

Rulemaking Hearing Rules
of the
Tennessee Department of Health
Bureau of Health Licensure and Regulation
Division of Emergency Medical Services

Chapter 1200-12-01
General Rules

Amendments of Rules

Rule 1200-12-01-.06 Schedule of Fees is amended by inserting a new subparagraph (1)(h) so that as amended the rule shall read:

- (h) Volunteer non-profit ambulance services eligible for reduced license fees under paragraph (5) shall be provided by all volunteer personnel and shall not assess any fees for their services, and shall be primarily supported by donations or governmental support for their charitable purposes.

Rule 1200-12-01-.06 Schedule of Fees is amended by deleting paragraph (4) in its entirety and substituting instead the following language so that, as amended, the new paragraph (4) shall read as follows:

- (4) Emergency Medical Services Personnel Fees – Personnel applying for licensure, certification, authorization, renewal, or reinstatement shall remit application processing and license fees as follows.

- (a) Fees for licensed personnel

	Application	License
1. Emergency Medical Technician –Basic	\$50.00	\$75.00
2. Emergency Medical Technician –Basic -IV	\$70.00	\$80.00
3. Emergency Medical Tech. – Paramedic	\$75.00	\$100.00
4. Emergency Medical Tech. Paramedic Critical Care – Initial Application for Endorsement	\$75.00	
5. Initial Instructor Authorization	\$35.00	

- (b) Renewal fees for all classes of licenses in (a)

	License
1. Emergency Medical Technician –Basic	\$65.00
2. Emergency Medical Technician –Basic -IV	\$65.00
3. Emergency Medical Tech. – Paramedic	\$75.00
4. Emergency Medical Tech. Paramedic Critical Care –	\$90.00

(c) Fees for Emergency Medical First Responders

	Application	License
1. Initial Application and Certification	\$20.00	\$25.00
2. Renewal fee		\$24.00

(d) Fees for Emergency Medical Dispatcher

	Application	License
1. Initial Application and Certification	\$30.00	\$30.00
2. Renewal fee		\$45.00

(e) Application fee for license by interstate reciprocity \$100.00

(f) When applicable, renewal fees may be pro rated on a birth month renewal system.

(g) Applicants may also be required to pay a fee directly to the National Registry or other appropriate national or board-approved testing agency.

Rule 1200-12-01-.06 Schedule of Fees is amended by deleting paragraph (5) in its entirety and substituting instead the following language so that, as amended, the new paragraph (5) shall read as follows:

(5) Service License and Vehicle Permit fee – Ambulance services and invalid services shall permit fees as follows:

	License
(a) Initial license fee for a new ground ambulance, invalid, or other regulated ground service	\$5,000.00
(b) Annual renewal fee for (a)	\$500.00
(c) Vehicle Permit fee for each ground vehicle to be permitted in a license period- initial and annual	\$250.00
(d) Initial license fee for volunteer non-profit ambulance service with all volunteer personnel	\$2,000.00
(e) Annual renewal for volunteer non-profit ambulance service with all volunteer personnel	\$250.00
(f) Vehicle Permit fee for each ground vehicle operated by a volunteer non-profit ambulance service	\$100.00
(g) Initial license fee for air ambulance services – fixed wing and helicopter	\$10,000.00
(h) Air Ambulance service – annual renewal fee	\$5,000.00
(i) A repeat inspection fee for a failed inspection of any aircraft or vehicle requiring inspection by the department	\$500.00

Authority: T.C.A. §§ 68-140-504, 68-140-506, 68-140-508, and 68-140-517.

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 4th day of June, 2008, and will become effective on the 18th day of August, 2008. (FS 06-01-08; DBID 2894)

Regulatory Flexibility Analysis
Of Rules Authorized
By Rulemaking Hearing

Emergency Medical Services Board

Amendments of Rule 1200-12-01-.06

General Rules 1200-12-01-.06 Schedule of Fees

The Emergency Medical Services Board must consider whether the rules or rule amendments being proposed are such that in relation to small businesses (businesses with 50 or fewer full time employees) the proposed language of the rules or amendments and/or the procedures contained therein meets all of the following requirements:

- (1) That they do not overlap, duplicate, or conflict with other federal, state, and local governmental rules; and
- (2) That they exhibit clarity, conciseness, and lack of ambiguity; and
- (3) That they establish flexible compliance and/or reporting requirements for small businesses; and
- (4) That they establish friendly schedules or deadlines for compliance and/or reporting requirements for small businesses; and
- (5) That they consolidate or simplify compliance or reporting requirements for small businesses; and
- (6) That they establish performance standards for small businesses as opposed to design or operational standards; and
- (7) That they do not create unnecessary entry barriers or other effects that stifle entrepreneurial activity, curb innovation, or increase costs.

The Division of Emergency Medical Services has conducted this analysis and concluded that as to small businesses the proposed rules or rule amendments substantially meet all of the required objectives. As of July 1, 2007, there were 162 licensed ambulance services. At least forty-three (43) services could be deemed to be small businesses on the basis as a for-profit or non-profit service with less than fifty employees. Many other services may employ less than fifty persons within the ambulance service, but are overall part of a larger industrial, governmental, or health care organization with more than fifty employees.

The specific issues applicable to the rules or amendments under consideration raised by the Division's analysis are as follows:

- (1) The federal government does not license ambulance services or health care professionals. Local rules must meet applicability in accordance with T.C.A. §68-140-506(g) in that "No county or municipality shall adopt standards less stringent than state standards and regulations. "

These rules are similar to those fees that are established for other health care professionals and the fees for ambulance service licenses offset expenses to the department in conducting service inspections and technical assistance.

- (2) That they exhibit clarity, conciseness, and lack of ambiguity; and
- (3) The proposed rules are not written with special consideration for flexible compliance and/or reporting requirements because the licensing boards have, as their primary mission, the protection of the health, safety and welfare of Tennesseans. However, the proposed rules are written with a goal of avoiding unduly onerous regulation while maintaining minimum compliance and promoting “best practices” among ambulance service providers.
- (4) The schedules and deadlines throughout the proposed rules are as “user-friendly” as possible while still allowing the Division to achieve its mandated mission in licensing emergency medical service providers and inspecting ambulances and ambulance services. There is generally sufficient notice between the rulemaking hearing and the final promulgation of rules to allow services and providers to come into compliance with the proposed rules. Information is also distributed through the State and regional ambulance service associations.
- (5) The proposed rules do not separate the application requirements for small businesses that are engaged in specific ambulance operations and concur with existing rules contained in General Rule 1200-12-01-14. Some of these changes are mandated by amendments to T.C.A. § 68-140-506 resulting from Public Chapter 226, Acts of 2007.
- (6) When the emergency medical services rules contain standards, there are statements included or interpretive guidance is adopted by the Board to indicate means of compliance with such standards. However, due to the nature of this industry, some standards must be design or operational in nature.
- (7) Emergency medical services rules contain initial licensure requirements and requirements to maintain licensure, but these are necessary for the protection of the health, safety and welfare of Tennesseans. The rules may create barriers to entry into the professions deemed necessary for the protection of the health, safety and welfare of the citizens of the State of Tennessee.