

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/HCS/House Bill No. 2046, Page 12, Section 58.720, Line 11,

2 of said page, by inserting immediately after all of said line the
3 following:

4 "190.094. 1. Any ambulance licensed in this state, when
5 used as an ambulance and staffed with volunteer staff, shall be
6 staffed with a minimum of one emergency medical technician and
7 one other crew member who may be a licensed emergency medical
8 technician, registered nurse, physician, physician assistant, or
9 someone who has an emergency medical responder certification.

10 2. When transporting a patient, at least one licensed
11 emergency medical technician, registered nurse, physician
12 assistant, or physician shall be in attendance with the patient
13 in the patient compartment at all times.

14 3. For purposes of this section, "volunteer" shall mean an
15 individual who performs hours of service without promise,
16 expectation or receipt of compensation for services rendered.
17 Compensation such as a nominal stipend per call to compensate for
18 fuel, uniforms, and training shall not nullify the volunteer
19 status.

20 190.105. 1. No person, either as owner, agent or
21 otherwise, shall furnish, operate, conduct, maintain, advertise,

1 or otherwise be engaged in or profess to be engaged in the
2 business or service of the transportation of patients by
3 ambulance in the air, upon the streets, alleys, or any public way
4 or place of the state of Missouri unless such person holds a
5 currently valid license from the department for an ambulance
6 service issued pursuant to the provisions of sections 190.001 to
7 190.245.

8 2. No ground ambulance shall be operated for ambulance
9 purposes, and no individual shall drive, attend or permit it to
10 be operated for such purposes in the state of Missouri unless the
11 ground ambulance is under the immediate supervision and direction
12 of a person who is holding a currently valid Missouri license as
13 an emergency medical technician. Nothing in this section shall
14 be construed to mean that a duly registered nurse [or], a duly
15 licensed physician, or a duly licensed physician assistant be
16 required to hold an emergency medical technician's license. When
17 a physician assistant is in attendance with a patient on an
18 ambulance, the physician assistant shall be exempt from any
19 mileage limitations in any collaborative practice arrangement
20 prescribed under law. Each ambulance service is responsible for
21 assuring that any person driving its ambulance is competent in
22 emergency vehicle operations and has a safe driving record. Each
23 ground ambulance shall be staffed with at least two licensed
24 individuals when transporting a patient, except as provided in
25 section 190.094. In emergency situations which require
26 additional medical personnel to assist the patient during
27 transportation, an emergency medical responder, firefighter, or
28 law enforcement personnel with a valid driver's license and prior
29 experience with driving emergency vehicles may drive the ground

1 ambulance provided the ground ambulance service stipulates to
2 this practice in operational policies.

3 3. No license shall be required for an ambulance service,
4 or for the attendant of an ambulance, which:

5 (1) Is rendering assistance in the case of an emergency,
6 major catastrophe or any other unforeseen event or series of
7 events which jeopardizes the ability of the local ambulance
8 service to promptly respond to emergencies; or

9 (2) Is operated from a location or headquarters outside of
10 Missouri in order to transport patients who are picked up beyond
11 the limits of Missouri to locations within or outside of
12 Missouri, but no such outside ambulance shall be used to pick up
13 patients within Missouri for transportation to locations within
14 Missouri, except as provided in subdivision (1) of this
15 subsection.

16 4. The issuance of a license pursuant to the provisions of
17 sections 190.001 to 190.245 shall not be construed so as to
18 authorize any person to provide ambulance services or to operate
19 any ambulances without a franchise in any city not within a
20 county or in a political subdivision in any county with a
21 population of over nine hundred thousand inhabitants, or a
22 franchise, contract or mutual-aid agreement in any other
23 political subdivision which has enacted an ordinance making it
24 unlawful to do so.

25 5. Sections 190.001 to 190.245 shall not preclude the
26 adoption of any law, ordinance or regulation not in conflict with
27 such sections by any city not within a county, or at least as
28 strict as such sections by any county, municipality or political
29 subdivision except that no such regulations or ordinances shall

1 be adopted by a political subdivision in a county with a
2 population of over nine hundred thousand inhabitants except by
3 the county's governing body.

4 6. In a county with a population of over nine hundred
5 thousand inhabitants, the governing body of the county shall set
6 the standards for all ambulance services which shall comply with
7 subsection 5 of this section. All such ambulance services must
8 be licensed by the department. The governing body of such county
9 shall not prohibit a licensed ambulance service from operating in
10 the county, as long as the ambulance service meets county
11 standards.

12 7. An ambulance service or vehicle when operated for the
13 purpose of transporting persons who are sick, injured, or
14 otherwise incapacitated shall not be treated as a common or
15 contract carrier under the jurisdiction of the Missouri division
16 of motor carrier and railroad safety.

17 8. Sections 190.001 to 190.245 shall not apply to, nor be
18 construed to include, any motor vehicle used by an employer for
19 the transportation of such employer's employees whose illness or
20 injury occurs on private property, and not on a public highway or
21 property, nor to any person operating such a motor vehicle.

22 9. A political subdivision that is authorized to operate a
23 licensed ambulance service may establish, operate, maintain and
24 manage its ambulance service, and select and contract with a
25 licensed ambulance service. Any political subdivision may
26 contract with a licensed ambulance service.

27 10. Except as provided in subsections 5 and 6, nothing in
28 section 67.300, or subsection 2 of section 190.109, shall be
29 construed to authorize any municipality or county which is

1 located within an ambulance district or a fire protection
2 district that is authorized to provide ambulance service to
3 promulgate laws, ordinances or regulations related to the
4 provision of ambulance services. This provision shall not apply
5 to any municipality or county which operates an ambulance service
6 established prior to August 28, 1998.

7 11. Nothing in section 67.300 or subsection 2 of section
8 190.109 shall be construed to authorize any municipality or
9 county which is located within an ambulance district or a fire
10 protection district that is authorized to provide ambulance
11 service to operate an ambulance service without a franchise in an
12 ambulance district or a fire protection district that is
13 authorized to provide ambulance service which has enacted an
14 ordinance making it unlawful to do so. This provision shall not
15 apply to any municipality or county which operates an ambulance
16 service established prior to August 28, 1998.

17 12. No provider of ambulance service within the state of
18 Missouri which is licensed by the department to provide such
19 service shall discriminate regarding treatment or transportation
20 of emergency patients on the basis of race, sex, age, color,
21 religion, sexual preference, national origin, ancestry, handicap,
22 medical condition or ability to pay.

23 13. No provision of this section, other than subsections 5,
24 6, 10 and 11 of this section, is intended to limit or supersede
25 the powers given to ambulance districts pursuant to this chapter
26 or to fire protection districts pursuant to chapter 321, or to
27 counties, cities, towns and villages pursuant to chapter 67.

28 14. Upon the sale or transfer of any ground ambulance
29 service ownership, the owner of such service shall notify the

1 department of the change in ownership within thirty days of such
2 sale or transfer. After receipt of such notice, the department
3 shall conduct an inspection of the ambulance service to verify
4 compliance with the licensure standards of sections 190.001 to
5 190.245.

6 190.143. 1. Notwithstanding any other provisions of law,
7 the department may grant a ninety-day temporary emergency medical
8 technician license to all levels of emergency medical technicians
9 who meet the following:

10 (1) Can demonstrate that they have, or will have,
11 employment requiring an emergency medical technician license;

12 (2) Are not currently licensed as an emergency medical
13 technician in Missouri or have been licensed as an emergency
14 medical technician in Missouri and fingerprints need to be
15 submitted to the Federal Bureau of Investigation to verify the
16 existence or absence of a criminal history, or they are currently
17 licensed and the license will expire before a verification can be
18 completed of the existence or absence of a criminal history;

19 (3) Have submitted a complete application upon such forms
20 as prescribed by the department in rules adopted pursuant to
21 sections 190.001 to 190.245;

22 (4) Have not been disciplined pursuant to sections 190.001
23 to 190.245 and rules promulgated pursuant to sections 190.001 to
24 190.245;

25 (5) Meet all the requirements of rules promulgated pursuant
26 to sections 190.001 to 190.245.

27 2. A temporary emergency medical technician license shall
28 only authorize the license to practice while under the immediate
29 supervision of a licensed emergency medical technician,

1 registered nurse, physician assistant, or physician who is
2 currently licensed, without restrictions, to practice in
3 Missouri.

4 3. A temporary emergency medical technician license shall
5 automatically expire either ninety days from the date of issuance
6 or upon the issuance of a five-year emergency medical technician
7 license.

8 190.196. 1. No employer shall knowingly employ or permit
9 any employee to perform any services for which a license,
10 certificate or other authorization is required by sections
11 190.001 to 190.245, or by rules adopted pursuant to sections
12 190.001 to 190.245, unless and until the person so employed
13 possesses all licenses, certificates or authorizations that are
14 required.

15 2. Any person or entity that employs or supervises a
16 person's activities as an emergency medical responder, emergency
17 medical dispatcher, emergency medical technician, registered
18 nurse, physician assistant, or physician shall cooperate with the
19 department's efforts to monitor and enforce compliance by those
20 individuals subject to the requirements of sections 190.001 to
21 190.245.

22 3. Any person or entity who employs individuals licensed by
23 the department pursuant to sections 190.001 to 190.245 shall
24 report to the department within seventy-two hours of their having
25 knowledge of any charges filed against a licensee in their employ
26 for possible criminal action involving the following felony
27 offenses:

28 (1) Child abuse or sexual abuse of a child;

29 (2) Crimes of violence; or

1 (3) Rape or sexual abuse.

2 4. Any licensee who has charges filed against him or her
3 for the felony offenses in subsection 3 of this section shall
4 report such an occurrence to the department within seventy-two
5 hours of the charges being filed.

6 5. The department will monitor these reports for possible
7 licensure action authorized pursuant to section 190.165."; and

8 Further amend the title and enacting clause accordingly.