

CONFERENCE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 503

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:

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2 650.330, and 650.340, RSMo, are repealed and eight new sections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

6 190.103. 1. One physician with expertise in emergency
7 medical services from each of the EMS regions shall be elected by
8 that region's EMS medical directors to serve as a regional EMS
9 medical director. The regional EMS medical directors shall
10 constitute the state EMS medical director's advisory committee
11 and shall advise the department and their region's ambulance
12 services on matters relating to medical control and medical
13 direction in accordance with sections 190.001 to 190.245 and
14 rules adopted by the department pursuant to sections 190.001 to
15 190.245. The regional EMS medical director shall serve a term of
16 four years. The southwest, northwest, and Kansas City regional
17 EMS medical directors shall be elected to an initial two-year

1 term. The central, east central, and southeast regional EMS
2 medical directors shall be elected to an initial four-year term.
3 All subsequent terms following the initial terms shall be four
4 years. The state EMS medical director shall be the chair of the
5 state EMS medical director's advisory committee.

6 2. A medical director is required for all ambulance
7 services and emergency medical response agencies that provide:
8 advanced life support services; basic life support services
9 utilizing medications or providing assistance with patients'
10 medications; or basic life support services performing invasive
11 procedures including invasive airway procedures. The medical
12 director shall provide medical direction to these services and
13 agencies in these instances.

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

25 4. All ambulance services and emergency medical response
26 agencies that are required to have a medical director shall
27 establish an agreement between the service or agency and their
28 medical director. The agreement will include the roles,

1 responsibilities and authority of the medical director beyond
2 what is granted in accordance with sections 190.001 to 190.245
3 and rules adopted by the department pursuant to sections 190.001
4 to 190.245. The agreement shall also include grievance
5 procedures regarding the emergency medical response agency or
6 ambulance service, personnel and the medical director.

7 5. Regional EMS medical directors elected as provided under
8 subsection 1 of this section shall be considered public officials
9 for purposes of sovereign immunity, official immunity, and the
10 Missouri public duty doctrine defenses.

11 6. The state EMS medical director's advisory committee
12 shall be considered a peer review committee under section
13 537.035.

14 7. Regional EMS medical directors may act to provide online
15 telecommunication medical direction to EMT-Bs, EMT-Is, EMT-Ps,
16 and community paramedics and provide offline medical direction
17 per standardized treatment, triage, and transport protocols when
18 EMS personnel, including EMT-Bs, EMT-Is, EMT-Ps, and community
19 paramedics, are providing care to special needs patients or at
20 the request of a local EMS agency or medical director.

21 8. When developing treatment protocols for special needs
22 patients, regional EMS medical directors may promulgate such
23 protocols on a regional basis across multiple political
24 subdivisions' jurisdictional boundaries, and such protocols may
25 be used by multiple agencies including, but not limited to,
26 ambulance services, emergency response agencies, and public
27 health departments. Treatment protocols shall include steps to
28 ensure the receiving hospital is informed of the pending arrival

1 of the special needs patient, the condition of the patient, and
2 the treatment instituted.

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

9 10. When regional EMS medical directors develop and
10 implement treatment protocols for patients or provide online
11 medical direction for patients, such activity shall not be
12 construed as having usurped local medical direction authority in
13 any manner.

14 11. Notwithstanding any other provision of law to the
15 contrary, when regional EMS medical directors are providing
16 either online telecommunication medical direction to EMT-Bs, EMT-
17 Is, EMT-Ps, and community paramedics, or offline medical
18 direction per standardized EMS treatment, triage, and transport
19 protocols for patients, those medical directions or treatment
20 protocols may include the administration of the patient's own
21 prescription medications.

22 190.144. 1. No emergency medical technician licensed under
23 section 190.142 or 190.143, if acting in good faith and without
24 gross negligence, shall be liable for:

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

28 (2) Physically or chemically restraining an at-risk

1 behavioral health patient as that term is defined under section
2 190.240 if such restraint is to ensure the safety of the patient
3 or technician; or

4 (3) The administration of a patient's personal medication
5 when deemed necessary.

6 2. Nothing in this section shall be construed as creating
7 an exception to sovereign immunity, official immunity, or the
8 Missouri public duty doctrine defenses.

9 190.450. By December 31, 2017, the department of public
10 safety shall complete a study of the number of public safety
11 answering points necessary to provide the best possible 911
12 technology and service to all areas of the state in the most
13 efficient and economical manner possible, issue a state public
14 safety answering point consolidation plan based on the study, and
15 provide such plan to the Missouri 911 service board.

16 650.320. For the purposes of sections 650.320 to 650.340,
17 the following terms mean:

18 (1) ["Committee"] "Board", the [advisory committee for]
19 Missouri 911 service [oversight] board established in section
20 650.325;

21 (2) "Public safety answering point", the location at which
22 911 calls are [initially] answered;

23 (3) "Telecommunicator", any person employed as an emergency
24 telephone worker, call taker or public safety dispatcher whose
25 duties include receiving, processing or transmitting public
26 safety information received through a 911 public safety answering
27 point.

28 650.325. There is hereby established within the department

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

13 650.330. 1. The [committee for 911 service oversight]
14 board shall consist of [sixteen] fifteen members, one of which
15 shall be chosen from the department of public safety [who shall
16 serve as chair of the committee and only vote in the instance of
17 a tie vote among the other members], and the other members shall
18 be selected as follows:

19 (1) One member chosen to represent an association domiciled
20 in this state whose primary interest relates to [counties]
21 municipalities;

22 (2) One member chosen to represent the Missouri [public
23 service commission] 911 Directors Association;

24 (3) One member chosen to represent emergency medical
25 services and physicians;

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

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

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

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

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

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

14 [(10)] (9) One member chosen to represent [911 service
15 providers in] counties of the second, third, and fourth
16 classification;

17 [(11)] (10) One member chosen to represent [911 service
18 providers in] counties of the first classification, counties with
19 [and without] a charter [forms] form of government, and cities
20 not within a county;

21 [(12)] (11) One member chosen to represent
22 telecommunications service providers [with at least one hundred
23 thousand access lines located within Missouri];

24 [(13)] (12) One member chosen to represent wireless
25 telecommunications service providers [with less than one hundred
26 thousand access lines located within Missouri];

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

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

5 (13) One member chosen to represent voice over internet
6 protocol service providers; and

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

9 2. Each of the members of the [committee for 911 service
10 oversight] board shall be appointed by the governor with the
11 advice and consent of the senate for a term of four years[;
12 except that, of those members first appointed, four members shall
13 be appointed to serve for one year, four members shall be
14 appointed to serve for two years, four members shall be appointed
15 to serve for three years and four members shall be appointed to
16 serve for four years]. Members of the committee may serve
17 multiple terms. No corporation or its affiliate shall have more
18 than one officer, employee, assign, agent, or other
19 representative serving as a member of the board. Notwithstanding
20 subsection 1 of this section to the contrary, all members
21 appointed as of August 28, 2017, shall continue to serve the
22 remainder of their terms.

23 3. The [committee for 911 service oversight] board shall
24 meet at least quarterly at a place and time specified by the
25 chairperson of the [committee] board and it shall keep and
26 maintain records of such meetings, as well as the other
27 activities of the [committee] board. Members shall not be
28 compensated but shall receive actual and necessary expenses for

1 attending meetings of the [committee] board.

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

3 (1) Organize and adopt standards governing the
4 [committee's] board's formal and informal procedures;

5 (2) Provide recommendations for primary answering points
6 and secondary answering points on [statewide] technical and
7 operational standards for 911 services;

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

10 (4) Provide requested mediation services to political
11 subdivisions involved in jurisdictional disputes regarding the
12 provision of 911 services, except that [such committee] the board
13 shall not supersede decision-making authority of local political
14 subdivisions in regard to 911 services;

15 (5) Provide assistance to the governor and the general
16 assembly regarding 911 services;

17 (6) Review existing and proposed legislation and make
18 recommendations as to changes that would improve such
19 legislation;

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

23 (8) Perform other duties as necessary to promote successful
24 development, implementation and operation of 911 systems across
25 the state, including monitoring federal and industry standards
26 being developed for next generation 911 systems; [and]

27 (9) [Advise the department of public safety on establishing
28 rules and regulations necessary to administer the provisions of

1 sections 650.320 to 650.340] Designate a state 911 coordinator
2 who shall be responsible for overseeing statewide 911 operations
3 and ensuring compliance with federal grants for 911 funding;

4 (10) Elect the chair from its membership;

5 (11) Designate a state 911 coordinator who shall be
6 responsible for overseeing statewide 911 operations and ensuring
7 compliance with federal grants for 911 funding;

8 (12) Apply for and receive grants from federal, private,
9 and other sources;

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

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

17 (15) Make and execute contracts or any other instruments
18 and agreements necessary or convenient for the exercise of its
19 powers and functions; and

20 (16) Develop a plan and timeline of target dates for the
21 testing, implementation, and operation of a next generation 911
22 system throughout Missouri. The next generation 911 system shall
23 allow for the processing of electronic messages including, but
24 not limited to, electronic messages containing text, images,
25 video, or data.

26 5. The department of public safety shall provide staff
27 assistance to the [committee for 911 service oversight] board as
28 necessary in order for the [committee] board to perform its

1 duties pursuant to sections 650.320 to 650.340. The board shall
2 have the authority to hire consultants to administer the
3 provisions of sections 650.320 to 650.340.

4 6. The [department of public safety is authorized to adopt
5 those] board shall promulgate rules and regulations that are
6 reasonable and necessary [to accomplish the limited duties
7 specifically delegated within section] to implement and
8 administer the provisions of sections 650.320 to 650.340. Any
9 rule or portion of a rule, as that term is defined in section
10 536.010, shall become effective only if it has been promulgated
11 pursuant to the provisions of chapter 536. This section and
12 chapter 536 are nonseverable, and if any of the powers vested
13 with the general assembly pursuant to chapter 536 to review, to
14 delay the effective date or to disapprove and annul a rule are
15 subsequently held unconstitutional, then the grant of rulemaking
16 authority and any rule proposed or adopted after August 28,
17 [1999] 2017, shall be invalid and void.

18 650.340. 1. The provisions of this section may be cited
19 and shall be known as the "911 Training and Standards Act".

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

- 23 (1) Police telecommunicator, 16 hours;
- 24 (2) Fire telecommunicator, 16 hours;
- 25 (3) Emergency medical services telecommunicator, 16 hours;
- 26 (4) Joint communication center telecommunicator, 40 hours.

27 3. All persons employed as a telecommunicator in this state
28 shall be required to complete ongoing training so long as such

1 person engages in the occupation as a telecommunicator. Such
2 persons shall complete at least twenty-four hours of ongoing
3 training every three years by such persons or organizations as
4 provided in subsection 6 of this section. The reporting period
5 for the ongoing training under this subsection shall run
6 concurrent with the existing continuing education reporting
7 periods for Missouri peace officers pursuant to chapter 590.

8 4. Any person employed as a telecommunicator on August 28,
9 1999, shall not be required to complete the training requirement
10 as provided in subsection 2 of this section. Any person hired as
11 a telecommunicator after August 28, 1999, shall complete the
12 training requirements as provided in subsection 2 of this section
13 within twelve months of the date such person is employed as a
14 telecommunicator.

15 5. The training requirements as provided in subsection 2 of
16 this section shall be waived for any person who furnishes proof
17 to the committee that such person has completed training in
18 another state which ~~[are]~~ is at least as stringent as the
19 training requirements of subsection 2 of this section.

20 6. The ~~[department of public safety]~~ board shall determine
21 by administrative rule the persons or organizations authorized to
22 conduct the training as required by subsection 2 of this section.

23 7. This section shall not apply to an emergency medical
24 dispatcher or agency as defined in section 190.100, or a person
25 trained by an entity accredited or certified under section
26 190.131, or a person who provides prearrival medical instructions
27 who works for an agency which meets the requirements set forth in
28 section 190.134.

