

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

Chapter 1200-12-01

Amendments of Rules

Subparagraph (f) of paragraph (1) of rule 1200-12-01-.04 Emergency Medical Technician is amended by deleting the existing language in its entirety and substituting the following language, so that as amended subparagraph (f)) shall read:

- (f) Must successfully complete an approved basic Emergency Medical Technician course including all license examinations.
 - 1. Written Examination
 - (i) Achieve a passing score on a Board approved written examination with a minimum score as established by the Board.
 - (ii) Applicants who fail to pass the examination shall be eligible to reapply for examination.
 - 2. Practical Examination
 - (i) All applicants must successfully complete an EMS Board approved practical examination.
 - (ii) Applicants who fail to pass the practical examination shall be eligible to reapply for examination.
 - 3. All applicants must complete all requirements for licensure within two (2) years of completion of the training course and program.

Subparagraph (c) of paragraph (2) of rule 1200-12-01-.04 Emergency Medical Technician applicable to an EMT-Paramedic is amended by deleting the existing language in its entirety and substituting the following language, so that as amended subparagraph (c) shall read:

- (c) Must successfully complete an EMS Board approved Emergency Medical Technician Paramedic level course and all license examinations.
 - I. Written Examination
 - (i) Achieve a passing score on a Board approved written examination with a minimum score as established by the Board.

- (ii) Applicants who fail to pass the examination shall be eligible to reapply for examination.

2. Practical Examination

- (i) An EMS Board approved practical examination must be successfully completed by all applicants.
- (ii) Applicants who fail to pass the practical examination shall be eligible to reapply for examination.

3. All applicants must complete all requirements for licensure within two (2) years of completion of the training course and program.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 68-140-504, 68-140-508, 68-140-509, and 68-140-518.

Rule 1200-12-01-.12 Authorization of Emergency Medical Technician Instructor/Coordinators is amended by deleting the existing language of paragraphs (1) and (2) in its entirety, and substituting the following language amending the paragraphs, inserting a new paragraph (3) and renumbering the existing paragraphs (3) and (4) as paragraphs (4) and (5), deleting the language of part 5. of subparagraph (5)(b) and substituting the following language, so that as amended the rule shall read:

- (1) EMS Program Director/Administrator shall mean an individual responsible for the overall coordination of all EMS Programs. The individual shall act as a liaison between faculty, the sponsoring agency, students, the local medical community, and the Division of Emergency Medical Services. The individual is also responsible for the recruitment and continued development of faculty to meet the needs of the institution. The minimum qualifications for EMS Program Director/Administrator shall include:
 - (a) Professional requirements
 - 1. Bachelor's degree required from a regionally accredited college/ university.
 - 2. The program director must be licensed in Tennessee as an EMT-Paramedic, registered nurse, or physician.
 - 3. Professional license must be free from history of revocation, denial or suspension.
 - 4. Licensed emergency care experience shall include a minimum of three years practice.
 - 5. Administrative experience shall include a minimum of two (2) years in EMS educational administration.
 - 6. Current endorsement in a Board approved trauma, cardiac, and pediatric course at the provider level.

- (b) Authorization Renewal shall be contingent upon:
 - 1. Assisting with at least forty-five (45) hours of advanced EMS instruction on an annual basis.
 - 2. Maintaining current credentials for the course content.
 - 3. Attendance at annual Instructor/Coordinator Conference as required by the Division of Emergency Medical Services.

(c) Denial of Reauthorization or Revocation of Authorization - The authorization of an EMS Program Director/Administrator may be removed or denied by the Director for the following reasons:

- 1. Two or more instances of failure to cover the prescribed course curriculum or failure to conduct the course in accordance with the practices prescribed by the Board and the Division.
- 2. Failure to complete and submit required documentation for all students.
- 3. A lapsed, revoked, suspended or expired license.
- 4. Any violation of Tennessee Code Annotated, Title 68, Chapter 140 or any rule promulgated by the Board.

(2) EMT-Paramedic Instructor/Coordinator shall mean an employee responsible for the delivery of instruction in accredited Paramedic Programs. The individual shall be knowledgeable in all aspects of prehospital care, capable of applying techniques and modalities of adult education, and of managing resources and resource personnel. The minimum qualifications for EMT-Paramedic Instructor/Coordinator shall include:

(a) Professional requirements

- 1. Associate degree from a regionally accredited institution.
- 2. Currently licensed as a Tennessee EMT-Paramedic, registered nurse, or physician.
- 3. Professional license must be free from history of revocation, denial or suspension.
- 4. Licensed emergency care experience shall include a minimum of two years practice.
- 5. Administrative experience shall include a minimum of two (2) years in EMS educational administration or greater than three hundred (300) hours of EMS instruction.

6. Current endorsement in a Board approved trauma, cardiac, and pediatric course at the provider level.
- (b) Authorization Renewal shall be contingent upon:
- Assisting with at least one hundred (100) hours of advanced EMS instruction on an annual basis.
1. Maintaining current Tennessee licensure as an Emergency Medical Technician-Paramedic, registered nurse, or physician.
 2. Maintaining current CPR instructor endorsement.
 3. Attendance at annual EMT Instructor/Coordinators conference as required by the Division of Emergency Medical Services.
- (c) Denial of Reauthorization or Revocation of Authorization - The authorization of an EMT-Paramedic Instructor/Coordinator may be removed or denied by the Director for the following reasons:
1. Two or more instances of failure to cover the prescribed course curriculum or failure to conduct the course in accordance with the practices prescribed by the Board and the Division.
 2. Failure to complete, and submit as required, all required documentation for all students in each class.
 3. A lapsed, revoked, suspended or expired license.
 4. Any violation of Tennessee Code Annotated, Title 68, Chapter 140 or any rule promulgated by the Board.
- (3) EMT Paramedic Instructor Assistant shall mean an individual capable of teaching the application of practical skills to include: assisting the faculty in the delivery of instruction, evaluating student performance of skills, maintenance of equipment, and coordinating with the faculty or Instructor/Coordinator to maintain adequate levels of needed equipment. The minimum qualifications for an EMT-Paramedic Instructor assistant shall include:
- (a) Professional requirements
1. Currently licensed as a Tennessee EMT-Paramedic, registered nurse, or physician without a history of revocation, denial or suspension of licensure.
 2. Licensed experience with a minimum of two years practicing advanced life support in the pre-hospital or emergency department environment.

3. Minimum of two years experience in EMS education administration or greater than seventy-five (75) hours of EMS instruction.
4. Current endorsement in an EMS Board approved trauma, cardiac and pediatric course as an instructor.
5. Completion of an EMS Board approved instructors' assistant course.

(b) Authorization Renewal shall be contingent upon:

1. Assisting with at least forty-five (45) hours of advanced EMS instruction on an annual basis.
2. Maintaining current Tennessee licensure as an Emergency Medical Technician-Paramedic, Registered Nurse or Physician.
3. Current endorsement in an EMS Board approved trauma, cardiac and pediatric course as an instructor.
4. Attendance at annual Instructor update as required by the Division of Emergency Medical Services.

(c) Denial of Reauthorization or Revocation of Authorization - The authorization of an EMT Paramedic Instructor Assistant may be removed or denied by the Director for the following reasons:

1. Two or more instances of failure to cover the prescribed course curriculum or failure to conduct the course in accordance with the practices prescribed by the Board and the Division.
2. Failure to complete, and submit required documentation for all students.
3. A lapsed, revoked, suspended or expired license.
4. Any violation of Tennessee Code Annotated, Title 68, Chapter 140 or any rule promulgated by the Board.

(4) EMT-Basic Instructor/Coordinator shall mean an individual responsible for the overall coordination of the EMT-Basic Program. The individual shall act as a liaison between faculty, the sponsoring agency, students, the local medical community and the Division of Emergency Medical Services. The individual is also responsible for the delivery of didactic material, demonstration of the psychomotor skills, verification of skill proficiency, and the recruitment and continued development of faculty to meet the needs of the institution. The minimum qualifications for the EMT -Basic Instructor Coordinator shall include:

(a) Professional requirements

1. Associate degree from a regionally accredited institution.
 2. Currently licensed as a Tennessee EMT-Paramedic, without history of revocation, denial, or suspension of licensure.
 3. Experience. Pre-Hospital: Minimum of two years practicing in the pre-hospital environment or one hundred fifty (150) hours of EMS instruction acceptable to the Board. Administrative: Minimum of one year in EMS educational administration.
 4. Completion of an EMS Board approved Instructors' course.
 5. The provisions of subparagraph (a) shall not apply to any EMT – Basis Instructor/Coordinator authorized by the Division prior to July 1, 2001.
- (b) Authorization Renewal shall be contingent upon:
1. Assisting with at least seventy-five (75) hours instruction (EMT-Basic or EMT-IV or EMT-I or EMT-P) on an annual basis.
 2. Maintaining current Tennessee licensure as an Emergency Medical Technician-Paramedic.
 3. Maintaining current CPR instructor endorsement.
 4. Attendance at annual EMT Instructor/Coordinators conference as required by the Division of Emergency Medical Services.
- (c) Denial of Reauthorization or Revocation of Authorization - The authorization of an EMT Basic-Instructor/Coordinator may be removed or denied by the Director for the following reasons:
1. Two or more instances of failure to cover the prescribed course curriculum or failure to conduct the course in accordance with the practices prescribed by the Board and the Division.
 2. Failure to complete and submit, as required, all required documentation for all students in each class.
 3. A lapsed, revoked, suspended, or expired license.
 4. Any violation of Tennessee Code Annotated, Title 68, Chapter 140 or any rule promulgated by the Board.
- (5) EMT Instructor Assistant shall mean an individual capable of teaching the application of practical skills including assisting the faculty in the delivery of instruction, evaluating student performance of skills, maintenance of equipment, and coordinating with the faculty or Instructor/Coordinator to maintain adequate levels of needed equipment. The minimum qualifications for an EMT Instructor Assistant shall include:

- (a) Professional requirements.
 - 1. Currently licensed as a Tennessee EMT-Basic, without history of revocation, denial, or suspension of licensure.
 - 2. Licensed experience shall include a minimum of one year practicing in the pre-hospital environment in Tennessee.
 - 3. Must document at least seventy-five (75) hours of EMS instruction acceptable to the Board.

- (b) Authorization Renewal shall be contingent upon:
 - 1. Document at least forty-five (45) hours of EMT instruction on an annual basis and acceptable to the Board.
 - 2. Maintaining current Tennessee licensure as an Emergency Medical Technician-Basic.
 - 4. Maintaining current CPR instructor endorsement.
 - 3. Completion of an EMS Board approved Instructors' course.
 - 5. Attendance at an annual Instructor update as mandated by the Division of Emergency Medical Services.

- (c) Denial of Reauthorization or Revocation of Authorization - The authorization of an EMT Instructor Assistant may be removed or denied by the Director for the following reasons:
 - 1. Two or more instances of failure to cover the prescribed course curriculum or failure to conduct the course in accordance with the practices prescribed by the Board and the Division.
 - 2. Failure to complete and submit, as required, all required documentation for all students in each class.
 - 3. A lapsed, revoked, suspended, or expired license.
 - 4. Any violation of Tennessee Code Annotated Title 68, Chapter 140, or any rule promulgated by the Board.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 68-140-504, 68-140-505, 68-140-508, 68-140-509, and 68-140-518.

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 21st day of September, 2007, and will become effective on the 5th day of December, 2007. (FS 09-36-07; DBID 2701)

Addendum

Economic Impact Statement

- (1) Type or types of small business subject to the proposed rule that would bear the cost of, and/or directly benefit from the proposed rule:

Providers of classroom and clinical training for licensed EMS personnel will be affected. At the current time, these training programs are conducted in post-secondary State community colleges/universities under the Tennessee Board of Regents system, or under the fire service academies of major municipalities. These training facilities participated in the development and support the proposed amendments to the rules and would benefit from the implementation of the rule.

- (2) Identification and estimate of the number of small businesses subject to the proposed rule:

As of August 2007, there are fourteen accredited training programs listed post secondary institutions and three municipalities with training programs. None would qualify as a small business.

- (3) Projected reporting, recordkeeping and other administrative costs required for compliance with the proposed rule, including the type of professional skills necessary for preparation of the report or record:

The proposed amendments require the professional skills that would be commensurate with persons who possess instructional competencies. The costs would depend upon the manner in which an educational entity compensated its instructional staff.

- (4) Statement of the probable effect on impacted small businesses and consumers:

For some schools, this rule will require additional educational qualifications for instructors or additional or more experienced personnel to supervise clinical training and practice. Such costs may be passed to students, who would qualify as "consumers" of the training programs.

- (5) Description of any less burdensome, less intrusive or less costly alternative methods of achieving the purpose and/or objectives of the proposed rule that may exist, and to what extent, such alternative means might be less burdensome to small business:

The proposed rules are not written with special consideration for alternative compliance and/or methods because the licensing boards have, as their primary mission, the protection of the health, safety and welfare of Tennesseans.

- (6) Comparison of the proposed rule with any federal or state counterparts:

The board is not aware of any federal counterparts of the proposed rule. Several of the national accreditation organizations for health professions and other health-related license boards have similar requirements for the provision and supervision of classroom instruction and clinical practice.

- (7) Analysis of the effect of the possible exemption of small businesses from all or any part of the requirements contained in the proposed rule.

It is not possible to exempt small businesses from all or any part of the requirements contained in the proposed rule. Any exemptions would potentially invalidate the intent and purpose of the rule.