenses, or visual training as performed by an
15 oculist or optometrist duly licensed by the State.
16 The direction and control shall not be construed in
17 every case to require the personal presence of the
18 supervising and controlling physician or osteopathic
19 physician. Any physician or osteopathic physician who
20 employs or directs a person certified under part II of
21 this chapter to provide emergency medical services, or



1 a physician assistant, shall retain full professional
2 and personal responsibility for any act that
3 constitutes the practice of medicine when performed by
4 the certified person or physician assistant;

5 (6) Prohibit automated external defibrillation by:

6 (A) Any first responder personnel certified by the
7 department of health to provide automated
8 external defibrillation when it is rendered under
9 the medical oversight of a physician or
10 osteopathic physician licensed in this State; or

11 (B) Any person acting in accordance with section
12 663-1.5(e); or

13 (7) Prohibit a radiologist duly licensed to practice
14 medicine and provide radiology services in another
15 state from using telehealth while located in this
16 State to provide radiology services to a patient who
17 is located in the state in which the radiologist is
18 licensed. For the purposes of this paragraph:

19 "Distant site" means the location of the
20 radiologist delivering services through telehealth at
21 the time the services are provided.



1 "Originating site" means the location where the
2 patient is located, whether accompanied or not by a
3 health care provider, at the time services are
4 provided by a radiologist through telehealth,
5 including but not limited to a radiologist's or health
6 care provider's office, hospital, health care
7 facility, a patient's home, and other non-medical
8 environments such as school-based health centers,
9 university-based health centers, or the work location
10 of a patient.

11 "Radiologist" means a doctor of medicine or a
12 doctor of osteopathy certified in radiology by the
13 American Board of Radiology or the American Board of
14 Osteopathy.

15 "Telehealth" means the use of telecommunications,
16 as that term is defined in section 269-1, to
17 encompass four modalities: store and forward
18 technologies, remote monitoring, live consultation,
19 and mobile health; and which shall include but not be
20 limited to real-time video conferencing-based
21 communication, secure interactive and non-interactive



1 web-based communication, and secure asynchronous
2 information exchange, to transmit patient medical
3 information, including diagnostic-quality digital
4 images and laboratory results for medical
5 interpretation and diagnosis, for the purpose of
6 delivering enhanced health care services and
7 information while a patient is at an originating site
8 and the radiologist is at a distant site. Standard
9 telephone contacts, facsimile transmissions, or e-mail
10 texts, in combination or by themselves, do not
11 constitute a telehealth service for the purposes of
12 this paragraph."

13 SECTION 5. Section 453-31, Hawaii Revised Statutes, is
14 amended to read as follows:

15 **"§453-31 Emergency ambulance service personnel.** The
16 practice of any emergency medical services by any individual
17 employed by an emergency ambulance service who is not licensed
18 under this chapter or under chapter 457 shall be subject to
19 [~~certification~~] licensure under this part. In the event of any
20 conflict between this part and any rules adopted under section



1 453-2, this part shall control with regard to emergency
2 ambulance service personnel.

3 The Hawaii medical board shall define the scope of the
4 practice of emergency medical services, different levels of the
5 practice, and degree of supervision required of a supervising
6 physician or osteopathic physician when a person certified under
7 this part provides services within the practice of medicine."

8 SECTION 6. Section 453-32, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "§453-32 [Certification] Licensure of emergency ambulance
11 personnel[-] and emergency medical responders. (a) The Hawaii
12 medical board shall [~~certify~~] issue licenses to individuals [as]
13 qualified in emergency medical services, upon application
14 therefor[; - provided that the], consistent with the following
15 levels of practice:

- 16 (1) Emergency medical responder;
- 17 (2) Emergency medical technician;
- 18 (3) Advanced emergency medical technician; or
- 19 (4) Mobile intensive care technician or paramedic.
- 20 (b) The applicant for [~~certification:-] licensure shall:~~



- 1 (1) ~~[Holds]~~ Hold a current certificate from the National
2 Registry of Emergency Medical Technicians~~[7]~~ for the
3 requisite level of practice, ~~[has]~~ have satisfactorily
4 passed a course of training in emergency medical
5 services for emergency ambulance services personnel
6 ~~[which]~~ that shall be based on and may exceed the
7 national curriculum of the United States Department of
8 Transportation and approved by the board~~[7]~~ if
9 required for the applicable level of practice, and
10 ~~[meets]~~ meet other standards and qualifications,
11 including passage of an examination, set by the Hawaii
12 medical board pertinent to the practice of emergency
13 medical services in Hawaii;
- 14 (2) ~~[Meets]~~ Meet continuing education requirements ~~[which]~~
15 that shall be set by the Hawaii medical board; and
- 16 (3) ~~[Meets]~~ Meet other qualifications set by the Hawaii
17 medical board.
- 18 (c) The board shall directly review the credentials of
19 applicants and administer examinations required.
- 20 ~~[Certification]~~ Licensure under this section shall be a
21 prerequisite to the practice of emergency medical services as an



1 emergency medical responder or as an employee of an emergency
2 ambulance service.

3 (d) The Hawaii medical board shall provide standard
4 application forms for the [~~certification~~] licensure of emergency
5 ambulance personnel and emergency medical responders and shall
6 provide for the periodic renewal of such [~~certification~~.]
7 licenses. The Hawaii medical board shall assess a fee for such
8 application, [~~certification~~,] licensure, and renewal. The
9 Hawaii medical board shall provide for the revocation,
10 suspension, or limitation of [~~certification~~] licensure in the
11 event an individual once [~~certified~~] licensed under this section
12 fails to maintain or meet requirements for continued
13 [~~certification~~,] licensure or for good cause shown.

14 (e) Applicants for licensure as an emergency medical
15 responder shall additionally demonstrate:

16 (1) Successful completion of a Hawaii medical board-
17 approved emergency medical responder course that meets
18 or exceeds the National Emergency Medical Services
19 Education Standards for the Emergency Medical
20 Responder;

21 (2) A current cardiopulmonary resuscitation certification;



- 1 (3) Proficiency in Basic Life Support for Healthcare
2 Providers or equivalent credential;
- 3 (4) Successful completion of the Hawaii medical board-
4 approved emergency medical responder cognitive
5 (knowledge) examination and psychomotor (skills)
6 examination; and
- 7 (5) Any other requirements determined by the Hawaii
8 medical board.

9 Any emergency medical responder licensed under this part
10 shall document care in a pre-hospital emergency medical records
11 system compatible with the emergency medical services system's
12 pre-hospital medical records system. Emergency medical
13 responders shall practice under a medical doctor.

14 (f) For purposes of this section, the term "emergency
15 ambulance personnel" collectively means emergency medical
16 technicians, advanced emergency medical technicians, mobile
17 intensive care technicians, or paramedics."

18 SECTION 7. Section 453-32.5, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "§453-32.5 [~~Temporary certification.] Provisional~~
21 licensure. The board shall approve [~~temporary certification]~~



1 provisional licensure of an applicant under section 453-32 if
2 the applicant has graduated from a board approved training
3 program within twelve months of the date of application and has
4 never taken the written and practical examination of the
5 National Registry of Emergency Medical Technicians for that
6 level of practice but otherwise meets the requirements of
7 section 453-32, has filed a complete application with the board,
8 and has paid all required fees.

9 If the applicant fails to apply for, or to take, the next
10 succeeding examination or fails to pass the examination or fails
11 to receive a [~~certificate,~~] license, all privileges under this
12 section shall automatically cease upon written notification sent
13 to the applicant by the board. A [~~temporary certificate~~]
14 provisional license for each level of practice may be issued
15 only once to each person.

16 Prior to practicing under [~~temporary certification,~~] any
17 provisional license, applicants shall notify the board in
18 writing of any and all employers under whom they will be
19 performing services."

20 SECTION 8. Section 453-32.51, Hawaii Revised Statutes, is
21 amended to read as follows:



1 "§453-32.51 Limited [~~temporary certification~~] provisional
2 licensure. (a) The Hawaii medical board shall approve limited
3 [~~temporary certification~~] provisional licensure of an applicant
4 under this section if the applicant:

5 (1) Has graduated from a board or state-approved training
6 program as developed and promulgated by the United
7 States Department of Transportation[+] if required for
8 the applicable level of practice;

9 (2) Has passed the written and practical examinations of
10 the National Registry of Emergency Medical Technicians
11 for that level of practice;

12 (3) Holds a current certificate from the National Registry
13 of Emergency Medical Technicians for that level of
14 practice;

15 (4) Has submitted a letter verifying acceptance into a
16 period of peer review as an emergency medical
17 technician or mobile intensive care technician;

18 (5) Has filed a completed application with the board; and
19 (6) Has paid all the required fees.

20 (b) Limited [~~certification~~] licensure of any applicant
21 shall be restricted to a maximum of one year.



1 (c) All privileges under this section shall automatically
2 cease if the applicant receives [~~certification~~] licensure under
3 section 453-32 or 453-32.1 or is no longer participating in a
4 period of peer review."

5 SECTION 9. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 10. This Act shall take effect on July 1, 2050.



Report Title:

Emergency Medical Responders; Emergency Ambulance Service
Personnel; Licensure; Hawaii Medical Board

Description:

Enables the Hawaii medical board to license emergency ambulance
service personnel and emergency medical responders. Effective
7/1/2050. (SD2)

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not legislation or evidence of legislative intent.*

