

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
CONFERENCE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 503

99TH GENERAL ASSEMBLY

2017

2199S.02T

AN ACT

To repeal sections 190.103, 190.144, 650.320, 650.325, 650.330, and 650.340, RSMo, and to enact in lieu thereof eight new sections relating to emergency services, with an emergency clause for a certain section.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 190.103, 190.144, 650.320, 650.325, 650.330, and
2 650.340, RSMo, are repealed and eight new sections enacted in lieu thereof, to be
3 known as sections 190.103, 190.144, 190.450, 650.320, 650.325, 650.330, 650.340,
4 and 1, to read as follows:

190.103. 1. One physician with expertise in emergency medical services
2 from each of the EMS regions shall be elected by that region's EMS medical
3 directors to serve as a regional EMS medical director. The regional EMS medical
4 directors shall constitute the state EMS medical director's advisory committee
5 and shall advise the department and their region's ambulance services on matters
6 relating to medical control and medical direction in accordance with sections
7 190.001 to 190.245 and rules adopted by the department pursuant to sections
8 190.001 to 190.245. The regional EMS medical director shall serve a term of four
9 years. The southwest, northwest, and Kansas City regional EMS medical
10 directors shall be elected to an initial two-year term. The central, east central,
11 and southeast regional EMS medical directors shall be elected to an initial four-
12 year term. All subsequent terms following the initial terms shall be four
13 years. **The state EMS medical director shall be the chair of the state
14 EMS medical director's advisory committee.**

15 2. A medical director is required for all ambulance services and emergency
16 medical response agencies that provide: advanced life support services; basic life

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 support services utilizing medications or providing assistance with patients'
18 medications; or basic life support services performing invasive procedures
19 including invasive airway procedures. The medical director shall provide medical
20 direction to these services and agencies in these instances.

21 3. The medical director, in cooperation with the ambulance service or
22 emergency medical response agency administrator, shall have the responsibility
23 and the authority to ensure that the personnel working under their supervision
24 are able to provide care meeting established standards of care with consideration
25 for state and national standards as well as local area needs and resources. The
26 medical director, in cooperation with the ambulance service or emergency medical
27 response agency administrator, shall establish and develop triage, treatment and
28 transport protocols, which may include authorization for standing orders.

29 4. All ambulance services and emergency medical response agencies that
30 are required to have a medical director shall establish an agreement between the
31 service or agency and their medical director. The agreement will include the
32 roles, responsibilities and authority of the medical director beyond what is
33 granted in accordance with sections 190.001 to 190.245 and rules adopted by the
34 department pursuant to sections 190.001 to 190.245. The agreement shall also
35 include grievance procedures regarding the emergency medical response agency
36 or ambulance service, personnel and the medical director.

37 **5. Regional EMS medical directors elected as provided under**
38 **subsection 1 of this section shall be considered public officials for**
39 **purposes of sovereign immunity, official immunity, and the Missouri**
40 **public duty doctrine defenses.**

41 **6. The state EMS medical director's advisory committee shall be**
42 **considered a peer review committee under section 537.035.**

43 **7. Regional EMS medical directors may act to provide online**
44 **telecommunication medical direction to EMT-Bs, EMT-Is, EMT-Ps, and**
45 **community paramedics and provide offline medical direction per**
46 **standardized treatment, triage, and transport protocols when EMS**
47 **personnel, including EMT-Bs, EMT-Is, EMT-Ps, and community**
48 **paramedics, are providing care to special needs patients or at the**
49 **request of a local EMS agency or medical director.**

50 **8. When developing treatment protocols for special needs**
51 **patients, regional EMS medical directors may promulgate such**
52 **protocols on a regional basis across multiple political subdivisions'**

53 jurisdictional boundaries, and such protocols may be used by multiple
54 agencies including, but not limited to, ambulance services, emergency
55 response agencies, and public health departments. Treatment protocols
56 shall include steps to ensure the receiving hospital is informed of the
57 pending arrival of the special needs patient, the condition of the
58 patient, and the treatment instituted.

59 **9. Multiple EMS agencies including, but not limited to,**
60 **ambulance services, emergency response agencies, and public health**
61 **departments shall take necessary steps to follow the regional EMS**
62 **protocols established as provided under subsection 8 of this section in**
63 **cases of mass casualty or state-declared disaster incidents.**

64 **10. When regional EMS medical directors develop and implement**
65 **treatment protocols for patients or provide online medical direction for**
66 **patients, such activity shall not be construed as having usurped local**
67 **medical direction authority in any manner.**

68 **11. Notwithstanding any other provision of law to the contrary,**
69 **when regional EMS medical directors are providing either online**
70 **telecommunication medical direction to EMT-Bs, EMT-Is, EMT-Ps, and**
71 **community paramedics, or offline medical direction per standardized**
72 **EMS treatment, triage, and transport protocols for patients, those**
73 **medical directions or treatment protocols may include the**
74 **administration of the patient's own prescription medications.**

190.144. 1. No emergency medical technician licensed under section
2 190.142 or 190.143, if acting in good faith and without gross negligence, shall be
3 liable for:

4 (1) Transporting a person for whom an application for detention for
5 evaluation and treatment has been filed under section 631.115 or 632.305; [or]

6 (2) Physically or chemically restraining an at-risk behavioral health
7 patient as that term is defined under section 190.240 if such restraint is to
8 ensure the safety of the patient or technician; or

9 **(3) The administration of a patient's personal medication when**
10 **deemed necessary.**

11 **2. Nothing in this section shall be construed as creating an**
12 **exception to sovereign immunity, official immunity, or the Missouri**
13 **public duty doctrine defenses.**

190.450. By December 31, 2017, the department of public safety
2 shall complete a study of the number of public safety answering points

3 **necessary to provide the best possible 911 technology and service to all**
4 **areas of the state in the most efficient and economical manner possible,**
5 **issue a state public safety answering point consolidation plan based on**
6 **the study, and provide such plan to the Missouri 911 service board.**

650.320. For the purposes of sections 650.320 to 650.340, the following
2 terms mean:

3 (1) ["Committee"] **"Board"**, the [advisory committee for] **Missouri 911**
4 **service [oversight] board** established in section 650.325;

5 (2) "Public safety answering point", the location at which 911 calls are
6 [initially] answered;

7 (3) "Telecommunicator", any person employed as an emergency telephone
8 worker, call taker or public safety dispatcher whose duties include receiving,
9 processing or transmitting public safety information received through a 911
10 public safety answering point.

650.325. There is hereby established within the department of public
2 safety the ["Advisory Committee for 911 Service Oversight"] **"Missouri 911**
3 **Service Board"** which is charged with assisting and advising the state in
4 ensuring the availability, implementation and enhancement of a statewide
5 emergency telephone number common to all jurisdictions through research,
6 planning, training, and education, **but shall have no authority over**
7 **communications service providers as defined in section 190.400.** The
8 [committee for 911 service oversight] **board** shall represent all entities and
9 jurisdictions before appropriate policy-making authorities and the general
10 assembly and shall strive toward the immediate access to emergency services for
11 all citizens of this state, **including text to 911.**

650.330. 1. The [committee for 911 service oversight] **board** shall consist
2 of [sixteen] **fifteen** members, one of which shall be chosen from the department
3 of public safety [who shall serve as chair of the committee and only vote in the
4 instance of a tie vote among the other members], and the other members shall be
5 selected as follows:

6 (1) One member chosen to represent an association domiciled in this state
7 whose primary interest relates to [counties] **municipalities**;

8 (2) One member chosen to represent the Missouri [public service
9 commission] **911 Directors Association**;

10 (3) One member chosen to represent emergency medical services **and**
11 **physicians**;

12 (4) One member chosen to represent an association with a chapter
13 domiciled in this state whose primary interest relates to a national emergency
14 number;

15 (5) One member chosen to represent an association whose primary
16 interest relates to issues pertaining to fire chiefs;

17 (6) One member chosen to represent an association with a chapter
18 domiciled in this state whose primary interest relates to issues pertaining to
19 public safety communications officers;

20 (7) One member chosen to represent an association whose primary
21 interest relates to issues pertaining to police chiefs;

22 (8) [One member chosen to represent a league or association domiciled in
23 this state whose primary interest relates to issues pertaining to municipalities;

24 (9)] One member chosen to represent an association domiciled in this state
25 whose primary interest relates to issues pertaining to sheriffs;

26 [(10)] **(9)** One member chosen to represent [911 service providers in]
27 counties of the second, third, and fourth classification;

28 [(11)] **(10)** One member chosen to represent [911 service providers in]
29 counties of the first classification, **counties** with [and without] a charter [forms]
30 **form** of government, and cities not within a county;

31 [(12)] **(11)** One member chosen to represent telecommunications service
32 providers [with at least one hundred thousand access lines located within
33 Missouri];

34 [(13)] **(12)** One member chosen to represent **wireless**
35 telecommunications service providers [with less than one hundred thousand
36 access lines located within Missouri];

37 (14) One member chosen to represent a professional association of
38 physicians who conduct with emergency care; and

39 (15) One member chosen to represent the general public of Missouri who
40 represents an association whose primary interest relates to education and
41 training, including that of 911, police and fire dispatchers; and];

42 **(13) One member chosen to represent voice over internet**
43 **protocol service providers; and**

44 **(14) One member chosen to represent the governor's council on**
45 **disability established under section 37.735.**

46 2. Each of the members of the [committee for 911 service oversight]
47 **board** shall be appointed by the governor with the advice and consent of the

48 senate for a term of four years[; except that, of those members first appointed,
49 four members shall be appointed to serve for one year, four members shall be
50 appointed to serve for two years, four members shall be appointed to serve for
51 three years and four members shall be appointed to serve for four
52 years]. Members of the committee may serve multiple terms. **No corporation**
53 **or its affiliate shall have more than one officer, employee, assign, agent,**
54 **or other representative serving as a member of the**
55 **board. Notwithstanding subsection 1 of this section to the contrary, all**
56 **members appointed as of August 28, 2017, shall continue to serve the**
57 **remainder of their terms.**

58 3. The [committee for 911 service oversight] **board** shall meet at least
59 quarterly at a place and time specified by the chairperson of the [committee]
60 **board** and it shall keep and maintain records of such meetings, as well as the
61 other activities of the [committee] **board**. Members shall not be compensated but
62 shall receive actual and necessary expenses for attending meetings of the
63 [committee] **board**.

64 4. The [committee for 911 service oversight] **board** shall:

65 (1) Organize and adopt standards governing the [committee's] **board's**
66 formal and informal procedures;

67 (2) Provide recommendations for primary answering points and secondary
68 answering points on [statewide] technical and operational standards for 911
69 services;

70 (3) Provide recommendations to public agencies concerning model systems
71 to be considered in preparing a 911 service plan;

72 (4) Provide requested mediation services to political subdivisions involved
73 in jurisdictional disputes regarding the provision of 911 services, except that
74 [such committee] **the board** shall not supersede decision-making authority of
75 local political subdivisions in regard to 911 services;

76 (5) Provide assistance to the governor and the general assembly regarding
77 911 services;

78 (6) Review existing and proposed legislation and make recommendations
79 as to changes that would improve such legislation;

80 (7) Aid and assist in the timely collection and dissemination of
81 information relating to the use of a universal emergency telephone number;

82 (8) Perform other duties as necessary to promote successful development,
83 implementation and operation of 911 systems across the state, **including**

84 **monitoring federal and industry standards being developed for next**
85 **generation 911 systems; [and]**

86 (9) [Advise the department of public safety on establishing rules and
87 regulations necessary to administer the provisions of sections 650.320 to 650.340]

88 **Designate a state 911 coordinator who shall be responsible for**
89 **overseeing statewide 911 operations and ensuring compliance with**
90 **federal grants for 911 funding;**

91 (10) **Elect the chair from its membership;**

92 (11) **Designate a state 911 coordinator who shall be responsible**
93 **for overseeing statewide 911 operations and ensuring compliance with**
94 **federal grants for 911 funding;**

95 (12) **Apply for and receive grants from federal, private, and other**
96 **sources;**

97 (13) **Report to the governor and the general assembly at least**
98 **every three years on the status of 911 services statewide, as well as**
99 **specific efforts to improve efficiency, cost-effectiveness, and levels of**
100 **service;**

101 (14) **Conduct and review an annual survey of public safety**
102 **answering points in Missouri to evaluate potential for improved**
103 **services, coordination, and feasibility of consolidation;**

104 (15) **Make and execute contracts or any other instruments and**
105 **agreements necessary or convenient for the exercise of its powers and**
106 **functions; and**

107 (16) **Develop a plan and timeline of target dates for the testing,**
108 **implementation, and operation of a next generation 911 system**
109 **throughout Missouri. The next generation 911 system shall allow for**
110 **the processing of electronic messages including, but not limited to,**
111 **electronic messages containing text, images, video, or data.**

112 5. The department of public safety shall provide staff assistance to the
113 [committee for 911 service oversight] **board** as necessary in order for the
114 [committee] **board** to perform its duties pursuant to sections 650.320 to 650.340.
115 **The board shall have the authority to hire consultants to administer**
116 **the provisions of sections 650.320 to 650.340.**

117 6. The [department of public safety is authorized to adopt those] **board**
118 **shall promulgate rules and regulations** that are reasonable and necessary [to
119 accomplish the limited duties specifically delegated within section] **to**
120 **implement and administer the provisions of sections 650.320 to**

121 650.340. Any rule or portion of a rule, as that term is defined in section 536.010,
122 shall become effective only if it has been promulgated pursuant to the provisions
123 of chapter 536. This section and chapter 536 are nonseverable, and if any of the
124 powers vested with the general assembly pursuant to chapter 536 to review, to
125 delay the effective date or to disapprove and annul a rule are subsequently held
126 unconstitutional, then the grant of rulemaking authority and any rule proposed
127 or adopted after August 28, [1999] **2017**, shall be invalid and void.

650.340. 1. The provisions of this section may be cited and shall be
2 known as the "911 Training and Standards Act".

3 2. Initial training requirements for telecommunicators who answer 911
4 calls that come to public safety answering points shall be as follows:

- 5 (1) Police telecommunicator, 16 hours;
- 6 (2) Fire telecommunicator, 16 hours;
- 7 (3) Emergency medical services telecommunicator, 16 hours;
- 8 (4) Joint communication center telecommunicator, 40 hours.

9 3. All persons employed as a telecommunicator in this state shall be
10 required to complete ongoing training so long as such person engages in the
11 occupation as a telecommunicator. Such persons shall complete at least twenty-
12 four hours of ongoing training every three years by such persons or organizations
13 as provided in subsection 6 of this section. The reporting period for the ongoing
14 training under this subsection shall run concurrent with the existing continuing
15 education reporting periods for Missouri peace officers pursuant to chapter 590.

16 4. Any person employed as a telecommunicator on August 28, 1999, shall
17 not be required to complete the training requirement as provided in subsection
18 2 of this section. Any person hired as a telecommunicator after August 28, 1999,
19 shall complete the training requirements as provided in subsection 2 of this
20 section within twelve months of the date such person is employed as a
21 telecommunicator.

22 5. The training requirements as provided in subsection 2 of this section
23 shall be waived for any person who furnishes proof to the committee that such
24 person has completed training in another state which [are] **is** at least as
25 stringent as the training requirements of subsection 2 of this section.

26 6. The [department of public safety] **board** shall determine by
27 administrative rule the persons or organizations authorized to conduct the
28 training as required by subsection 2 of this section.

29 7. This section shall not apply to an emergency medical dispatcher or

30 agency as defined in section 190.100, or a person trained by an entity accredited
31 or certified under section 190.131, or a person who provides prearrival medical
32 instructions who works for an agency which meets the requirements set forth in
33 section 190.134.

**Section 1. The state auditor shall have the authority to conduct
2 performance and fiscal audits of any board, dispatch center, joint
3 emergency communications entity, or trust fund established under
4 section 190.327, 190.328, 190.329, 190.335, 190.420, 190.455, 190.460, or
5 650.325.**

Section B. Because immediate action is necessary to ensure the state is
2 eligible to receive federal 911 grants and timely application for such grants is
3 imperative, the repeal and reenactment of section 650.330 of this act is deemed
4 necessary for the immediate preservation of the public health, welfare, peace, and
5 safety, and is hereby declared to be an emergency act within the meaning of the
6 constitution, and the repeal and reenactment of section 650.330 of this act shall
7 be in full force and effect upon its passage and approval.

Bill ✓

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