

Rule for: EMS & Trauma
Type of Rule: Readoption
MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0101 is proposed for readoption with substantive changes as follows:

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3 **10A NCAC 13P .0101 ABBREVIATIONS**

4 As used in this Subchapter, the following abbreviations mean:

- 5 (1) ACS: American College of Surgeons;
- 6 (2) AEMT: Advanced Emergency Medical Technician;
- 7 ~~(2)~~ (3) AHA: American Heart Association;
- 8 (4) ASTM: American Society for Testing and Materials;
- 9 ~~(3)~~ ~~ATLS: Advanced Trauma Life Support;~~
- 10 ~~(4)~~ ~~CA3: Clinical Anesthesiology Year 3;~~
- 11 (5) CAAHEP: Commission on Accreditation of Allied Health Education Programs;
- 12 ~~(5)~~ ~~CRNA: Certified Registered Nurse Anesthetist;~~
- 13 (6) CPR: Cardiopulmonary Resuscitation;
- 14 ~~(7)~~ ~~DOA: Dead on Arrival;~~
- 15 ~~(8)~~ (7) ED: Emergency Department;
- 16 ~~(9)~~ (8) EMD: Emergency Medical Dispatcher;
- 17 ~~(10)~~ ~~EMDPRS: Emergency Medical Dispatch Priority Reference System;~~
- 18 (9) EMR: Emergency Medical Responder;
- 19 ~~(11)~~ (10) EMS: Emergency Medical Services;
- 20 ~~(12)~~ (11) EMS-NP: EMS Nurse Practitioner;
- 21 ~~(13)~~ (12) EMS-PA: EMS Physician Assistant;
- 22 ~~(14)~~ (13) EMT: Emergency Medical Technician;
- 23 ~~(15)~~ ~~EMT I: EMT Intermediate;~~
- 24 ~~(16)~~ ~~EMT P: EMT Paramedic;~~
- 25 ~~(17)~~ ~~ENT: Ear, Nose and Throat;~~
- 26 ~~(18)~~ (14) FAA: Federal Aviation Administration;
- 27 ~~(19)~~ (15) FAR: Federal Aviation Regulation;
- 28 ~~(20)~~ (16) FCC: Federal Communications Commission;
- 29 ~~(21)~~ (17) GSC: GCS: Glasgow Coma Scale;
- 30 ~~(22)~~ (18) ICD: International Classification of Diseases;
- 31 ~~(23)~~ (19) ISS: Injury Severity Score;
- 32 (20) ICU: Intensive Care Unit;
- 33 ~~(24)~~ (21) IV: Intravenous;
- 34 ~~(25)~~ (22) LPN: Licensed Practical Nurse;
- 35 ~~(26)~~ (23) MICN: Mobile Intensive Care Nurse;
- 36 ~~(27)~~ ~~MR: Medical Responder;~~
- 37 ~~(28)~~ (24) NHTSA: National Highway Traffic Safety Administration;

- 1 ~~(29)~~ (25) OEMS: Office of Emergency Medical Services;
2 ~~(30)~~ — OMF: Oral maxillofacial;
3 ~~(31)~~ (26) OR: Operating Room;
4 ~~(32)~~ — PGY2: Post Graduate Year 2;
5 ~~(33)~~ — PGY4; Post Graduate Year 4;
6 ~~(34)~~ (27) PSAP: Public Safety Answering Point;
7 ~~(35)~~ (28) RAC: Regional Advisory Committee;
8 ~~(36)~~ (29) RFP: Request For Proposal;
9 ~~(37)~~ (30) RN: Registered Nurse;
10 ~~(38)~~ (31) SCTP: Specialty Care Transport Program;
11 ~~(39)~~ (32) SMARTT: State Medical Asset and Resource Tracking Tool;
12 ~~(40)~~ (33) STEMI: ST Elevation Myocardial Infarction;
13 ~~(41)~~ (34) TR: Trauma Registrar;
14 ~~(42)~~ — TNC: Trauma Nurse Coordinator;
15 ~~(43)~~ (35) TPM: Trauma Program Manager; and
16 ~~(44)~~ (36) US DOT: United States Department of Transportation.

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18 *History Note: Authority G.S. 143-508(b);*
19 *Temporary Adoption Eff. January 1, 2002;*
20 *Eff. April 1, 2003;*
21 *Amended Eff. January 1, 2009; January 1, ~~2004~~, 2004;*
22 *Readopted Eff. January 1, 2017;*

Type of Rule: Readoption

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0102 is proposed for readoption with substantive changes as follows:

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3 10A NCAC 13P .0102 DEFINITIONS

4 The following definitions apply throughout this Subchapter:

5 ~~(1) "Advanced Trauma Life Support" means the course sponsored by the American College of~~
6 ~~Surgeons.~~

7 (2) (1) "Affiliated EMS Provider" means the firm, corporation, agency, organization, or association
8 identified to a specific county EMS system as a condition for EMS Provider Licensing as required
9 by Rule .0204(a)(1) .0204(b)(1) of this Subchapter.

10 ~~(3) (2) "Affiliated Hospital" means a non-Trauma Center non-trauma center hospital that is owned by the~~
11 ~~Trauma Center or there exists is a contract or other agreement to allow for the acceptance or~~
12 ~~transfer of the Trauma Center's patient population to the non-Trauma Center hospital non-trauma~~
13 ~~center hospital.~~

14 (4) (3) "Affiliate" or "Affiliation" means a reciprocal agreement and association that includes active
15 participation, collaboration and involvement in a process or system between two or more parties.

16 (4) ~~"Alternative Practice Setting" means a clinical environment that may be not affiliated with or~~
17 ~~under the oversight of the EMS System or EMS System Medical Director.~~

18 (5) "Air Medical Ambulance" means an aircraft configured and medically equipped to transport
19 patients by air. The patient care compartment of air medical ambulances shall be staffed by
20 medical crew members approved for the mission by the medical director.

21 (6) "Air Medical Program" means a SCTP or EMS System utilizing rotary-wing or fixed-wing aircraft
22 configured and operated to transport patients.

23 (7) "Assistant Medical Director" means a physician, EMS-PA, or EMS-NP who assists the medical
24 director with the medical aspects of the management of an EMS System or EMS SCTP.

25 ~~(8) "Attending" means a physician who has completed medical or surgical residency and is either~~
26 ~~eligible to take boards in a specialty area or is boarded in a specialty.~~

27 ~~(9) "Board Certified, Board Certification, Board Eligible, Board Prepared, or Boarded" means~~
28 ~~approval by the American Board of Medical Specialties, the Advisory Board for Osteopathic~~
29 ~~Specialties, or the Royal College of Physicians and Surgeons of Canada unless a further sub-~~
30 ~~specialty such as the American Board of Surgery or Emergency Medicine is specified.~~

31 ~~(10) (8) "Bypass" means the a decision made by the patient care technician to transport of an emergency~~
32 ~~medical services a patient from the scene of an accident or medical emergency past an emergency~~
33 ~~medical services a receiving facility for the purposes of accessing a facility with a higher level of~~
34 ~~care, or a hospital of its own volition reroutes a patient from the scene of an accident or medical~~
35 ~~emergency or referring hospital to a facility with a higher level of care.~~

36 ~~(11) (9) "Contingencies" mean conditions placed on a trauma center's designation that, if unmet, can may~~
37 ~~result in the loss or amendment of a hospital's designation.~~

- 1 (12) (10) "Convalescent Ambulance" means an ambulance used on a scheduled basis solely to transport
2 patients having a known non-emergency medical condition. Convalescent ambulances shall not
3 be used in place of any other category of ambulance defined in this Subchapter.
- 4 (13) ~~"Clinical Anesthesiology Year 3" means an anesthesiology resident having completed two clinical~~
5 ~~years of general anesthesiology training. A pure laboratory year shall not constitute a clinical~~
6 ~~year.~~
- 7 (14) (11) "Deficiency" means the failure to meet essential criteria for a ~~trauma center's~~ designation as
8 ~~specified in Section .0900 of this Subchapter,~~ that can serve as the basis for a focused review or
9 denial of a ~~trauma center~~ designation.
- 10 (15) (12) "Department" means the North Carolina Department of Health and Human Services.
- 11 (16) (13) "Diversion" means the hospital is unable to accept a ~~pediatric or adult~~ patient due to a lack of
12 staffing or resources.
- 13 (17) ~~"E Code" means a numeric identifier that defines the cause of injury, taken from the ICD.~~
- 14 (18) (14) "Educational Medical Advisor" means the physician responsible for overseeing the medical
15 aspects of approved EMS educational ~~programs in continuing education, basic, and advanced~~
16 ~~EMS educational institutions, programs.~~
- 17 (19) (15) "EMS Care" means all services provided within each EMS System by its affiliated EMS agencies
18 and personnel that relate to the dispatch, response, treatment, and disposition of any ~~patient that~~
19 ~~would require the submission of System Data to the OEMS.~~ patient.
- 20 (20) (16) "EMS Educational Institution" means any agency credentialed by the OEMS to offer EMS
21 educational programs.
- 22 (21) (17) "EMS ~~Nontransporting~~ Non-Transporting Vehicle" means a motor vehicle operated by a licensed
23 EMS provider dedicated and equipped to move medical equipment and EMS personnel
24 functioning within the scope of practice of ~~EMT-I or EMT-P~~ an AEMT or Paramedic to the scene
25 of a request for assistance. EMS nontransporting vehicles shall not be used for the transportation
26 of patients on the streets, highways, waterways, or airways of the state.
- 27 (22) (18) "EMS Peer Review Committee" means a committee as defined in G.S. ~~131E-144(a)(6b).~~ 131E-
28 155(6b).
- 29 (23) (19) "EMS Performance Improvement ~~Toolkits~~ STAT" ~~mean~~ means one or more reports generated
30 from the state EMS data system analyzing the EMS service delivery, personnel performance, and
31 patient care provided by an EMS system and its associated EMS agencies and personnel. Each
32 EMS ~~toolkit~~ Performance Improvement STAT focuses on a topic of care such as trauma, cardiac
33 arrest, EMS response times, stroke, STEMI (heart attack), and pediatric care.
- 34 (24) (20) "EMS Provider" means those entities defined in G.S. 131E-155(13a) that hold a current license
35 issued by the Department pursuant to G.S. 131E-155.1.
- 36 (25) (21) "EMS System" means a coordinated arrangement of local resources under the authority of the
37 county government (including all agencies, personnel, equipment, and facilities) organized to

1 respond to medical emergencies and integrated with other health care providers and networks
2 including public health, community health monitoring activities, and special needs populations.

3 ~~(26)~~ "EMS System Peer Groups" are defined as:

4 (a) ~~Urban EMS System means greater than 200,000 population;~~

5 (b) ~~Suburban EMS System means from 75,001 to 200,000 population;~~

6 (c) ~~Rural EMS System means from 25,001 to 75,000 population; and~~

7 (d) ~~Wilderness EMS System means 25,000 or less.~~

8 ~~(27)~~ (22) "Essential Criteria" means those items listed in Rules ~~.0901, .0902, and .0903~~ of this Subchapter
9 that are the ~~minimum~~ requirements for the respective level of trauma center designation (I, II, or
10 III).

11 ~~(28)~~ (23) "Focused Review" means an evaluation by the OEMS of a ~~trauma center's~~ corrective actions to
12 remove contingencies that are a result of deficiencies ~~placed upon it~~ following a ~~renewal~~ site visit.

13 ~~(29)~~ (24) "Ground Ambulance" means an ambulance used to transport patients with traumatic or medical
14 conditions or patients for whom the need for specialty care or emergency or non-emergency
15 medical care is anticipated either at the patient location or during transport.

16 ~~(30)~~ (25) "Hospital" means a licensed facility as defined in G.S. 131E-176.

17 ~~(31)~~ (26) "Immediately Available" means the physical presence of the health professional or the hospital
18 resource within the trauma center to evaluate and care for the trauma ~~patient without delay.~~
19 patient.

20 ~~(32)~~ (27) "Inclusive Trauma System" means an organized, multi-disciplinary, evidence-based approach to
21 provide quality care and to improve measurable outcomes for all defined injured patients. EMS,
22 hospitals, other health systems and clinicians shall participate in a structured manner through
23 leadership, advocacy, injury prevention, education, clinical care, performance ~~improvement~~
24 improvement, and research resulting in integrated trauma care.

25 ~~(33)~~ (28) "Infectious Disease Control Policy" means a written policy describing how the EMS system will
26 protect and prevent its patients and EMS professionals from exposure and illness associated with
27 contagions and infectious disease.

28 ~~(34)~~ (29) "Lead RAC Agency" means the agency (comprised of one or more Level I or II trauma centers)
29 that provides staff support and serves as the coordinating entity for trauma ~~planning in a region.~~
30 planning.

31 ~~(35)~~ (30) "Level I Trauma Center" means a hospital as defined by Item ~~(30)~~ (25) of this Rule that has the
32 capability of providing leadership, guidance, research, and total care for every aspect of injury
33 from prevention to rehabilitation.

34 ~~(36)~~ (31) "Level II Trauma Center" means a hospital as defined by Item ~~(30)~~ (25) of this Rule that provides
35 trauma care regardless of the severity of the injury but may lack the not be able to provide the
36 same comprehensive care as a Level I trauma center and does not have trauma research as a
37 primary objective.

- 1 ~~(37)~~ (32) "Level III Trauma Center" means a hospital as defined by Item ~~(30)~~ (25) of this Rule that
2 provides prompt assessment, resuscitation, emergency operations, and stabilization, and arranges
3 for hospital transfer as needed to a Level I or II trauma center.
- 4 ~~(38)~~ (33) "Licensed Health Care Facility" means any health care facility or hospital as defined by Item ~~(30)~~
5 (25) of this Rule licensed by the Department of Health and Human Services, Division of Health
6 Service Regulation.
- 7 ~~(39)~~ (34) "Medical Crew Member" means EMS personnel or other health care professionals who are
8 licensed or registered in North Carolina and are affiliated with a SCTP.
- 9 ~~(40)~~ (35) "Medical Director" means the physician responsible for the medical aspects of the management of
10 an EMS System, Alternative Practice Setting, or SCTP, or Trauma Center.
- 11 ~~(41)~~ (36) "Medical Oversight" means the responsibility for the management and accountability of the
12 medical care aspects of an EMS System, Alternative Practice Setting, or SCTP. Medical
13 Oversight includes physician direction of the initial education and continuing education of EMS
14 personnel or medical crew members; development and monitoring of both operational and
15 treatment protocols; evaluation of the medical care rendered by EMS personnel or medical crew
16 members; participation in system or program evaluation; and directing, by two-way voice
17 communications, the medical care rendered by the EMS personnel or medical crew members.
- 18 ~~(42)~~ "Mid-level Practitioner" means a nurse practitioner or physician assistant who routinely cares for
19 trauma patients.
- 20 ~~(43)~~ "Model EMS System" means an EMS System that is recognized and designated by the OEMS for
21 meeting and mastering quality and performance indicator criteria as defined by Rule .0202 of this
22 Subchapter.
- 23 ~~(44)~~ (37) "Off-line Medical Control" means medical supervision provided through the EMS System
24 Medical Director or SCTP Medical Director who is responsible for the day to day medical care
25 provided by EMS personnel. This includes EMS personnel education, protocol development,
26 quality management, peer review activities, and EMS administrative responsibilities related to
27 assurance of quality medical care.
- 28 ~~(45)~~ (38) "Office of Emergency Medical Services" means a section of the Division of Health Service
29 Regulation of the North Carolina Department of Health and Human Services located at ~~701~~
30 ~~Barbour Drive,~~ 1201 Umstead Drive, Raleigh, North Carolina 27603.
- 31 ~~(46)~~ (39) "On-line Medical Control" means the medical supervision or oversight provided to EMS
32 personnel through direct communication in ~~person,~~ in-person, via radio, cellular phone, or other
33 communication device during the time the patient is under the care of an EMS professional. ~~The~~
34 ~~source of on-line medical control is typically a designated hospital's emergency department~~
35 ~~physician, EMS nurse practitioner, or EMS physician assistant.~~
- 36 ~~(47)~~ (40) "Operational Protocols" means the administrative policies and procedures of an EMS System or
37 that provide guidance for the day-to-day operation of the system.

- 1 ~~(48)~~ (41) "Participating Hospital" means a hospital that supplements care within a larger trauma system by
2 the initial evaluation and assessment of injured patients for transfer to a designated trauma center
3 if needed.
- 4 ~~(49)~~ (42) "Physician" means a medical or osteopathic doctor licensed by the North Carolina Medical Board
5 to practice medicine in the state of North Carolina.
- 6 ~~(50)~~ — "Post Graduate Year Two" means any surgery resident having completed one clinical year of
7 general surgical training. A pure laboratory year shall not constitute a clinical year.
- 8 ~~(51)~~ — "Post Graduate Year Four" means any surgery resident having completed three clinical years of
9 general surgical training. A pure laboratory year shall not constitute a clinical year.
- 10 ~~(52)~~ — "Promptly Available" means the physical presence of health professionals in a location in the
11 trauma center within a short period of time, that is defined by the trauma system (director) and
12 continuously monitored by the performance improvement program.
- 13 ~~(53)~~ (43) "Regional Advisory Committee (RAC)" Committee means a committee comprised of a lead
14 RAC agency and a group representing trauma care providers and the community, for the purpose
15 of regional trauma planning, establishing, and maintaining a coordinated trauma system.
- 16 ~~(54)~~ (44) "Request for Proposal (RFP)" Proposal means a state document that must be completed by each
17 hospital as defined by Item ~~(30)~~ (25) of this Rule seeking initial or renewal trauma center
18 designation.
- 19 ~~(45)~~ — "Significant Failure to Comply" means a degree of non-compliance determined by the OEMS
20 during compliance monitoring to exceed the ability of the local EMS System to correct,
21 warranting enforcement action pursuant to Section .1500 of this Subchapter.
- 22 ~~(55)~~ (46) "State Medical Asset and Resource Tracking Tool (SMARTT)" means the Internet web-based
23 program used by the OEMS both daily in its operations and during times of disaster to identify,
24 record and monitor EMS, hospital, health care and sheltering resources statewide, including
25 facilities, personnel, vehicles, equipment, pharmaceutical and supply caches.
- 26 ~~(56)~~ (47) "Specialty Care Transport Program" means a program designed and operated for the provision of
27 specialized medical care and transportation of critically ill or injured patients between health care
28 facilities and for patients who are discharged from a licensed health care facility to their residence
29 that require specialized medical care during transport which exceeds the normal capability of the
30 local EMS System. transportation of a patient by ground or air requiring specialized interventions,
31 monitoring and staffing by a paramedic who has received additional training as determined by the
32 program medical director beyond the minimum training prescribed by the OEMS, or by one or
33 more other healthcare professional(s) qualified for the provision of specialized care based on the
34 patient's condition.
- 35 ~~(57)~~ (48) "Specialty Care Transport Program Continuing Education Coordinator" means a Level I EMS
36 Instructor within a SCTP who is responsible for the coordination of EMS continuing education
37 programs for EMS personnel within the program.

- 1 (49) "Stretcher" means any wheeled or portable device capable of transporting a person in a recumbent
2 position and may only be used in an ambulance vehicle permitted by the Department.
- 3 ~~(58)~~ (50) "Stroke" means an acute cerebrovascular hemorrhage or occlusion resulting in a neurologic
4 deficit.
- 5 ~~(59)~~ (51) "System Continuing Education Coordinator" means the Level I EMS Instructor designated by the
6 local EMS System who is responsible for the coordination of EMS continuing education
7 programs.
- 8 ~~(60)~~ (52) "System Data" means all information required for daily electronic submission to the OEMS by all
9 EMS Systems using the EMS data set, data dictionary, and file format as specified in "North
10 Carolina College of Emergency Physicians: Standards for Medical Oversight and Data
11 Collection," incorporated herein by reference ~~in accordance with G.S. 150B-21.6~~, including
12 subsequent amendments and ~~additions~~ editions. This document is available from the OEMS,
13 2707 Mail Service Center, Raleigh, North Carolina 27699-2707, at no cost.
- 14 ~~(61) "Transfer Agreement" means a written agreement between two agencies specifying the~~
15 ~~appropriate transfer of patient populations delineating the conditions and methods of transfer.~~
- 16 ~~(62)~~ (53) "Trauma Center" means a hospital as defined by Item ~~(30)~~ (25) of this Rule designated by the
17 State of North Carolina and distinguished by its ability to ~~immediately~~ manage, on a 24-hour
18 basis, the severely injured patient or those at risk for severe injury.
- 19 ~~(63)~~ (54) "Trauma Center Criteria" means essential criteria to define Level I, II, or III trauma centers.
- 20 ~~(64)~~ (55) "Trauma Center Designation" means a process of approval in which a hospital as defined by Item
21 ~~(30)~~ (25) of this Rule voluntarily seeks to have its trauma care capabilities and performance
22 evaluated by experienced on-site reviewers.
- 23 ~~(65)~~ (56) "Trauma Diversion" means a trauma center of its own volition declines to accept an acutely
24 injured ~~pediatric or adult~~ patient due to a lack of staffing or resources.
- 25 ~~(66)~~ (57) "Trauma Guidelines" mean standards for practice in a variety of situations within the trauma
26 system.
- 27 ~~(67)~~ (58) "Trauma Minimum Data Set" means the basic data required of all hospitals for submission to the
28 trauma statewide database.
- 29 ~~(68)~~ (59) "Trauma Patient" means any patient with an ~~ICD-9-CM discharge diagnosis 800.00-959.9~~
30 ~~excluding 905-909 (late effects of injury), 910.0-924 (blisters, contusions, abrasions, and insect~~
31 ~~bites), and 930-939 (foreign bodies).~~ ICD-CM discharge diagnosis as defined in the "North
32 Carolina Trauma Registry Data Dictionary," incorporated herein by reference in accordance with
33 G.S.150B-21.6, including subsequent amendments and editions. This document is available from
34 the OEMS, 2707 Mail Service Center, Raleigh, North Carolina 27699-2707, at no cost
- 35 ~~(69)~~ (60) "Trauma Program" means an administrative entity that includes the trauma service and
36 coordinates other trauma related activities. It must also include the trauma medical director,
37 trauma program manager/trauma coordinator, and trauma registrar. This program's reporting

1 structure shall give it the ability to interact with at least equal authority with other departments
2 providing patient care.

3 ~~(70)~~ (61) "Trauma Registry" means a disease-specific data collection composed of a file of uniform data
4 elements that describe the injury event, demographics, pre-hospital information, diagnosis, care,
5 outcomes, and costs of treatment for injured patients collected and electronically submitted as
6 defined by the OEMS.

7 ~~(71)~~ "Trauma Service" means a clinical service established by the medical staff that has oversight of
8 and responsibility for the care of the trauma patient.

9 ~~(72)~~ "Trauma Team" means a group of health care professionals organized to provide coordinated and
10 timely care to the trauma patient.

11 ~~(73)~~ (62) "Treatment Protocols" means a document approved by the medical directors of both the local
12 EMS System, Specialty Care Transport Program, Alternative Practice Setting, or Trauma Center
13 and the OEMS specifying the diagnostic procedures, treatment procedures, medication
14 administration, and patient-care-related policies that shall be completed by EMS personnel or
15 medical crew members based upon the assessment of a patient.

16 ~~(74)~~ (63) "Triage" means the assessment and categorization of a patient to determine the level of EMS and
17 healthcare facility based care required.

18 ~~(75)~~ (64) "Water Ambulance" means a watercraft specifically configured and medically equipped to
19 transport patients.

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21 *History Note: Authority G.S. ~~131E-155(a)(6b)~~; G.S. 131E-155(6b); 131E-162; 143-508(b), ~~(d)(1), (d)(2), (d)(3),~~*
22 *~~(d)(4), (d)(5), (d)(6), (d)(7), (d)(8), (d)(13)~~; 143-508(d)(1); 143-508(d)(2); 143-508(d)(3); 143-*
23 *508(d)(4); 143-508(d)(5); 143-508(d)(6); 143-508(d)(7); 143-508(d)(8); 143-508(d)(13); 143-*
24 *518(a)(5);*
25 *Temporary Adoption Eff. January 1, 2002;*
26 *Eff. April 1, 2003;*
27 *Amended Eff. March 3, 2009 pursuant to E.O. 9, Beverly Perdue, March 3, 2009;*
28 *Pursuant to G.S. 150B-21.3(c), a bill was not ratified by the General Assembly to disapprove this*
29 *rule. rule;*
30 *Readopted Eff. January 1, 2017.*

Type of Rule: Readoption

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0201 is proposed for readoption with substantive changes as follows:

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3 10A NCAC 13P .0201 EMS SYSTEM REQUIREMENTS

4 (a) County governments shall establish EMS Systems. Each EMS System shall have:

5 (1) a defined geographical service area for the EMS System. The minimum service area for an EMS
6 System shall be one county. There may be multiple EMS Provider service areas within ~~the service~~
7 ~~area~~ of an EMS System. The highest level of care offered within any EMS Provider service area
8 must be available to the citizens within that service area 24 hours ~~per day~~; a day, seven days a
9 week;

10 (2) a defined scope of practice for all EMS ~~personnel~~, personnel functioning in the EMS ~~System~~,
11 System within the parameters set forth by the North Carolina Medical Board pursuant to G.S. 143-
12 514;

13 (3) written policies and procedures describing the dispatch, ~~coordination~~ coordination, and oversight
14 of all responders that provide EMS care, specialty patient care ~~skills~~ skills, and procedures as
15 defined in Rule .0301(a)(4) of this Subchapter, and ambulance transport within the system;

16 (4) at least one licensed EMS Provider;

17 (5) a listing of permitted ambulances to provide coverage to the service area 24 hours ~~per day~~; a day,
18 seven days a week;

19 (6) personnel credentialed to perform within the scope of practice of the system and to staff the
20 ambulance vehicles as required by G.S. 131E-158. There shall be a written plan for the use of
21 credentialed EMS personnel for all practice settings used within the system;

22 (7) written policies and procedures specific to the utilization of the EMS System's EMS Care data for
23 the daily and on-going management of all EMS System resources;

24 (8) a written Infectious Disease Control Policy as defined in Rule ~~.0102(33)~~ .0102(28) of this
25 Subchapter and written procedures ~~which~~ that are approved by the EMS System medical director
26 that address the cleansing and disinfecting of vehicles and equipment that are used to treat or
27 transport patients;

28 (9) a listing of ~~facilities~~ resources that will provide online medical direction for all EMS Providers
29 operating within the EMS System;

30 (10) an EMS communication system that provides for:

31 (A) public access ~~using the emergency telephone number~~ to emergency services by dialing 9-
32 1-1 within the public dial telephone network as the primary method for the public to
33 request emergency assistance. This number shall be connected to the ~~emergency~~
34 ~~communications center~~ or PSAP with immediate assistance available such that no caller
35 will be instructed to hang up the telephone and dial another telephone number. A person
36 calling for emergency assistance shall not be required to speak with more than two
37 persons to request emergency medical assistance;

1 (B) ~~an emergency communications system~~ a PSAP operated by public safety
2 telecommunicators with training in the management of calls for medical assistance
3 available ~~24 hours per day; a day, seven days a week;~~

4 (C) dispatch of the most appropriate emergency medical response unit or units to any caller's
5 request for assistance. The dispatch of all response vehicles shall be in accordance with a
6 written EMS System plan for the management and deployment of response vehicles
7 including requests for mutual aid; and

8 (D) two-way radio voice communications from within the defined service area to the
9 ~~emergency communications center or~~ PSAP and to facilities where patients are ~~routinely~~
10 transported. The ~~emergency communications system~~ PSAP shall maintain all required
11 FCC radio licenses or authorizations;

12 (11) written policies and procedures for addressing the use of SCTP and Air Medical ~~Programs~~
13 resources utilized within the system;

14 (12) a written continuing education program for all credentialed EMS personnel, under the direction of
15 a System Continuing Education Coordinator, developed and modified based on feedback from
16 system EMS Care data, review, and evaluation of patient outcomes and quality management peer
17 reviews, that follows the guidelines of the: criteria set forth in Rule .0501 of this Subchapter;

18 (A) ~~"US DOT NHTSA First Responder Refresher: National Standard Curriculum" for MR~~
19 ~~personnel;~~

20 (B) ~~"US DOT NHTSA EMT-Basic Refresher: National Standard Curriculum" for EMT~~
21 ~~personnel;~~

22 (C) ~~"EMT-P and EMT-I Continuing Education National Guidelines" for EMT-I and EMT-P~~
23 ~~personnel; and~~

24 (D) ~~"US DOT NHTSA Emergency Medical Dispatcher: National Standard Curriculum" for~~
25 ~~EMD personnel.~~

26 ~~These documents are incorporated by reference in accordance with G.S. 150B-21.6, including~~
27 ~~subsequent amendments and additions. These documents are available from NHTSA, 400 7th~~
28 ~~Street, SW, Washington, D.C. 20590, at no cost;~~

29 (13) written policies and procedures to address management of the EMS System that includes:

30 (A) triage and transport of all acutely ill and injured patients with time-dependent or other
31 specialized care issues including trauma, stroke, STEMI, burn, and pediatric patients that
32 may require the by-pass of other licensed health care facilities and ~~which that~~ are based
33 upon the expanded clinical capabilities of the selected healthcare facilities;

34 (B) triage and transport of patients to facilities outside of the system;

35 (C) arrangements for transporting patients to appropriate facilities when diversion or bypass
36 plans are activated;

- 1 (D) reporting, monitoring, and establishing standards for system response times using ~~data~~
- 2 ~~provided by the OEMS; data;~~
- 3 (E) weekly updating of the SMARTT EMS Provider information;
- 4 (F) a disaster plan; ~~and~~
- 5 (G) a mass-gathering plan;
- 6 ~~(H) a mass-casualty plan;~~
- 7 ~~(I) a weapons plan for any weapon as set forth in Rule .0216 of this Section;~~
- 8 ~~(J) a plan on how EMS personnel shall report suspected child abuse pursuant to G.S. 7B-~~
- 9 ~~302;~~
- 10 ~~(K) a plan on how EMS personnel shall report suspected abuse of the elderly or disabled~~
- 11 ~~pursuant to G.S. 108A-102; and~~
- 12 ~~(L) a plan on how each responding agency is to maintain a current roster of its personnel~~
- 13 ~~providing EMS care within the county under the provider number issued pursuant to~~
- 14 ~~Paragraph (c) of this Rule, in the OEMS credentialing and information database;~~
- 15 (14) affiliation as defined in Rule ~~.0102(4)~~ .0102(3) of this Subchapter with ~~the~~ a trauma RAC as
- 16 required by Rule .1101(b) of this Subchapter; and
- 17 (15) medical oversight as required by Section .0400 of this Subchapter.

18 (b) Each EMS System that utilizes emergency medical dispatching agencies applying the principles of EMD or

19 offering EMD services, procedures, or programs to the public shall have:

- 20 (1) a defined service area for each agency;
- 21 (2) appropriate personnel within each agency, credentialed in accordance with the requirements set
- 22 forth in Section .0500 of this Subchapter, to ensure EMD services to the citizens within that
- 23 service area are available 24 hours per day, seven days a week; and
- 24 (3) EMD responsibilities in special situations, such as disasters, mass-casualty incidents, or situations
- 25 requiring referral to specialty hotlines.

26 (c) The EMS System shall obtain provider numbers from the OEMS for each entity that provides EMS Care within

27 the county.

28 ~~(b) (d)~~ An application to establish an EMS System shall be submitted by the county to the OEMS for review. When

29 the system is comprised of more than one county, only one application shall be submitted. The proposal shall

30 demonstrate that the system meets the requirements in Paragraph (a) of this Rule. System approval shall be granted

31 for a period of six years. Systems shall apply to OEMS for reapproval.

32

33 *History Note: Authority G.S. ~~131E-155(1), (6), (8), (9), (15); 131E-155(1); 131E-155(6); 131E-155(7); 131E-~~*

34 *~~155(8); 131E-155(9); 131E-155(13a); 131E-155(15); 143-508(b), (d)(1), (d)(2), (d)(3), (d)(5),~~*

35 *~~(d)(8), (d)(9), (d)(10), (d)(13); 143-508(b); 143-508(d)(1); 143-508(d)(2); 143-508(d)(3); 143-~~*

36 *~~508(d)(5); 143-508(d)(8); 143-508(d)(9); 143-508(d)(10); (d)(13); 143-509(1), (3), (4), (5); 143-~~*

37 *~~517; 143-518;~~*

1 *Temporary Adoption Eff. January 1, 2002;*
2 *Eff. August 1, 2004;*
3 *Amended Eff. January 1, ~~2009~~ 2009;*
4 *Readopted Eff. January 1, 2017.*

1 10A NCAC 13P .0203 is proposed for readoption as a repeal as follows:

2

3 **10A NCAC 13P .0203 SPECIAL SITUATIONS**

4

5 *History Note: Authority G.S. 143-508(b);*

6 *Temporary Adoption Eff. January 1, 2002;*

7 *Eff. April 1, 2003;*

8 *Amended Eff. January 1, ~~2004~~ 2004;*

9 *Repealed Eff. January 1, 2017.*

Rule for: EMS & Trauma
Type of Rule: Readoption
MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0204 is proposed for readoption with substantive changes as follows:

2
3 **10A NCAC 13P .0204 EMS PROVIDER LICENSE REQUIREMENTS**

4 (a) Any firm, corporation, agency, organization or association that provides non-transportation emergency medical
5 services at the AEMT or Paramedic level shall be licensed by the Department as an EMS Provider by meeting and
6 maintaining the criteria defined in Paragraph (b) of this Rule.

7 ~~(a)~~ (b) Any firm, corporation, agency, organization or association that provides emergency medical
8 transportation services shall be licensed as an EMS Provider by meeting and continuously maintaining the following
9 criteria:

10 (1) ~~Be~~ be affiliated as defined in Rule ~~.0102(4)~~ .0102(3) of this Subchapter with each EMS System
11 where there is to be a physical base of operation or where the EMS Provider will provide point-to-
12 point patient transport within the system;

13 (2) ~~Present~~ present an application for a permit for any ambulance and EMS non-transporting vehicle
14 that will be in service as required by ~~G.S. 131E-156;~~ G.S. 131E-156, and meet the requirements of
15 Rule .0207, and .0213 of this Subchapter;

16 (3) ~~Submit~~ submit a written plan detailing how the EMS Provider will furnish credentialed ~~personnel;~~
17 personnel pursuant to G.S. 131E-158;

18 (4) ~~Where~~ where there are franchise ordinances pursuant to ~~G.S.~~ G.S. 153A-250 in effect that cover the
19 proposed service areas of each EMS system of operation, provide written documentation reflecting
20 show the affiliation as defined in Rule .0102(4) of this Subchapter with each EMS System, as
21 required by Subparagraph (a)(1) of this Rule, by being granted a current franchise to operate, or
22 present written documentation of impending receipt of a franchise, from each county. In counties
23 where there is no franchise ordinance in effect, present a signature from each EMS System
24 representative authorizing the EMS Provider to affiliate as defined in Rule .0102(4) .0102(3) of this
25 Subchapter and as required by Paragraph (a)(1) Subparagraph (b)(1) of this Rule;

26 (5) ~~Provide systematic, periodic~~ provide inspection, repair, cleaning, and ~~routine~~ maintenance of all
27 EMS responding ground vehicles and maintain records for a period of time determined by the EMS
28 System, and made available for inspection by the OEMS which verify verifying compliance with
29 this Subparagraph;

30 (6) ~~Collect~~ collect and within 24 hours electronically submit to the OEMS EMS Care data that uses the
31 EMS data set and data dictionary as specified in "North Carolina College of Emergency Physicians:
32 Standards for Medical Oversight and Data Collection," ~~incorporated by reference in accordance with~~
33 G.S. 150B-21.6, including subsequent amendments and additions. This document is available from
34 the OEMS, 2707 Mail Service Center, Raleigh, North Carolina 27699-2707, at no cost. Collection;"

35 (7) ~~Develop~~ develop and implement written operational protocols for the management of equipment,
36 supplies supplies, and medications and maintain records for a period of time determined by the EMS

1 System, and made available for inspection by the OEMS ~~which verify~~ verifying compliance with
2 this Subparagraph. These protocols shall include a methodology:

- 3 (A) to assure that each vehicle contains the required equipment and supplies on each response;
4 (B) for cleaning and maintaining the equipment and vehicles; and
5 (C) to assure that supplies and medications are not used beyond the expiration date and stored
6 in a temperature controlled atmosphere according to manufacturer's specifications.

7 ~~(b)~~ (c) In addition to the general requirements detailed in Paragraph ~~(a)~~ (b) of this Rule, if providing fixed-wing air
8 medical services, affiliation as defined in Rule ~~.0102(4)~~ .0102(3) of this Subchapter with a hospital as defined in Rule
9 ~~.0102(30)~~ .0102(25) of this Subchapter is required to ensure the provision of peer review, medical director ~~oversight~~
10 oversight, and treatment protocol maintenance.

11 ~~(e)~~ (d) In addition to the general requirements detailed in Paragraph ~~(a)~~ (b) of this Rule, if providing rotary-wing air
12 medical services, affiliation as defined in Rule ~~.0102(4)~~ .0102(3) of this Subchapter with a Level I or Level II Trauma
13 Center as defined in Rules ~~.0102(35)~~ .0102(30) and ~~(36)~~ (31) of this Subchapter designated by the OEMS is required
14 to ensure the provision of peer review, medical director ~~oversight~~ oversight, and treatment protocol maintenance. Due
15 to the geographical barriers unique to the County of Dare, the Medical Care Commission exempts the Dare County
16 EMS System from this Paragraph.

17 ~~(d)~~ (e) An EMS Provider may renew its license by presenting documentation to the OEMS that the Provider meets
18 the criteria found in Paragraphs ~~(a)~~ (b) through ~~(e)~~ (d) of this Rule.

19 (f) Air Medical Programs are exempt from the requirements detailed in Subparagraphs (b)(1) and (b)(4) of this Rule.
20

21 *History Note: Authority G.S. 131E-155.1(c); ~~143-508(d)(1), (d)(5); 143-508(d)(1); 143-508(d)(5); 143-508~~*
22 *(d)(13);*

23 *Temporary Adoption Eff. January 1, 2002;*

24 *Eff. April 1, 2003;*

25 *Amended Eff. January 1, 2004;*

26 *Amended Eff. March 3, 2009 pursuant to E.O. 9, Beverly Perdue, March 3, 2009;*

27 *Pursuant to G.S. 150B-21(c), a bill was not ratified by the General Assembly to disapprove this ~~rule~~*
28 *rule;*

29 *Readopted Eff. January 1, 2017.*

Type of Rule: Amendment

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0209 is proposed for amendment as follows:

2

3 10A NCAC 13P .0209 AIR MEDICAL AMBULANCE: VEHICLE AND EQUIPMENT
4 REQUIREMENTS

5 To be permitted as an Air Medical Ambulance, an aircraft shall meet the following requirements:

- 6 (1) ~~Configuration~~ configuration of the aircraft patient care compartment does not compromise the
7 ability to provide ~~appropriate~~ care or prevent performing in-flight emergency patient care
8 procedures as approved by the program medical ~~director~~, director;
- 9 (2) ~~The~~ the aircraft has ~~on-board~~ on-board patient care equipment and supplies as defined in the
10 treatment protocols for the ~~program~~, program written by the medical director and approved by the
11 OEMS. The equipment and supplies shall be clean, in working order, and secured in the ~~aircraft~~,
12 aircraft;
- 13 (3) ~~There~~ there is installed in the rotary-wing aircraft an internal voice communication system to
14 allow for communication between the medical ~~crew~~ and flight ~~crew~~, crew;
- 15 (4) ~~The~~ the medical director designates the combination of medical equipment specified in Item (2) of
16 this Rule that is carried on a mission based on anticipated patient care ~~needs~~, needs;
- 17 (5) ~~The~~ the name of the EMS Provider is permanently displayed on each side of the ~~aircraft~~, aircraft;
- 18 (6) ~~The~~ the rotary-wing aircraft is equipped with a two-way voice radio licensed by the FCC capable
19 of operation on any frequency required to allow communications with public safety agencies such
20 as fire departments, police departments, ambulance and rescue units, hospitals, and local
21 government ~~agencies~~ agencies, within the service ~~area~~, area;
- 22 (7) ~~In~~ in addition to equipment required by applicable air worthiness certificates and Federal Aviation
23 Regulations (FAA, Part 91 or 135), any rotary-wing aircraft permitted has the following
24 functioning equipment to help ensure the safety of patients, crew ~~members~~ members, and ground
25 personnel, patient comfort, and medical care:
- 26 (a) Global Positioning System;
 - 27 (b) an external search light that can be operated from inside the aircraft;
 - 28 (c) survival gear appropriate for the service area and the number, ~~age~~ age, and type of
29 patients;
 - 30 (d) permanently installed environmental control unit (ECU) capable of both heating and
31 cooling the patient compartment of the aircraft; ~~and~~
 - 32 (e) ~~capability to carry at least a 220-pound patient load and transport at least 60 nautical~~
33 ~~miles or nearest Trauma Center non-stop without refueling.~~
- 34 (8) ~~The~~ the availability of one pediatric restraint device to safely transport pediatric patients and
35 children under 40 pounds in the patient compartment of the air medical ~~ambulance~~, ambulance;
- 36 (9) ~~The~~ the aircraft has no structural or functional defects that may adversely affect the patient, or the
37 EMS ~~personnel~~, personnel; ~~and~~

1 (10) a copy of the patient care treatment protocols, either paper or electronic, carried aboard the
2 aircraft.

3
4 *History Note: Authority G.S. 131E-157(a); 143-508(d)(8);*
5 *Temporary Adoption Eff. January 1, 2002;*
6 *Eff. April 1, 2003;*
7 *Amended Eff. January 1, 2004;*
8 *Amended Eff. March 3, 2009 pursuant to E.O. 9, Beverly Perdue, March 3, 2009;*
9 *Pursuant to G.S. 150B-21.3(c), a bill was not ratified by the General Assembly to disapprove this*
10 *rule;*
11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February*
12 *2, 2016- 2016;*
13 *Amended Eff. January 1, 2017.*

1 10A NCAC 13P .0214 is proposed for amendment as follows:

2

3 **10A NCAC 13P .0214 EMS ~~NONTRANSPORTING~~ NON-TRANSPORTING VEHICLE PERMIT**
4 **CONDITIONS**

5 (a) ~~An~~ A licensed EMS provider shall apply to the OEMS for an EMS ~~Nontransporting~~ non-transporting Vehicle
6 Permit prior to placing such vehicle in service.

7 (b) The ~~Department~~ OEMS shall issue a permit for a vehicle following verification of compliance with applicable
8 laws and rules.

9 (c) Only one EMS ~~Nontransporting~~ Non-transporting Vehicle Permit shall be issued for each vehicle.

10 (d) EMS ~~Nontransporting~~ Non-transporting Vehicle Permits shall not be transferred.

11 (e) The EMS ~~Nontransporting~~ Non-transporting Vehicle Permit shall be posted as designated by the OEMS
12 inspector.

13 (f) Vehicles that are not owned or leased by the licensed EMS Provider are ineligible for permitting.

14

15 *History Note: Authority G.S. 143-508(d)(8);*

16 *Temporary Adoption Eff. January 1, 2002;*

17 *Eff. April 1, 2003;*

18 *Amended Eff. January 1, 2009; January 1, 2004;*

19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February*
20 *2, 2016- 2016;*

21 *Amended Eff. January 1, 2017.*

1 10A NCAC 13P .0216 is proposed for readoption with substantive changes as follows:

2

3 **10A NCAC 13P .0216 WEAPONS AND EXPLOSIVES FORBIDDEN**

4 (a) Weapons, ~~as defined by the local county district attorney's office, whether lethal or non-lethal,~~ and explosives
5 shall not be worn or carried aboard an ambulance or EMS ~~nontransporting~~ non-transporting vehicle within the State
6 of North Carolina when the vehicle is operating in any patient treatment or transport capacity or is available for such
7 function.

8 (b) Conducted electrical weapons and chemical irritants such as mace, pepper (oleoresin capsicum) spray, and tear
9 gas are considered weapons for the purpose of this Rule.

10 ~~(b)~~ (c) This Rule shall apply whether or not such weapons and explosives are concealed or visible.

11 (d) If any weapon is found to be in the possession of a patient or person accompanying the patient during
12 transportation, the weapon shall be safely secured in accordance with the weapons policy as set forth in Rule
13 .0201(a)(13)(I) of this Subchapter.

14 (e) Weapons authorized for use by EMS personnel attached to a law enforcement tactical team in accordance with
15 the weapons policy as set forth in Rule .0201(a)(13)(I) of this Subchapter may be secured in a locked, dedicated
16 compartment or gun safe mounted within the ambulance or non-transporting vehicle for use when dispatched in
17 support of the law enforcement tactical team, but are not to be worn or carried open or concealed by any EMS
18 personnel in the performance of normal EMS duties under any circumstances.

19 ~~(e)~~ (f) This Rule shall not apply to duly appointed law enforcement officers.

20 ~~(d)~~ (g) Safety flares are authorized for use on an ambulance with the following restrictions:

21 (1) ~~These~~ these devices are not stored inside the patient compartment of the ambulance; and

22 (2) ~~These~~ these devices shall be packaged and stored so as to prevent accidental discharge or ignition.

23

24 *History Note: Authority G.S. 131E-157(a); 143-508(d)(8);*

25 *Temporary Adoption Eff. January 1, 2002;*

26 *Eff. April 1, 2003- 2003;*

27 *Readopted Eff. January 1, 2017.*

1 10A NCAC 13P .0219 is proposed for readoption with substantive changes as follows:

2

3 **10A NCAC 13P .0219 STAFFING FOR MEDICAL AMBULANCE/EVACUATION BUS VEHICLES**

4 Medical Ambulance/Evacuation Bus Vehicles are exempt from the requirements of G.S. 131E-158(a). The EMS
5 System Medical ~~Director~~ Director, as set forth in Rule .0403 of this Subchapter, shall determine the combination and
6 number of EMT, ~~EMT-Intermediate, AEMT, or EMT-Paramedic~~ Paramedic personnel that are sufficient to manage
7 the anticipated number and severity of injury or illness of the patients transported in the Medical
8 Ambulance/Evacuation Bus ~~vehicle~~. Vehicle.

9

10 *History Note: Authority G.S. 131E-158(b);*

11 *Eff. July 1, 2011- 2011;*

12 *Readopted Eff. January 1, 2017.*

1 10A NCAC 13P .0221 is proposed for readoption with substantive changes as follows:

2

3 **10A NCAC 13P .0221 PATIENT TRANSPORTATION BETWEEN HOSPITALS**

4 (a) For the purpose of this Rule, hospital means those facilities as defined in Rule ~~.0102(30)~~ .0102(25) of this
5 Subchapter.

6 (b) Every ground ambulance when transporting a patient between hospitals shall be occupied by all of the
7 following:

8 (1) one person who holds a credential issued by the OEMS as ~~a Medical Responder~~ an emergency
9 medical responder or higher who is responsible for the operation of the vehicle and rendering
10 assistance to the patient caregiver when needed; and

11 (2) at least one of the following individuals as determined by the transferring physician to manage the
12 anticipated severity of injury or illness of the patient who is responsible for the medical aspects of
13 the mission:

- 14 (A) ~~Emergency Medical Technician;~~ emergency medical technician;
- 15 (B) ~~EMT-Intermediate;~~ advanced EMT;
- 16 (C) ~~EMT-Paramedic;~~ paramedic;
- 17 (D) nurse practitioner;
- 18 (E) physician;
- 19 (F) physician assistant;
- 20 (G) registered nurse; or
- 21 (H) respiratory therapist.

22 (c) Information ~~must~~ shall be provided to the OEMS by the licensed EMS provider:

23 (1) describing the intended staffing pursuant to Rule ~~.0204(a)(3)~~ .0204(b)(3) ~~of this Subchapter; of~~
24 this Section; and

25 (2) showing authorization pursuant to Rule ~~.0204(a)(4)~~ .0204(b)(4) ~~of this Subchapter~~ of this Section
26 by the county ~~in which~~ where the EMS provider license is issued to use the staffing in Paragraph
27 (b) of this Rule.

28 (d) Ambulances used for patient transports between hospitals ~~must~~ shall contain all medical equipment, supplies,
29 and medications approved by the medical director, based on the treatment protocols.

30

31 *History Note:* ~~Authority G.S. 131E-155.1; 131E-158(b); 143-508(d)(1), (d)(8); 143-508(d)(1); 143-508(d)(8);~~

32 ~~Eff. July 1, 2012. 2012;~~

33 Readopted Eff. January 1, 2017.

1 10A NCAC 13P .0222 is proposed for adoption as follows:

2

3 **10A NCAC 13P .0222 TRANSPORT OF STRETCHER BOUND PATIENTS**

4 (a) Any person transported on a stretcher as defined in Rule .0102(49) of this Subchapter meets the definition of
5 patient as defined in G.S. 131E-155(16).

6 (b) Stretchers may only be utilized for patient transport in an ambulance permitted by the OEMS in accordance with
7 G.S. 131E-156 and Rule .0211 of this Section.

8 (c) The Medical Care Commission exempts wheeled chair devices used solely for the transportation of mobility
9 impaired persons in non-permitted vehicles from the definition of stretcher as set forth in Rule .0102(49) of this
10 Subchapter.

11

12 *History Note: Statutory Authority 143-508(d)(8); 131E-156; 131E-157;*

13 *Eff. January 1, 2017.*

1 10A NCAC 13P .0223 is proposed for adoption as follows:

2

3 **10A NCAC 13P .0223 REQUIRED DISCLOSURE AND REPORTING INFORMATION**

4 (a) Applicants for initial and renewal EMS Provider licensing shall disclose the following background information:

5 (1) any prior name(s) used for providing emergency medical services in North Carolina or any other
6 state;

7 (2) any felony criminal charges and convictions, under Federal or State law, and any civil actions
8 taken against the applicant or any of its owners or officers in North Carolina or any other state;

9 (3) any misdemeanor or felony conviction, under Federal or State law, relating to the unlawful
10 manufacture, distribution, prescription, or dispensing of a controlled substance;

11 (4) any misdemeanor or felony conviction, under Federal or State law, related to theft, fraud,
12 embezzlement, breach of fiduciary duty, or other financial misconduct in connection with the
13 delivery of EMS care or service;

14 (5) any current or prior investigations including outcomes for alleged Medicare, Medicaid, or other
15 insurance fraud, tax evasion, and fraud;

16 (6) any revocation or suspension of accreditation; and

17 (7) any revocation or suspension by any State licensing authority of a license to provide EMS.

18 (b) Within 30 days of occurrence, a licensed EMS provider shall disclose any changes in the information set forth in
19 Paragraph (a) of this Rule that was provided to the OEMS in its most recent initial or renewal application.

20

21 *History Note: Authority G.S. 131E-155.1(c); 143-508(d)(1); 143-508(d)(5);*

22 *Eff. January 1, 2017.*

1 10A NCAC 13P .0301 is proposed for readoption with substantive changes as follows:

2

3 10A NCAC 13P .0301 SPECIALTY CARE TRANSPORT PROGRAM CRITERIA

4 (a) EMS Providers seeking designation to provide specialty care transports shall submit an application for program
5 approval to the OEMS at least 60 days prior to field implementation. The application shall document that the
6 program has:

7 (1) a defined service area that identifies the specific transferring and receiving facilities in which the
8 program is intended to service;

9 (2) written policies and procedures implemented for medical oversight meeting the requirements of
10 Section ~~.0400~~; .0400 of this Subchapter;

11 (3) Service ~~continuously~~ available on a 24 hour ~~per day a day, seven days a week~~ basis;

12 (4) the capability to provide the patient care skills and procedures as specified in "North Carolina
13 College of Emergency Physicians: Standards for Medical Oversight and Data Collection;"
14 ~~Collection," incorporated by reference in accordance with G.S. 150B-21.6, including subsequent~~
15 ~~amendments and editions. This document is available from the OEMS, 2707 Mail Service Center,~~
16 ~~Raleigh, North Carolina 27699-2707, at no cost;~~

17 (5) a written continuing education program for EMS personnel, under the direction of the Specialty
18 Care Transport Program Continuing Education Coordinator, developed and modified based on
19 feedback from program data, review and evaluation of patient outcomes, and quality management
20 review that follows the ~~guidelines of the~~ criteria set forth in Rule .0501 of this Subchapter;

21 ~~(A) "US DOT NHTSA EMT Basic Refresher: National Standard Curriculum" for EMT~~
22 ~~personnel; and~~

23 ~~(B) "EMT P and EMT-I Continuing Education National Guidelines" for EMT-I and EMT-P~~
24 ~~personnel.~~

25 ~~These documents are incorporated by reference in accordance with G.S. 150B-21.6, including~~
26 ~~subsequent amendments and additions. These documents are available from NHTSA, 400 7th~~
27 ~~Street, SW, Washington, D.C. 20590, at no cost;~~

28 (6) a communication system that ~~will provide~~ provides two-way voice communications for
29 transmission of patient information to medical crew members anywhere in the service area of the
30 program. The SCTP medical director shall verify that the communications system is satisfactory
31 for on-line medical direction;

32 (7) medical crew members that have ~~all~~ completed training conducted every six months regarding:

33 (A) operation of the EMS communications system used in the program; and

34 (B) the medical and patient safety equipment specific to the ~~program. This training shall be~~
35 ~~conducted every six months;~~ program;

36 (8) written operational protocols for the management of equipment, supplies and medications. These
37 protocols shall include:

- 1 (A) a listing of all standard medical equipment, supplies, and ~~medications~~ medications,
 2 approved by the medical director sufficient to manage the anticipated number and
 3 severity of injury or illness of the patients, for all vehicles used in the program based on
 4 the treatment protocols and approved by ~~the medical director~~; the OEMS; and
 5 (B) a methodology to assure that each ground vehicle and aircraft contains the required
 6 equipment, ~~supplies~~ supplies, and medications on each response; and
 7 (9) written policies and procedures specifying how EMS Systems will dispatch and utilize the ground
 8 ambulances and aircraft operated by the program.
- 9 (b) When transporting patients, staffing for the ground ambulance and aircraft used in the SCTP shall be approved
 10 by the SCTP medical director as medical crew members, using any of the following ~~appropriate for the condition of~~
 11 ~~the patient; as determined by the transferring physician to manage the anticipated severity of injury or illness of the~~
 12 patient, who is responsible for the medical aspects of the mission:
- 13 (1) ~~EMT-Paramedic; paramedic;~~
 14 (2) nurse practitioner;
 15 (3) physician;
 16 (4) physician assistant;
 17 (5) registered nurse; and
 18 (6) respiratory therapist.
- 19 (c) ~~Specialty Care Transport Programs~~ SCTP as defined in Rule ~~.0102(56)~~ .0102(47) of this Subchapter are exempt
 20 from the staffing requirements defined in G.S. 131E-158(a).
- 21 (d) ~~Specialty Care Transport Program~~ SCTP approval are is valid for a period to coincide with the EMS Provider
 22 License, not to exceed six years. Programs shall apply to the OEMS for reapproval.

23
 24 *History Note: Authority G.S. 131E-158; 143-508; ~~143-508(d)(1), (d)(8), (d)(9), (d)(13); 143-508(d)(13);~~*
 25 *Temporary Adoption Eff. January 1, 2002;*
 26 *Eff. January 1, 2004;*
 27 *Amended Eff. January 1, 2004;*
 28 *Amended Eff. March 3, 2009 pursuant to E.O. 9, Beverly Perdue, March 3, 2009;*
 29 *Pursuant to G.S. 150B-21.3(c), a bill was not ratified by the General Assembly to disapprove this*
 30 *~~rule.~~ rule;*
 31 *Readopted Eff. January 1, 2017.*

1 10A NCAC 13P .0302 is proposed for readoption with substantive changes as follows:

2

3 10A NCAC 13P .0302 AIR MEDICAL SPECIALTY CARE TRANSPORT PROGRAM CRITERIA FOR
4 LICENSED EMS PROVIDERS USING ROTARY-WING AIRCRAFT

5 (a) Air Medical Programs using rotary-wing aircraft shall document that the program has:

6 (1) ~~Medical~~ medical crew members that have all completed training regarding:

7 (A) ~~Altitude~~ altitude physiology; and

8 (B) ~~The~~ the operation of the EMS communications system used in the program;

9 (2) ~~Written~~ written policies and procedures for transporting patients to appropriate facilities when
10 diversion or bypass plans are activated;

11 (3) ~~Written~~ written policies and procedures specifying how EMS Systems will dispatch and utilize
12 aircraft operated by the program;

13 (4) ~~Written~~ written triage protocols for trauma, stroke, STEMI, burn, and pediatric patients reviewed
14 and approved by the OEMS medical director;

15 (5) ~~Written~~ written policies and procedures specifying how EMS Systems will receive the Specialty
16 Care Transport Services offered under the program when the aircraft are unavailable for service;
17 and

18 (6) ~~A copy of the Specialty Care Transport Program patient care treatment protocols.~~ written policies
19 and procedures specifying how mutual aid assistance will be obtained from both in-state and
20 bordering out-of-state air medical programs.

21 (b) All patient response, ~~re-positioning~~ re-positioning, and mission flight legs ~~must~~ shall be conducted under FAA
22 part 135 regulations.

23

24 *History Note: Authority G.S. ~~143-508; 143-508(d)(1), (d)(3); (d)(13);~~*

25 *Temporary Adoption Eff. January 1, 2002;*

26 *Eff. April 1, 2003;*

27 *Amended Eff. March 3, 2009 pursuant to E.O. 9, Beverly Perdue, March 3, 2009;*

28 *Pursuant to G.S. 150B-21.3(c), a bill was not ratified by the General Assembly to disapprove this*
29 *~~rule.~~ rule.*

30 *Readopted Eff. January 1, 2017.*

Type of Rule: Readoption

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0403 is proposed for readoption with substantive changes as follows:

2

3 **10A NCAC 13P .0403 RESPONSIBILITIES OF THE MEDICAL DIRECTOR FOR EMS SYSTEMS**

4 (a) The Medical Director for an EMS System is responsible for the following:

5 (1) ensuring that medical control as set forth in Rule .0401 of this Section is available 24 hours a day;
6 day, seven days a week;

7 (2) the establishment, approval and annual updating of adult and pediatric treatment protocols;

8 (3) EMD programs, the establishment, approval, and annual updating of the EMDPRS;

9 (4) medical supervision of the selection, system orientation, continuing education and performance of
10 all EMS personnel;

11 (5) medical supervision of a scope of practice performance evaluation for all EMS personnel in the
12 system based on the treatment protocols for the system;

13 (6) the medical review of the care provided to patients;

14 (7) providing guidance regarding decisions about the equipment, medical supplies, and medications
15 that will be carried on all ambulances and EMS nontransporting vehicles operating within the
16 system;

17 (8) determining the combination and number of EMS personnel sufficient to manage the anticipated
18 number and severity of injury or illness of the patients transported in Medical
19 Ambulance/Evacuation Bus Vehicles defined in Rule .0219 of this Subchapter;

20 ~~(8)~~ (9) keeping the care provided up-to-date up-to-date with current medical practice; and

21 ~~(9)~~ (10) developing and implementing an orientation plan for all hospitals within the EMS system that use
22 MICN, EMS-NP, or EMS-PA personnel to provide on-line medical direction to EMS personnel,
23 ~~which includes personnel. This plan shall include:~~

24 (A) a discussion of all EMS System treatment protocols and procedures;

25 (B) an explanation of the specific scope of practice for credentialed EMS personnel, as
26 authorized by the approved EMS System treatment protocols as required by Rule .0405
27 of this Section;

28 (C) a discussion of all practice settings within the EMS System and how scope of practice
29 may vary in each setting;

30 (D) a mechanism to assess the ability to ~~effectively~~ use EMS System communications
31 equipment including hospital and prehospital devices, EMS communication protocols,
32 and communications contingency plans as related to on-line medical direction; and

33 (E) the ~~successful~~ completion of a scope of practice performance evaluation ~~which that~~
34 ~~verifies competency in Parts (A) through (D) of this Subparagraph and which that~~ is
35 administered under the direction of the ~~medical director.~~ Medical Director.

1 (b) Any tasks related to Paragraph (a) of this Rule may be completed, through the Medical Director's written
2 delegation, by assisting physicians, physician assistants, nurse practitioners, registered nurses, ~~EMD's~~, EMDs, or
3 ~~EMT-P's~~, paramedics.

4 (c) The Medical Director may suspend temporarily, pending ~~due process~~ review, any EMS personnel from further
5 participation in the EMS System when it is determined ~~the activities or medical care rendered by~~ such personnel are
6 detrimental to the care of the patient, constitute unprofessional conduct, or result in non-compliance with
7 credentialing requirements. During the review process, the Medical Director may:

8 (1) restrict the EMS personnel's scope of practice pending successful completion of remediation on
9 the identified deficiencies;

10 (2) continue the suspension pending successful completion of remediation on the identified
11 deficiencies; or

12 (3) permanently revoke the EMS personnel's participation in the EMS System.

13
14 *History Note: Authority G.S. 143-508(b); ~~143-508(d)(3), (d)(7)~~; 143-508(d)(3); 143-508(d)(7); 143-509(12);*
15 *Temporary Adoption Eff. January 1, 2002;*
16 *Eff. April 1, 2003;*
17 *Amended Eff. January 1, 2009; January 1, ~~2004~~; 2004;*
18 *Readopted Eff. January 1, 2017.*

Rule for: EMS & Trauma
Type of Rule: Amendment
MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0409 is proposed for amendment as follows:

2

3 **10A NCAC 13P .0409 EMS PEER REVIEW COMMITTEE FOR SPECIALTY CARE TRANSPORT**
4 **PROGRAMS**

5 (a) The EMS Peer Review Committee for a Specialty Care Transport Program shall:

- 6 (1) be composed of membership as defined in G.S. 131E-155(6b);
7 (2) appoint a physician as chairperson;
8 (3) meet at least quarterly;
9 (4) analyze program data to evaluate the ongoing quality of patient care and medical direction within
10 the program;
11 (5) use information gained from program data analysis to make recommendations regarding the
12 content of continuing education programs for medical crew members;
13 (6) review adult and pediatric treatment protocols of the Specialty Care Transport Programs and make
14 recommendations to the medical director for changes;
15 (7) establish and implement a written procedure to guarantee due process reviews for medical crew
16 members temporarily suspended by the medical director;
17 (8) record and maintain minutes of committee meetings throughout the approval period of the
18 Specialty Care Transport Program;
19 (9) establish and implement EMS system performance improvement guidelines that meet or exceed
20 the statewide standard as defined by the "North Carolina College of Emergency Physicians:
21 Standards for Medical Oversight and Data Collection," ~~incorporated by reference in accordance~~
22 ~~with G.S. 150B-21.6, including subsequent amendments and editions. This document is available~~
23 ~~from the OEMS, 2707 Mail Service Center, Raleigh, North Carolina, 27699-2707, at no cost;~~
24 Collection; and
25 (10) adopt written guidelines that address:
26 ~~(a)~~ (A) structure of committee membership;
27 ~~(b)~~ (B) appointment of committee officers;
28 ~~(c)~~ (C) appointment of committee members;
29 ~~(d)~~ (D) length of terms of committee members;
30 ~~(e)~~ (E) frequency of attendance of committee members;
31 ~~(f)~~ (F) establishment of a quorum for conducting business; and
32 ~~(g)~~ (G) confidentiality of medical records and personnel issues.

33 (b) County government representation is not required for committee membership for approved Air Medical
34 Programs.

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36 *History Note: Authority G.S. 143-508(b); 143-509(12);*
37 *Temporary Adoption Eff. January 1, 2002;*

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Eff. April 1, 2003;
Amended Eff. January 1, 2004;
Amended Eff. March 3, 2009 pursuant to E.O. 9, Beverly Perdue, March 3, 2009;
Pursuant to G.S. 150B-21.3(c), a bill was not ratified by the General Assembly to disapprove this
rule;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February
2, 2016. 2016.
Amended Eff. January 1, 2017.

1 10A NCAC 13P .0501 is proposed for readoption with substantive changes as follows:

2

3 **10A NCAC 13P .0501 EDUCATIONAL PROGRAMS**

4 (a) ~~An educational program approved by the OEMS to~~ EMS educational programs that qualify credentialed EMS
 5 personnel to perform within their scope of practice shall be offered by an EMS educational institution. Institution as
 6 set forth in Section .0600 of this Subchapter, or by an EMS educational institution in another state where the
 7 education and credentialing requirements have been approved for legal recognition by the Department pursuant to
 8 G.S. 131E-159 as determined using the professional judgement of OEMS staff following comparison of out-of-state
 9 standards with the program standards set forth in this Rule.

10 (b) Educational programs approved to qualify EMS personnel for credentialing shall meet the educational
 11 objectives content of ~~the~~: the "US DOT NHTSA National EMS Education Standards" incorporated by reference
 12 including subsequent amendments and editions. This document is available online at
 13 www.ems.gov/educationstandards.htm.

- 14 (1) ~~"US DOT NHTSA First Responder: National Standard Curriculum"~~ for MR personnel;
- 15 (2) ~~"US DOT NHTSA EMT Basic: National Standard Curriculum"~~ for EMT personnel;
- 16 (3) ~~"US DOT NHTSA EMT Paramedic: National Standard Curriculum"~~ for EMT I and EMT P
 17 personnel. For EMT I personnel, the educational objectives shall be limited to the following:
- 18 (A) ~~Module 1: Preparatory~~

19

SECTION	TITLE	LESSON OBJECTIVES
1-1	EMS Systems / Roles & Responsibilities	1-1.1 1-1.46
1-2	The Well Being of the Paramedic	1-2.1 1-2.46
1-4	Medical / Legal Issues	1-4.1 1-4.35
1-5	Ethics	1-5.1 1-5.11
1-6	General Principles of Pathophysiology	1-6.3; 1-6.5 1-6.9; 1-6.13 1-6.16; 1-6.19 1-6.25; 1-6.27 1-6.31
1-7	Pharmacology	1-7.1 1-7.31
1-8	Venous Access / Medication Administration	1-8.1 1-8.8; 1-8.10 1-8.17; 1-8.19 1-8.34; 1-8.36 1-8.38; 1-8.40 1-8.43
1-9	Therapeutic Communications	1-9.1 1-9.21

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(B) ~~Module 2: Airway~~

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SECTION	TITLE	LESSON OBJECTIVES
2-1	Airway Management & Ventilation	2-1.1—2-1.10; 2-1.12—2-1.40; 2-1.42—2-1.64; 2-1.69; 2-1.73—2-1.89; 2-1.93—2-1.103; 2-1.104a-d; 2-1.105—2-1.106; 2-1.108

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(C) — Module 3: Patient Assessment

4

SECTION	TITLE	LESSON OBJECTIVES
3-2	Techniques of Physical Examination	3-2.1—3-2.88

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(D) — Module 4: Trauma

7

SECTION	TITLE	LESSON OBJECTIVES
4-2	Hemorrhage and Shock	4-2.1—4-2.54
4-4	Burns	4-4.25—4-4.30; 4-4.80—4-4.81

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(E) — Module 5: Medical

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SECTION	TITLE	LESSON OBJECTIVES
5-1	Pulmonary	5-1.2—5-1.7; 5-1.10bedefjk—5-1.14
5-2	Cardiology	5-2.1—5-2.5; 5-2.8; 5-2.11—5-2.12;

		5-2.14; 5-2.29 5-2.30; 5-2.53; 5-2.65 5-2.68; 5-2.70; 5-2.72 5-2.73; 5-2.75 5-2.77; 5-2.79 5-2.81; 5-2.84 5-2.89; 5-2.91 5-2.95; 5-2.121 5-2.125; 5-2.128 5-2.133; 5-2.150; 5-2.159; 5-2.162; 5-2.165; 5-2.168; 5-2.179 5-2.180; 5-2.184; 5-2.193 5-2.194; 5-2.201; 5-2.205ab; 5-2.206 5-2.207
5-3	Neurology	5-3.11 5-3.17; 5-3.82 5-3.83
5-4	Endocrinology	5-4.8 5-4.48
5-5	Allergies and Anaphylaxis	5-5.1 5-5.19
5-8	Toxicology	5-8.40 5-8.56; 5-8.62

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(F) ~~Module 7: Assessment Based Management~~

SECTION	TITLE	LESSON OBJECTIVES
7-1	Assessment Based Management	7-1.1 7-1.19 (objectives 7-1.12 and 7-1.19 include only abefhkle)

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Type of Rule: Readoption

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0502 is proposed for readoption with substantive changes as follows:

2

3 10A NCAC 13P .0502 INITIAL CREDENTIALING REQUIREMENTS FOR MR, EMR, EMT, EMT-I,
4 EMT-P, AEMT, PARAMEDIC, AND EMD

5 (a) In order to be credentialed as an MR, EMR, EMT, EMT-I, EMT-P, AEMT, or EMD, or Paramedic, individuals
6 shall:

7 (1) ~~Be~~ be at least 18 years of age. ~~An examination may be taken at age 17; however, the EMS~~
8 ~~credential shall not be issued until the applicant has reached the age of 18.~~

9 (2) ~~Sucessfully~~ complete an approved educational program as set forth in Rule .0501(b) of this
10 Section for their level of application. ~~If the educational program was completed over one year~~
11 ~~prior to application, applicants shall submit evidence of completion of continuing education during~~
12 ~~the past year. This continuing education shall be based on the educational objectives in Rule~~
13 ~~.0501(e) of this Section consistent with their level of application and approved by the OEMS.~~

14 (3) ~~Sucessfully~~ complete a scope of practice performance evaluation ~~which~~ that uses performance
15 measures based on the cognitive, psychomotor, and affective educational objectives set forth in
16 Rule .0501(b) of this Section and which are consistent with their level of ~~application~~ application,
17 and approved by the OEMS. ~~This scope of practice evaluation shall be completed no more than~~
18 ~~one year prior to examination.~~ This evaluation shall be conducted ~~under the direction of the~~
19 ~~educational medical advisor or~~ by a Level I or Level II EMS Instructor credentialed at or above
20 the level of application and designated by the educational medical advisor, and may be included
21 within the educational program or conducted separately. ~~If the evaluation was completed over one~~
22 ~~year prior to application, applicants must repeat the evaluation and submit evidence of successful~~
23 ~~completion during the previous year. or under the direction of the primary credentialed EMS~~
24 ~~instructor or educational medical advisor for the approved educational program.~~

25 (4) ~~Sucessfully~~ within 90 days from their course graded date as reflected in the OEMS credentialing
26 database, complete the first attempt to pass ~~complete~~ a written examination administered by the
27 OEMS or a written examination ~~approved by OEMS as determined by OEMS staff in their~~
28 ~~professional judgement to be~~ equivalent to the examination administered by OEMS. If the
29 applicant fails to register and complete a written examination within the 90 day period, the
30 applicant shall obtain a letter of authorization to continue eligibility for testing from his or her
31 EMS Educational Institution's program coordinator to qualify for an extension of the 90 day
32 requirement set forth in this Paragraph. If the EMS Educational Institution's program coordinator
33 declines to provide a letter of authorization, the applicant is disqualified from completing the
34 credentialing process. Following a review of the applicant's specific circumstances, OEMS staff
35 will determine, based on professional judgment, if the applicant may qualify for EMS
36 credentialing eligibility. The OEMS will notify the applicant in writing of the decision.

37 (A) A maximum of three attempts within nine months shall be allowed.

1 (B) If the individual fails to pass a written examination, the individual may continue
2 eligibility for examination for an additional three attempts within the following nine
3 months by submitting to the OEMS evidence the individual has repeated a course specific
4 scope of practice evaluation as set forth in Paragraph (a)(3) of this Rule, and evidence of
5 completion of a refresher course as set forth in Rule .0513 of this Section for the level of
6 application; or

7 (C) If unable to complete the written examination requirement after six attempts within an 18
8 month period following course grading date as reflected in the OEMS credentialing
9 database, the educational program becomes invalid and the individual may only become
10 eligible for credentialing by repeating the requirements set forth in Rule .0501 of this
11 Section.

12 (5) submit to a criminal background history check pursuant to G.S. 131E-159(g) as set forth in Rule
13 .0511 of this Section.

14 (6) submit evidence of completion of all court conditions resulting from any misdemeanor or felony
15 conviction(s).

16 ~~(b) EMD applicants shall successfully complete, within one year prior to application, an AHA CPR course or a~~
17 ~~course determined by the OEMS to be equivalent to the AHA CPR course, including infant, child, and adult CPR.~~
18 An individual seeking credentialing as an EMR, EMT, AEMT or Paramedic may qualify for initial credentialing
19 under the legal recognition option set forth in G.S. 131E-159(c).

20 (c) In order to be credentialed as an EMD, individuals shall:

21 (1) be at least 18 years of age;

22 (2) complete the educational requirements set forth in Rule .0501(c) of this Section;

23 (3) complete, within one year prior to application, an AHA CPR course or a course determined by the
24 OEMS to be equivalent to the AHA CPR course, including infant, child, and adult CPR;

25 (4) submit to a criminal background history check pursuant to G.S. 131E-159(g) as defined in Rule
26 .0511 of this Section;

27 (5) submit evidence of completion of all court conditions resulting from any misdemeanor or felony
28 conviction(s); and

29 (6) possess an EMD credential pursuant to G.S. 131E-159(d).

30 (d) Pursuant to G.S. 131E-159(h), the Department shall not issue an EMS credential for any person listed on the
31 Department of Justice, Sex Offender and Public Protection Registry, or who was convicted of an offense that would
32 have required registration if committed at a time when registration would have been required by law.

33
34 *History Note: Authority G.S. ~~131E-159(a)(b); 131E-159(a); 131E-159(b); 131E-159(g); 131E-159(h); 143-~~*
35 ~~508(d)(3); 143B-952;~~

36 ~~Temporary Adoption Eff. January 1, 2002;~~

37 ~~Eff. February 1, 2004;~~

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Amended Eff. January 1, ~~2009~~ 2009.
Readopted Eff. January 1, 2017.

Rule for: EMS & Trauma
Type of Rule: Amendment
MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0503 is proposed for amendment as follows:

2

3 **10A NCAC 13P .0503 TERM OF CREDENTIALS FOR EMS PERSONNEL**

4 Credentials for EMS Personnel shall be valid for a period of not to exceed four years, barring any delay in
5 expiration as set forth in Rule .0504(f) of this Section.

6

7 *History Note: Authority G.S. 131E-159 (a);*

8 *Temporary Adoption Eff. January 1, 2002;*

9 *Eff. April 1, 2003;*

10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February*
11 *2, 2016. 2016;*

12 *Amended Eff. January 1, 2017.*

Rule for: EMS & Trauma
Type of Rule: Readoption
MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0504 is proposed for readoption with substantive changes as follows:

2

3 10A NCAC 13P .0504 **RENEWAL OF CREDENTIALS FOR MR, EMR, EMT, ~~EMT-I~~, ~~EMT-P~~, AEMT,**
4 **PARAMEDIC, AND EMD**

5 (a) MR, EMR, EMT, ~~EMT-I~~, ~~EMT-P~~, AEMT, and ~~EMD~~ and Paramedic applicants shall renew credentials by
6 meeting the following criteria:

7 (1) presenting documentation to the OEMS or an approved EMS educational institution as set forth in
8 Rule .0601 or .0602 of this Subchapter that they have successfully completed an approved
9 educational program as described in Rule ~~.0501(e)~~ .0501(e) or (f) of this Section. Section;

10 (2) submit to a criminal background history check pursuant to G.S. 131E-159(g) as set forth in Rule
11 .0511 of this Section;

12 (3) submit evidence of completion of all court conditions resulting from applicable misdemeanor or
13 felony conviction(s); and

14 (4) be a resident of North Carolina or affiliated with an EMS provider approved by the Department.

15 (b) An individual may renew credentials by presenting documentation to the OEMS that he or she holds a valid
16 EMS credential for his or her level of application issued by the National Registry of Emergency Medical
17 Technicians or by another state where the education and credentialing requirements have been determined by OEMS
18 staff in their professional judgement to be equivalent to the educations and credentialing requirements set forth in in
19 Section .0500 of this Subchapter.

20 (c) EMD applicants shall renew credentials by presenting documentation to the OEMS that he or she holds a valid
21 EMD credential issued by a national credentialing agency using the education criteria set forth in Rule .0501(c) of
22 this Section.

23 (d) Upon request, an EMS professional may renew at a lower credentialing level by meeting the requirements
24 defined in Paragraph (a) of this Rule. To restore the credential held at the higher level, the individual shall meet the
25 requirements set forth in Rule .0512 of this Section.

26 (e) EMS credentials may not be renewed through a local continuing education program more than 90 days prior to
27 the date of expiration.

28 (f) Pursuant to G.S. 150B-3(a), if an applicant makes a timely and sufficient application for renewal, the EMS
29 credential does not expire until a decision on the credential is made by the Department. If the application is denied,
30 the credential shall remain effective until the last day for applying for judicial review of the Department's order.

31 (g) Pursuant to G.S. 131E-159(h), the Department shall not renew the EMS credential for any person listed on the
32 North Carolina Department of Justice, Sex Offender and Public Protection Registry, or who was convicted of an
33 offense that would have required registration at a time when registration would have been required by law.

34

35 *History Note: Authority G.S. 131E-159(a); 131E-159(g); 131E-159(h); 143-508(d)(3); 143B-952; 150B-3(a);*
36 *Temporary Adoption Eff. January 1, 2002;*
37 *Eff. February 1, 2004;*

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Amended Eff. January 1, ~~2009~~ 2009;

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Readopted Eff. January 1, 2017.

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Rule for: EMS & Trauma
Type of Rule: Amendment
MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0506 is proposed for amendment as follows:

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3 **10A NCAC 13P .0506 PRACTICE SETTINGS FOR EMS PERSONNEL**

4 (a) Credentialed EMS Personnel may function in the following practice settings in accordance with the protocols
5 approved by the medical director of the EMS System or Specialty Care Transport Program with which they are
6 affiliated, and by the OEMS:

7 (1) at the location of a physiological or psychological illness or injury including transportation to an
8 appropriate a treatment facility if required;

9 (2) at public or community health facilities in conjunction with public and community health
10 initiatives;

11 (3) in hospitals and clinics;

12 (4) in residences, facilities, or other locations as part of wellness or injury prevention initiatives within
13 the community and the public health system; and

14 (5) at mass gatherings or special events.

15 (b) Individuals functioning in an alternative practice setting as defined in Rule .0102(4) of this Subchapter
16 consistent with the areas identified in Subparagraphs (a)(2) through (a)(4) of this Rule that are not affiliated with an
17 EMS System shall:

18 (1) be under the medical oversight of a physician licensed by the North Carolina Medical Board that is
19 associated with the practice setting where the individual will function; and

20 (2) be restricted to performing within the scope of practice as defined by the North Carolina Medical
21 Board pursuant to G.S. 143-514 for the individual's level of EMS credential.

22 (c) Individuals holding a valid EMR or EMT credential that are not affiliated with an approved first responder
23 program or EMS agency and that do not administer medications or utilize advanced airway devices are approved to
24 function as a member of an industrial or corporate first aid safety team without medical oversight or EMS System
25 affiliation.

26

27 *History Note: Authority G.S. 143-508(d)(7);*

28 *Temporary Adoption Eff. January 1, 2002;*

29 *Eff. April 1, 2003;*

30 *Amended Eff. January 1, 2004;*

31 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February*
32 *2, 2016-2016;*

33 *Amended Eff. January 1, 2017.*

Rule for: EMS & Trauma
Type of Rule: Readoption

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0507 is proposed for readoption with substantive changes as follows:

2

3 **10A NCAC 13P .0507 CREDENTIALING REQUIREMENTS FOR LEVEL I EMS INSTRUCTORS**

4 (a) Applicants for credentialing as a Level I EMS Instructor shall:

5 (1) be currently credentialed by the OEMS as an EMT, ~~EMT-I, EMT-P, or EMD; AEMT, or~~
6 Paramedic;

7 (2) have three years experience at the scope of practice for the level of application;

8 (3) within one year prior to application, ~~successfully~~ complete an evaluation ~~which~~ that demonstrates
9 the applicant's ability to provide didactic and clinical instruction based on the cognitive,
10 psychomotor, and affective educational objectives in Rule .0501(b) of this Section consistent with
11 their level of application and approved by the OEMS:

12 (A) ~~For~~ for a credential to teach at the EMT level, this evaluation shall be conducted under
13 the direction of a Level II EMS Instructor credentialed at or above the level of
14 application; and

15 (B) ~~For~~ for a credential to teach at the ~~EMT-I~~ AEMT or ~~EMT-P~~ Paramedic levels, this
16 evaluation shall be conducted under the direction of the educational medical advisor, or a
17 Level II EMS Instructor credentialed at or above the level of application and designated
18 by the educational medical advisor; ~~and~~ advisor;

19 ~~(C) For a credential to teach at the EMD level, this evaluation shall be conducted under the~~
20 ~~direction of the educational medical advisor or a Level I EMS Instructor credentialed at~~
21 ~~the EMD level designated by the educational medical advisor;~~

22 (4) have 100 hours of teaching experience at the level of application in an approved EMS educational
23 program or ~~an EMS educational program approved by OEMS as equivalent to an approved~~
24 ~~program;~~ determined by OEMS staff in their professional judgement equivalent to an EMS
25 education program;

26 (5) ~~successfully~~ complete an educational program as described in Rule ~~.0501(b)(5)~~ .0501(d) of this
27 Section;

28 (6) within one year prior to application, attend an OEMS Instructor workshop sponsored by the
29 ~~OEMS;~~ OEMS. A listing of scheduled OEMS Instructor workshops is available from the OEMS
30 at www.ncems.org; and

31 (7) have a high school diploma or General Education Development certificate.

32 (b) An individual seeking credentialing for Level I EMS Instructor may qualify for initial credentialing under the
33 legal recognition option defined in G.S. 131E-159(c).

34 ~~(b) (c)~~ The credential of a Level I EMS Instructor shall be valid for a period not to exceed four years, unless any of
35 the following occurs:

36 (1) the OEMS imposes an administrative action against the instructor credential; or

1 (2) the instructor fails to maintain a current EMT, ~~EMT-I, EMT-P, or EMD~~ AEMT, or Paramedic
2 credential at the highest level that the instructor is approved to teach.

3 (d) Pursuant to the provisions of G.S. 131E-159(h), the Department shall not issue an EMS credential for any
4 person listed on the Department of Justice, Sex Offender and Public Protection Registry, or who was convicted of an
5 offense that would have required registration if committed at a time when registration would have been required by
6 law.

7
8 *History Note: Authority G.S. 131E-159; 143-508(d)(3);*
9 *Temporary Adoption Eff. January 1, 2002;*
10 *Eff. February 1, 2004;*
11 *Amended Eff. January 1, ~~2009.~~ 2009;*
12 *Readopted Eff. January 1, 2017.*

Type of Rule: Readoption

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0508 is proposed for readoption with substantive changes as follows:

2

3 10A NCAC 13P .0508 CREDENTIALING REQUIREMENTS FOR LEVEL II EMS INSTRUCTORS

4 (a) Applicants for credentialing as a Level II EMS Instructor shall:

5 (1) be currently credentialed by the OEMS as an EMT, ~~EMT-I, EMT-P, or EMD;~~ AEMT, or
6 Paramedic;

7 (2) have completed post-secondary level education equal to or exceeding an Associate Degree;

8 (3) within one year prior to application, ~~succcessfully~~ complete an evaluation ~~which~~ that demonstrates
9 the applicant's ability to provide didactic and clinical instruction based on the cognitive,
10 psychomotor, and affective educational objectives in Rule .0501(b) of this Section consistent with
11 their level of application and approved by the OEMS:

12 (A) ~~For~~ for a credential to teach at the EMT level, this evaluation shall be conducted under
13 the direction of a Level II EMS Instructor credentialed at or above the level of
14 application; and

15 (B) ~~For~~ for a credential to teach at the ~~EMT-I~~ AEMT or ~~EMT-P~~ Paramedic level, this
16 evaluation shall be conducted under the direction of the educational medical advisor, or a
17 Level II EMS Instructor credentialed at or above the level of application and designated
18 by the educational medical ~~advisor;~~ advisor.

19 (C) ~~For a credential to teach at the EMD level, this evaluation shall be conducted under the~~
20 ~~direction of the educational medical advisor or a Level I EMS Instructor credentialed at~~
21 ~~the EMD level designated by the educational medical advisor;~~

22 (4) have two years teaching experience as a Level I EMS Instructor at the level of application in an
23 approved EMS educational program or a teaching experience ~~approved as equivalent by the~~
24 ~~OEMS;~~ determined by OEMS staff in their professional judgement equivalent to an EMS
25 education program;

26 (5) ~~succcessfully~~ complete the "EMS Education Administration Course" conducted by a North
27 Carolina Community College or the National Association of EMS Educators Level II Instructor
28 Course; and

29 (6) within one year of application, attend an OEMS Instructor workshop sponsored by the ~~OEMS;~~
30 OEMS. A listing of scheduled OEMS Instructor workshops is available from the OEMS at
31 www.ncems.org.

32 (b) An individual seeking credentialing for Level II EMS Instructor may qualify for initial credentialing under the
33 legal recognition option defined in G.S. 131E-159(c).

34 (b) (c) The credential of a Level II EMS Instructor is valid for a period not to exceed four years, unless any of the
35 following occurs:

36 (1) ~~The~~ the OEMS imposes an administrative action against the instructor credential; or

Type of Rule: Readoption

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0510 is proposed for readoption with substantive changes as follows:

2

3 10A NCAC 13P .0510 RENEWAL OF CREDENTIALS FOR LEVEL I AND LEVEL II EMS
4 INSTRUCTORS

5 (a) Level I and Level II EMS Instructor applicants shall renew credentials by presenting documentation to the
6 OEMS that they:

7 (1) are credentialed by the OEMS as an EMT, ~~EMT-I, AEMT or EMT-P, or EMD;~~ Paramedic;

8 (2) ~~successfully completed, within one year prior to application, complete a scope of practice~~
9 ~~performance an evaluation which use performance measures that demonstrates the applicant's~~
10 ~~ability to provide didactic and clinical instruction~~ based on the cognitive, psychomotor, and
11 affective educational objectives in Rule .0501(b) of this Subchapter Section consistent with their
12 level of application and approved by the OEMS:

13 (A) ~~To~~ to renew a credential to teach at the EMT level, this evaluation shall be conducted
14 under the direction of a Level II EMS Instructor credentialed at or above the level of
15 application; and

16 (B) ~~To~~ to renew a credential to teach at the ~~EMT-I AEMT or EMT-P~~ Paramedic level, this
17 evaluation shall be conducted under the direction of the educational medical advisor, or a
18 Level II EMS Instructor credentialed at or above the level of application and designated
19 by the educational medical ~~advisor; and~~ advisor.

20 (C) ~~To renew a credential to teach at the EMD level, this evaluation shall be conducted under~~
21 ~~the direction of the educational medical advisor or a Level I EMS Instructor credentialed~~
22 ~~at the EMD level designated by the educational medical advisor.~~

23 (3) completed 96 hours of EMS instruction at the level of application; and

24 (4) completed ~~40~~ 24 hours of educational professional development as defined by the educational
25 ~~institution; institution that provides for:~~

26 (A) enrichment of knowledge;

27 (B) development or change of attitude; or

28 (C) acquisition or improvement of skills; and

29 (5) within one year prior to renewal application, attend an OEMS Instructor workshop sponsored by
30 the OEMS.

31 (b) An individual may renew a Level I or Level II EMS Instructor credential under the legal recognition option
32 defined in G.S. 131E-159(c).

33 (b) (c) The credential of a Level I or Level II EMS Instructor is valid for a period not to exceed four years, unless
34 any of the following occurs:

35 (1) the OEMS imposes an administrative action against the instructor credential; or

36 (2) the instructor fails to maintain a current EMT, ~~EMT-I, EMT-P, or EMD~~ AEMT, or Paramedic
37 credential at the highest level that the instructor is approved to teach.

1 (d) Pursuant to the provisions of G.S. 131E-159(h), the Department shall not issue an EMS credential for any
2 person listed on the Department of Justice, Sex Offender and Public Protection Registry.

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*History Note: Authority G.S. ~~131E-159(a)(b)~~; 131E-159(a); 131E-159(b); 143-508(d)(3);
Eff. February 1, 2004;
Amended Eff. February 1, ~~2009~~ 2009;
Readopted Eff. January 1, 2017.*

Rule for: EMS & Trauma
Type of Rule: Amendment
MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0511 is proposed for amendment as follows:

2

3 **10A NCAC 13P .0511 CRIMINAL HISTORIES**

4 (a) The criminal background histories for all individuals who ~~apply for EMS credentials,~~ apply for, seek to ~~renew~~
5 ~~EMS credentials,~~ renew, or hold EMS credentials shall be reviewed pursuant to G.S. 131E-159(g).

6 (b) In addition to Paragraph (a) of this Rule, the OEMS shall carry out the following for all EMS Personnel whose
7 primary residence is outside North Carolina, individuals who have resided in North Carolina for 60 months or less,
8 and individuals under investigation by the OEMS who may be subject to administrative enforcement action by the
9 Department under the provisions of Rule .1507 of this Subchapter:

- 10 (1) obtain a signed consent form for a criminal history check;
- 11 (2) obtain fingerprints on an SBI identification card or live scan electronic fingerprinting system at an
12 agency approved by the North Carolina Department of ~~Justice, State Bureau of Investigation;~~
13 Public Safety;
- 14 (3) obtain the criminal history from the Department of ~~Justice;~~ Public Safety and
- 15 (4) collect any processing fees from the individual identified in Paragraph (a) or (b) of this Rule as
16 required by the Department of ~~Justice~~ Public Safety pursuant to G.S. ~~114-19.21~~ 143B-952 prior to
17 conducting the criminal history background check.

18 (c) An individual who makes application for renewal of a current EMS credential or advancement to a higher level
19 EMS credential who has previously submitted a criminal background history required under the criteria contained in
20 Paragraph (b) of this Rule for residing in North Carolina for 60 months or less, but has continuously resided in North
21 Carolina since submission of the criminal background check may be exempt from the residency requirements of
22 Paragraph (b) of this Rule if determined by OEMS staff in their professional judgement no other circumstances
23 warrant another criminal history check as set forth in Paragraph (b) of this Rule.

24 ~~(e)~~ (d) An individual is not eligible for initial or renewal of EMS credentials if the applicant refuses to consent to
25 any criminal history check as required by G.S. 131E-159(g). Since payment is required before the fingerprints may
26 be processed by the ~~State Bureau of Investigation,~~ Department of Public Safety, failure of the applicant or
27 credentialed EMS personnel to pay the required fee in advance shall be considered a refusal to consent for the
28 purposes of issuance or retention of an EMS credential.

29

30 *History Note:* ~~Authority G.S. 114-19.21; 131E-159(g); 143-508(d)(3),(10); 143-508(d)(3); 143-508(10); 143B-~~
31 ~~952;~~

32 ~~Eff. January 1, 2009;~~

33 ~~Amended Eff. January 1, 2013;~~

34 ~~Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February~~
35 ~~2, 2016. 2016;~~

36 ~~Amended Eff. January 1, 2017.~~

Type of Rule: Adoption

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0512 is proposed for adoption as follows:

2

3 **10A NCAC 13P .0512 REINSTATEMENT OF LAPSED EMS CREDENTIAL**

4 (a) EMS personnel that would be eligible for renewal of an EMS credential prior to expiration may submit
5 documentation to the OEMS following expiration and receive a renewed EMS credential with an expiration date no
6 more than four years from the date of their lapsed credential.

7 (b) An individual with a lapsed North Carolina EMS credential is eligible for reinstatement through the legal
8 recognition option defined in G.S. 131E-159(c) and Rule .0502 of this Section.

9 (c) EMR, EMT, AEMT, and Paramedic applicants for reinstatement of an EMS credential, lapsed up to 24 months,
10 shall:

- 11 (1) be ineligible for legal recognition pursuant to Paragraph (b) of this Rule;
- 12 (2) be a resident of North Carolina or affiliated with a North Carolina EMS Provider;
- 13 (3) at the time of application, present evidence that renewal education requirements were met prior to
14 expiration or complete a refresher course at the level of application taken following expiration of
15 the credential;
- 16 (4) EMR and EMT shall complete an OEMS administered written examination for the individual's
17 level of credential application;
- 18 (5) undergo a criminal history check performed by the OEMS; and
- 19 (6) submit evidence of completion of all court conditions resulting from applicable misdemeanor or
20 felony conviction(s).

21 (d) EMR and EMT applicants for reinstatement of an EMS credential, lapsed more than 24 months, must:

- 22 (1) be ineligible for legal recognition pursuant to Paragraph (b) of this Rule; and
- 23 (2) meet the provisions for initial credentialing set forth in Rule .0502 of this Section.

24 (e) AEMT and Paramedic applicants for reinstatement of an EMS credential, lapsed between 24 and 48 months,
25 shall:

- 26 (1) be ineligible for legal recognition pursuant to Paragraph (b) of this Rule;
- 27 (2) be a resident of North Carolina or affiliated with a North Carolina EMS Provider;
- 28 (3) present evidence of completion of a refresher course at the level of application taken following
29 expiration of the credential;
- 30 (4) complete an OEMS administered written examination for the individuals level of credential
31 application;
- 32 (5) undergo a criminal history check performed by the OEMS; and
- 33 (6) submit evidence of completion of all court conditions resulting from applicable misdemeanor or
34 felony conviction(s).

35 (f) AEMT and Paramedic applicants for reinstatement of an EMS credential, lapsed more than 48 months, shall:

- 36 (1) be ineligible for legal recognition pursuant to Paragraph (b) of this Rule; and
- 37 (2) meet the provisions for initial credentialing set forth in Rule .0502 of this Section.

1 (g) EMD applicants shall renew a lapsed credential by meeting the requirements for initial credentialing set forth in
2 Rule .0502 of this Section.

3 (h) Pursuant to G.S. 131E-159(h), the Department shall not issue or renew an EMS credential for any person listed
4 on the Department of Justice, Sex Offender and Public Protection Registry, or who was convicted of an offense that
5 would have required registration if committed at a time when registration would have been required by law.

6
7 *History Note: Authority G.S. 143-508(d)(3); 143B-952;*
8 *Eff. January 1, 2017.*

Type of Rule: Adoption

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0513 is proposed for adoption as follows:

2

3 **10A NCAC 13P .0513 REFRESHER COURSES**

4 (a) Approved EMS educational institutions as set forth in Rule .0601 and .0602 of this Subchapter may develop
5 refresher courses for the renewal or reinstatement of EMS credentials.

6 (b) The application for approval of a refresher course shall include:

7 (1) course objectives, content outline and time allocation;

8 (2) teaching methodologies for measuring the student's abilities to perform at his or her level of
9 application;

10 (3) the method to be used to conduct a technical scope of practice evaluation for students seeking
11 reinstatement of a lapsed EMS credential for their level of application.

12 (c) EMR, EMT, AEMT and paramedic refresher courses developed for the renewal of an EMS credential or
13 reinstatement of an EMS credential as set forth in Rule .0512 of this Section must meet the following criteria:

14 (1) an application for approval of a refresher course shall be completed at least 30 days prior to the
15 expected date of enrollment and shall include evidence of complying with the rules for refresher
16 courses.

17 (A) Refresher course approval shall be for a period not to exceed two years; and

18 (B) Any changes in curriculum shall be approved by the OEMS prior to implementation.

19 (2) course curricula shall:

20 (A) meet the National Registry of Emergency Medical Technicians' recertification
21 requirements including subsequent amendments and additions. This document is
22 available from the National Registry of Emergency Medical Technicians, Rocco V.
23 Morando Building, 6610 Busch Blvd., P.O. Box 29233, Columbus, Ohio 43229, at no
24 cost; and

25 (B) demonstrate the ability to assess student knowledge and competency in the skills and
26 medications as defined by the North Carolina Medical Board pursuant to G.S. 143-514
27 for the proposed level of EMS credential application.

28 (3) The administrative responsibility for developing and implementing the refresher course shall be
29 vested in the EMS educational institution's credentialed Level II EMS instructor.

30

31 *History Note: Authority G.S. 143-508(d)(3); 143B-952;*

32 *Eff. January 1, 2017.*

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0601 is proposed for readoption with substantive changes as follows:

2

3 **10A NCAC 13P .0601 CONTINUING EDUCATION EMS EDUCATIONAL INSTITUTION**
4 **REQUIREMENTS**

5 (a) Continuing Education EMS Educational Institutions shall be credentialed by the OEMS to provide EMS continuing
6 education programs.

7 (b) Continuing Education EMS Educational Institutions shall have:

8 (1) at least a Level I EMS Instructor as program coordinator. The program coordinator shall hold a Level
9 I EMS Instructor credential at a level equal to or greater than the highest level of continuing education
10 program offered in the EMS System or Specialty Care Transport Program;

11 (2) a continuing education program shall be consistent with the services offered by the EMS System or
12 Specialty Care Transport Program continuing education plan for EMS personnel: Program;

13 (A) In an EMS System, the continuing education programs for EMD, EMT I, and EMT P shall
14 be reviewed and approved by the system continuing education coordinator and medical
15 director of the EMS System; director; and

16 (B) ~~In a Model EMS System, the continuing education program shall be reviewed and approved~~
17 ~~by the system continuing education coordinator and medical director.~~

18 (C) (B) In a Specialty Care Transport Program, the continuing education program shall be reviewed
19 and approved by Specialty Care Transport Program Continuing Education Coordinator and
20 the medical director;

21 (3) ~~written educational policies and procedures to include each of the following;~~

22 (A) ~~the delivery of educational programs in a manner as to which the content and material is~~
23 ~~delivered to the intended audience, with a limited potential for exploitation of such content~~
24 ~~and material;~~

25 (B) ~~the record-keeping system detailing student attendance and performance;~~

26 (C) ~~the selection and monitoring of EMS instructors;~~

27 (D) ~~the evaluation of faculty by their students, including the frequency of evaluations;~~

28 (E) ~~the evaluation of the program's courses or components by their students, including the~~
29 ~~frequency of evaluations.~~

30 (3) (4) ~~access to instructional supplies and equipment necessary for students to complete educational~~
31 ~~programs as defined in Rule .0501(c) of this Subchapter;~~

32 (4) ~~educational programs offered in accordance with Rule .0501(e) of this Subchapter;~~

33 (5) ~~an Educational Medical Advisor if offering educational programs that have not been reviewed and~~
34 ~~approved by a medical director of an EMS System or Specialty Care Transport Program. The~~
35 ~~Educational Medical Advisor shall meet the criteria as defined in the "North Carolina College of~~
36 ~~Emergency Physicians: Standards for Medical Oversight and Data Collection," incorporated by~~
37 ~~reference in accordance with G.S. 150B-21.6, including subsequent amendments and editions. This~~

1 document is available from the OEMS, 2707 Mail Service Center, Raleigh, North Carolina 27699-
2 2707, at no cost; and

3 ~~(6) written educational policies and procedures describing the delivery of educational programs, the~~
4 ~~record-keeping system detailing student attendance and performance, and the selection and monitoring~~
5 ~~of EMS instructors.~~

6 (5) meet at a minimum, the educational program requirements as defined in Rule .0501(e) of this
7 Subchapter;

8 (6) Upon request, the approved EMS continuing education institution shall provide records in order to
9 verify compliance and student eligibility for credentialing;

10 (7) an application for credentialing as an approved EMS continuing education institution shall be
11 submitted to the OEMS for review; and

12 (8) unless accredited in accordance with Rule .0605 of this Section, approved education institution
13 credentials are valid for a period not to exceed four years.

14 ~~(e) An application for credentialing as a Continuing Education EMS Educational Institution shall be submitted to the~~
15 ~~OEMS for review. The application shall demonstrate that the applicant meets the requirements in Paragraph (b) of this~~
16 ~~Rule.~~

17 (c) Assisting physicians delegated by the EMS System medical director as authorized by Rule .0403(b) of this
18 Subchapter or SCTP medical director as authorized by Rule .0404(b) of this Subchapter for provision of medical
19 oversight of continuing education programs must meet the Education Medical Advisor criteria as defined in the "North
20 Carolina College of Emergency Physicians: Standards for Medical Oversight.

21 ~~(d) Continuing Education EMS Educational Institution credentials are valid for a period of four years.~~

22
23 *History Note: Authority G.S. ~~143-508(d)(4), (13); 143-508(d)(4); 143-508(13);~~*

24 *Temporary Adoption Eff. January 1, 2002;*

25 *Eff. January 1, 2004;*

26 *Amended Eff. January 1, 2009. 2009;*

27 *Readopted Eff. January 1, 2017.*

Rule for: EMS & Trauma
Type of Rule: Readoption
MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0602 is proposed for readoption with substantive changes as follows:

2

3 **10A NCAC 13P .0602 BASIC AND ADVANCED EMS EDUCATIONAL INSTITUTION**
4 **REQUIREMENTS**

5 (a) Basic and Advanced EMS Educational Institutions may offer ~~MR, EMT, and EMD~~ educational programs for
6 which they have been credentialed by the OEMS.

7 (b) For initial courses, Basic EMS Educational Institutions shall ~~have:~~ meet all requirements for continuing
8 EMS educational institutions defined in Rule .0601 of this Section and shall have:

9 (1) at least a Level I EMS Instructor as lead course instructor for ~~MR~~ EMR and EMT courses. The lead
10 course instructor must be credentialed at a level equal to or higher than the course offered;

11 ~~(2) at least a Level I EMS Instructor credentialed at the EMD level as lead course instructor for EMD~~
12 ~~courses;~~

13 ~~(3) (2)~~ (2) a lead EMS educational program coordinator. This individual may be either a Level II EMS Instructor
14 credentialed at or above the highest level of course offered by the institution, or a combination of staff
15 who cumulatively meet the requirements of the Level II EMS Instructor referenced in this
16 Subparagraph. These individuals may share the responsibilities of the lead EMS educational
17 coordinator. The details of this option shall be defined in the educational plan required in
18 Subparagraph (b)(5) of this Rule. ~~Basic EMS Educational Institutions offering only EMD courses may~~
19 ~~meet this requirement with a Level I EMS Instructor credentialed at the EMD level;~~ Rule:

20 ~~(3)~~ written educational policies and procedures that includes:

21 ~~(A) the written educational policies and procedures set forth in Rule .0601(b)(4) of this Section;~~

22 ~~(B) the delivery of cognitive and psychomotor examinations in a manner that will protect and~~
23 ~~limit the potential for exploitation of such content and material;~~

24 ~~(C) the exam item validation process utilized for the development of validated cognitive~~
25 ~~examinations;~~

26 ~~(D) the selection and monitoring of all in-state and out-of-state clinical education and field~~
27 ~~internship sites;~~

28 ~~(E) the selection and monitoring of all educational institutionally approved clinical education and~~
29 ~~field internship preceptors;~~

30 ~~(F) utilization of EMS preceptors providing feedback to the student and EMS program;~~

31 ~~(G) the evaluation of preceptors by their students, including the frequency of evaluations;~~

32 ~~(H) the evaluation of the clinical education and field internship sites by their students, including~~
33 ~~the frequency of evaluations; and~~

34 ~~(I) completion of an annual evaluation of the program to identify any correctable deficiencies.~~

35 (4) an Educational Medical Advisor that meets the criteria as defined in the "North Carolina College of
36 Emergency Physicians: Standards for Medical Oversight and Data Collection" incorporated by
37 reference in accordance with G.S. 150B-21.6, including subsequent amendments and editions. ~~This~~

1 document is available from the OEMS, 2707 Mail Service Center, Raleigh, North Carolina 27699-
2 2707, at no cost; editions:

3 (5) written educational policies and procedures describing the delivery of educational programs, the
4 record-keeping system detailing student attendance and performance; and the selection and monitoring
5 of EMS instructors; and

6 (6) access to instructional supplies and equipment necessary for students to complete educational
7 programs as defined in Rule .0501(b) of this Subchapter.

8 ~~(c) For EMS continuing education programs, Basic EMS initial courses, Advanced~~ Educational Institutions shall meet
9 ~~the all~~ requirements defined in ~~Paragraphs (a) and (b) of Rule .0601 of this Section, Paragraph (b) of this Rule, and have~~
10 a Level II EMS Instructor as lead instructor for AEMT and Paramedic initial courses. The lead instructor shall be
11 credentialed at a level equal to or higher than the course offered.

12 ~~(d) An application for credentialing as a Basic EMS Educational Institution shall be submitted to the OEMS for review.~~
13 ~~The proposal shall demonstrate that the applicant meets the requirements in Paragraphs (b) and (c) of this Rule.~~

14 ~~(e) (d) Basic and Advanced EMS Educational Institution credentials are valid for a period of not to exceed four years.~~
15 years, unless the institution is accredited in accordance with Rule .0605 of this Section.

16
17 *History Note: Authority G.S. ~~143-508(d)(4), (13); 143-508(d)(4); 143-508(13);~~*

18 *Temporary Adoption Eff. January 1, 2002;*

19 *Eff. January 1, 2004;*

20 *Amended Eff. January 1, 2009. 2009;*

21 *Readopted Eff. January 1, 2017.*

1 10A NCAC 13P .0603 is proposed for readoption as a repeal as follows:

2

3 **10A NCAC 13P .0603 ADVANCED EMS EDUCATIONAL INSTITUTION REQUIREMENTS**

4

5 *History Note: Authority G.S. 143-508(d)(4), (13); 143-508(d)(4); 143-508-(13);*

6 *Temporary Adoption Eff. January 1, 2002;*

7 *Eff. February 1, 2004;*

8 *Amended Eff. January 1, ~~2009~~ 2009;*

9 *Repealed Eff. January 1, 2017.*

1 10A NCAC 13P .0605 is proposed for adoption as follows:

2

3 **10A NCAC 13P .0605 ACCREDITED EMS EDUCATIONAL INSTITUTION REQUIREMENTS**

4 (a) EMS Educational Institutions who already possess accreditation by the CAAHEP may be credentialed by the
5 OEMS by presenting:

6 (1) an application for credentialing;

7 (2) evidence to the OEMS of current CAAHEP accreditation;

8 (3) a copy of the self study;

9 (4) a copy of the executive analysis; and

10 (5) documentation reflecting compliance with Rule .0602(b) and (c) of this Section.

11 (b) Accredited EMS Educational Institutions may offer initial and renewal educational programs for EMS personnel
12 as defined in Rule .0501 of this Subchapter.

13 (c) EMS Educational Institutions maintaining CAAHEP accreditation shall renew credentials no more than 12
14 months prior to expiration by providing the information detailed in Paragraph (a) of this Rule.

15 (d) EMS Educational Institutions that fail to maintain CAAHEP accreditation will be subject to the credentialing
16 and renewal criteria set forth in Rule .0602 of this Section.

17 (e) Accredited EMS Educational Institution credentials are valid for a period not to exceed five years.

18

19 *History Note: Authority G.S. 143-508(d)(4); 143-508(d)(13);*

20 *Eff. January 1, 2017.*

Rule for: EMS & Trauma
Type of Rule: Readoption
MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0901 is proposed for readoption with substantive changes as follows:

2

3 **10A NCAC 13P .0901 ~~LEVEL I~~ TRAUMA CENTER CRITERIA**

4 To receive designation as a ~~Level I~~ Level I, Level II, or Level III Trauma Center, a hospital shall have the
5 following: shall:

6 (1) A ~~have a~~ trauma program and a trauma service that have been operational for at least 12
7 months prior to application for designation;

8 (2) ~~Membership at least 12 months prior to submitting a RFP, have membership in and~~
9 ~~inclusion of all trauma patient records in the North Carolina Trauma Registry for at least~~
10 ~~12 months prior to submitting a Request for Proposal; Registry, in accordance with the~~
11 ~~North Carolina Trauma Registry Data Dictionary incorporated by reference including~~
12 ~~subsequent amendments and editions. This document is available upon request by~~
13 ~~contacting the OEMS at 2707 Mail Service Center, Raleigh, NC 27699-2707, at no cost;~~

14 (3) ~~meet the verification criteria for designation as a Level I, Level II, or Level III Trauma~~
15 ~~Center, as defined in the "American College of Surgeons: Resources for Optimal Care of~~
16 ~~the Injured Patient" incorporated by reference including subsequent amendments and~~
17 ~~editions. This document can be downloaded at no cost online at www.facs.org; and~~

18 (4) ~~meet all requirements of the designation Level applied for initial designation set forth in~~
19 ~~Rule .0904 of this Section or for renewal designation set forth in Rule .0905 of this~~
20 ~~Section.~~

21 (3) ~~A trauma medical director who is a board-certified general surgeon. The trauma medical~~
22 ~~director must:~~

23 (a) ~~Have a minimum of three years clinical experience on a trauma service or~~
24 ~~trauma fellowship training;~~

25 (b) ~~Serve on the center's trauma service;~~

26 (c) ~~Participate in providing care to patients with life-threatening or urgent injuries;~~

27 (d) ~~Participate in the North Carolina Chapter of the ACS Committee on Trauma as~~
28 ~~well as other regional and national trauma organizations;~~

29 (e) ~~Remain a provider in the ACS' ATLS Course and in the provision of trauma-~~
30 ~~related instruction to other health care personnel; and~~

31 (f) ~~Be involved with trauma research and the publication of results and~~
32 ~~presentations;~~

33 (4) ~~A full-time TNC/TPM who is a registered nurse, licensed by the North Carolina Board of~~
34 ~~Nursing;~~

35 (5) ~~A full-time TR who has a working knowledge of medical terminology, is able to operate~~
36 ~~a personal computer, and has the ability to extract data from the medical record;~~

- 1 ~~(6) — A hospital department/division/section for general surgery, neurological surgery,~~
2 ~~emergency medicine, anesthesiology, and orthopaedic surgery, with designated chair or~~
3 ~~physician liaison to the trauma program for each;~~
- 4 ~~(7) — Clinical capabilities in general surgery with separate posted call schedules. One shall be~~
5 ~~for trauma, one for general surgery and one back-up call schedule for trauma. In those~~
6 ~~instances where a physician may simultaneously be listed on more than one schedule,~~
7 ~~there must be a defined back-up surgeon listed on the schedule to allow the trauma~~
8 ~~surgeon to provide care for the trauma patient. If a trauma surgeon is simultaneously on~~
9 ~~call at more than one hospital, there shall be a defined, posted trauma surgery back-up~~
10 ~~call schedule composed of surgeons credentialed to serve on the trauma panel;~~
- 11 ~~(8) — A trauma team to provide evaluation and treatment of a trauma patient 24 hours per day~~
12 ~~that includes:~~
- 13 ~~(a) — An in-house trauma attending or PGY4 or senior general surgical resident. The~~
14 ~~trauma attending participates in therapeutic decisions and is present at all~~
15 ~~operative procedures.~~
- 16 ~~(b) — An emergency physician who is present in the Emergency Department 24 hours~~
17 ~~per day who is either board certified or prepared in emergency medicine (by the~~
18 ~~American Board of Emergency Medicine or the American Osteopathic Board of~~
19 ~~Emergency Medicine). Emergency physicians caring only for pediatric patients~~
20 ~~may, as an alternative, be boarded or prepared in pediatric emergency medicine.~~
21 ~~Emergency physicians must be board certified within five years after successful~~
22 ~~completion of a residency in emergency medicine and serve as a designated~~
23 ~~member of the trauma team to ensure immediate care for the injured patient until~~
24 ~~the arrival of the trauma surgeon;~~
- 25 ~~(c) — Neurosurgery specialists who are never simultaneously on call at another Level~~
26 ~~II or higher trauma center, who are promptly available, if requested by the~~
27 ~~trauma team leader, unless there is either an in-house attending neurosurgeon, a~~
28 ~~PGY2 or higher in-house neurosurgery resident or an in-house trauma surgeon~~
29 ~~or emergency physician as long as the institution can document management~~
30 ~~guidelines and annual continuing medical education for neurosurgical~~
31 ~~emergencies. There must be a specified back-up on the call schedule whenever~~
32 ~~the neurosurgeon is simultaneously on call at a hospital other than the trauma~~
33 ~~center;~~
- 34 ~~(d) — Orthopaedic surgery specialists who are never simultaneously on call at another~~
35 ~~Level II or higher trauma center, who are promptly available, if requested by the~~
36 ~~trauma team leader, unless there is either an in-house attending orthopaedic~~
37 ~~surgeon, a PGY2 or higher in-house orthopaedic surgery resident or an in-house~~

- 1 trauma surgeon or emergency physician as long as the institution can document
2 management guidelines and annual continuing medical education for
3 orthopaedic emergencies. There must be a specified written back-up on the call
4 schedule whenever the orthopaedist is simultaneously on call at a hospital other
5 than the trauma center;
- 6 (e) — An in-house anesthesiologist or a CA3 resident as long as an anesthesiologist
7 on-call is advised and promptly available if requested by the trauma team leader;
8 and
- 9 (f) — Registered nursing personnel trained in the care of trauma patients;
- 10 (9) — A written credentialing process established by the Department of Surgery to approve
11 mid-level practitioners and attending general surgeons covering the trauma service. The
12 surgeons must have board certification in general surgery within five years of completing
13 residency;
- 14 (10) — Neurosurgeons and orthopaedists serving the trauma service who are board certified or
15 eligible. Those who are eligible must be board certified within five years after successful
16 completion of the residency;
- 17 (11) — Written protocols relating to trauma management formulated and updated to remain
18 current;
- 19 (12) — Criteria to ensure team activation prior to arrival, and trauma attending arrival within 15
20 minutes of the arrival of trauma and burn patients that include the following conditions:
- 21 (a) — Shock;
- 22 (b) — Respiratory distress;
- 23 (c) — Airway compromise;
- 24 (d) — Unresponsiveness (GSC less than nine) with potential for multiple injuries;
- 25 (e) — Gunshot wound to neck, chest or abdomen;
- 26 (f) — Patients receiving blood to maintain vital signs; and
- 27 (g) — ED physician's decision to activate;
- 28 (13) — Surgical evaluation, based upon the following criteria, by the trauma attending surgeon
29 who is promptly available:
- 30 (a) — Proximal amputations;
- 31 (b) — Burns meeting institutional transfer criteria;
- 32 (c) — Vascular compromise;
- 33 (d) — Crush to chest or pelvis;
- 34 (e) — Two or more proximal long bone fractures; and
- 35 (f) — Spinal cord injury.

- 1 A PGY4 or higher surgical resident, a PGY3 or higher emergency medicine resident, a
2 nurse practitioner or physician's assistant, who is a member of the designated surgical
3 response team, may initiate the evaluation;
- 4 (14) — Surgical consults for patients with traumatic injuries, at the request of the ED physician,
5 will be conducted by a member of the trauma surgical team. Criteria for the consults
6 include:
- 7 (a) — Falls greater than 20 feet;
8 (b) — Pedestrian struck by motor vehicle;
9 (c) — Motor vehicle crash with:
10 (i) — Ejection (includes motorcycle);
11 (ii) — Rollover;
12 (iii) — Speed greater than 40 mph; or
13 (iv) — Death of another individual in the same vehicle; and
14 (d) — Extremes of age, less than five or greater than 70 years.
- 15 A senior surgical resident may initiate the evaluation;
- 16 (15) — Clinical capabilities (promptly available if requested by the trauma team leader, with a
17 posted on-call schedule), that include individuals credentialed in the following:
- 18 (a) — Cardiac surgery;
19 (b) — Critical care;
20 (c) — Hand surgery;
21 (d) — Microvascular/replant surgery, or if service is not available, a transfer agreement
22 must exist;
23 (e) — Neurosurgery (The neurosurgeon must be dedicated to one hospital or a back-up
24 call schedule must be available. If fewer than 25 emergency neurosurgical
25 trauma operations are done in a year, and the neurosurgeon is dedicated only to
26 that hospital, then a published back-up call list is not necessary);
27 (f) — Obstetrics/gynecologic surgery;
28 (g) — Ophthalmic surgery;
29 (h) — Oral maxillofacial surgery;
30 (i) — Orthopaedics (dedicated to one hospital or a back-up call schedule must be
31 available);
32 (j) — Pediatric surgery;
33 (k) — Plastic surgery;
34 (l) — Radiology;
35 (m) — Thoracic surgery; and
36 (n) — Urologic surgery;
- 37 (16) — An Emergency Department that has:

- 1 (a) ~~A designated physician director who is board certified or prepared in emergency~~
2 ~~medicine (by the American Board of Emergency Medicine or the American~~
3 ~~Osteopathic Board of Emergency Medicine);~~
- 4 (b) ~~24 hour per day staffing by physicians physically present in the ED such that:~~
- 5 (i) ~~At least one physician on every shift in the ED is either board certified~~
6 ~~or prepared in emergency medicine (by the American Board of~~
7 ~~Emergency Medicine or the American Osteopathic Board of~~
8 ~~Emergency Medicine) to serve as the designated member of the trauma~~
9 ~~team to ensure immediate care until the arrival of the trauma surgeon.~~
10 ~~Emergency physicians caring only for pediatric patients may, as an~~
11 ~~alternative, be boarded in pediatric emergency medicine. All~~
12 ~~emergency physicians must be board certified within five years after~~
13 ~~successful completion of the residency;~~
- 14 (ii) ~~All remaining emergency physicians, if not board certified or prepared~~
15 ~~in emergency medicine as outlined in Subitem (16)(b)(i) of this Rule,~~
16 ~~are board certified, or eligible by the American Board of Surgery,~~
17 ~~American Board of Family Practice, or American Board of Internal~~
18 ~~Medicine, with each being board certified within five years after~~
19 ~~successful completion of a residency; and~~
- 20 (iii) ~~All emergency physicians practice emergency medicine as their~~
21 ~~primary specialty.~~
- 22 (c) ~~Nursing personnel with experience in trauma care who continually monitor the~~
23 ~~trauma patient from hospital arrival to disposition to an intensive care unit,~~
24 ~~operating room, or patient care unit;~~
- 25 (d) ~~Equipment for patients of all ages to include:~~
- 26 (i) ~~Airway control and ventilation equipment (laryngoscopes, endotracheal~~
27 ~~tubes, bag-mask resuscitators, pocket masks, and oxygen);~~
- 28 (ii) ~~Pulse oximetry;~~
- 29 (iii) ~~End-tidal carbon dioxide determination equipment;~~
- 30 (iv) ~~Suction devices;~~
- 31 (v) ~~Electrocardiograph oscilloscope defibrillator with internal paddles;~~
- 32 (vi) ~~Apparatus to establish central venous pressure monitoring;~~
- 33 (vii) ~~Intravenous fluids and administration devices that include large bore~~
34 ~~catheters and intraosseous infusion devices;~~
- 35 (viii) ~~Sterile surgical sets for airway control/cricothyrotomy, thoracotomy,~~
36 ~~vascular access, thoracostomy, peritoneal lavage, and central line~~
37 ~~insertion;~~

- 1 (ix) — Apparatus for gastric decompression;
- 2 (x) — 24-hour per day x-ray capability;
- 3 (xi) — Two-way communication equipment for communication with the
- 4 emergency transport system;
- 5 (xii) — Skeletal traction devices, including capability for cervical traction;
- 6 (xiii) — Arterial catheters;
- 7 (xiv) — Thermal control equipment for patients;
- 8 (xv) — Thermal control equipment for blood and fluids;
- 9 (xvi) — A rapid infuser system;
- 10 (xvii) — A dosing reference and measurement system to ensure appropriate age
- 11 related medical care;
- 12 (xviii) — Sonography; and
- 13 (xix) — A doppler;
- 14 (17) — An operating suite that is immediately available 24 hours per day and has:
- 15 (a) — 24-hour per day immediate availability of in-house staffing;
- 16 (b) — Equipment for patients of all ages that includes:
- 17 (i) — Cardiopulmonary bypass capability;
- 18 (ii) — Thermal control equipment for patients;
- 19 (iii) — Thermal control equipment for blood and fluids;
- 20 (iv) — 24-hour per day x-ray capability including c-arm image intensifier;
- 21 (v) — Endoscopes and bronchoscopes;
- 22 (vi) — Craniotomy instruments;
- 23 (vii) — The capability of fixation of long-bone and pelvic fractures; and
- 24 (viii) — A rapid infuser system;
- 25 (18) — A postanesthetic recovery room or surgical intensive care unit that has:
- 26 (a) — 24-hour per day in-house staffing by registered nurses;
- 27 (b) — Equipment for patients of all ages that includes:
- 28 (i) — The capability for resuscitation and continuous monitoring of
- 29 temperature, hemodynamics, and gas exchange;
- 30 (ii) — The capability for continuous monitoring of intracranial pressure;
- 31 (iii) — Pulse oximetry;
- 32 (iv) — End-tidal carbon dioxide determination capability;
- 33 (v) — Thermal control equipment for patients; and
- 34 (vi) — Thermal control equipment for blood and fluids;
- 35 (19) — An intensive care unit for trauma patients that has:
- 36 (a) — A designated surgical director for trauma patients;

- 1 (b) ~~A physician on duty in the intensive care unit 24 hours per day or immediately~~
2 available from within the hospital as long as this physician is not the sole
3 physician on call for the Emergency Department;
- 4 (e) ~~Ratio of one nurse per two patients on each shift;~~
- 5 (d) ~~Equipment for patients of all ages that includes:~~
- 6 (i) ~~Airway control and ventilation equipment (laryngoscopes, endotracheal~~
7 tubes, bag mask resuscitators, and pocket masks);
- 8 (ii) ~~An oxygen source with concentration controls;~~
- 9 (iii) ~~A cardiac emergency cart;~~
- 10 (iv) ~~A temporary transvenous pacemaker;~~
- 11 (v) ~~Electrocardiograph-oscilloscope-defibrillator;~~
- 12 (vi) ~~Cardiac output monitoring capability;~~
- 13 (vii) ~~Electronic pressure monitoring capability;~~
- 14 (viii) ~~A mechanical ventilator;~~
- 15 (ix) ~~Patient weighing devices;~~
- 16 (x) ~~Pulmonary function measuring devices;~~
- 17 (xi) ~~Temperature control devices; and~~
- 18 (xii) ~~Intracranial pressure monitoring devices.~~
- 19 (e) ~~Within 30 minutes of request, the ability to perform blood gas measurements,~~
20 hematocrit level, and chest x-ray studies;
- 21 (20) ~~Acute hemodialysis capability;~~
- 22 (21) ~~Physician directed burn center staffed by nursing personnel trained in burn care or a~~
23 transfer agreement with a burn center;
- 24 (22) ~~Acute spinal cord management capability or transfer agreement with a hospital capable of~~
25 caring for a spinal cord injured patient;
- 26 (23) ~~Radiological capabilities that include:~~
- 27 (a) ~~24 hour per day in-house radiology technologist;~~
- 28 (b) ~~24 hour per day in-house computerized tomography technologist;~~
- 29 (c) ~~Sonography;~~
- 30 (d) ~~Computed tomography;~~
- 31 (e) ~~Angiography;~~
- 32 (f) ~~Magnetic resonance imaging; and~~
- 33 (g) ~~Resuscitation equipment that includes airway management and IV therapy;~~
- 34 (24) ~~Respiratory therapy services available in-house 24 hours per day;~~
- 35 (25) ~~24 hour per day clinical laboratory service that must include:~~
- 36 (a) ~~Analysis of blood, urine, and other body fluids, including micro-sampling when~~
37 appropriate;

- 1 (b) ~~— Blood typing and cross matching;~~
- 2 (e) ~~— Coagulation studies;~~
- 3 (d) ~~— Comprehensive blood bank or access to community central blood bank with~~
- 4 ~~storage facilities;~~
- 5 (e) ~~— Blood gases and pH determination; and~~
- 6 (f) ~~— Microbiology;~~
- 7 (26) ~~— A rehabilitation service that provides:~~
- 8 (a) ~~— A staff trained in rehabilitation care of critically injured patients;~~
- 9 (b) ~~— Functional assessment and recommendations regarding short and long-term~~
- 10 ~~rehabilitation needs within one week of the patient's admission to the hospital or~~
- 11 ~~as soon as hemodynamically stable;~~
- 12 (c) ~~— In house rehabilitation service or a transfer agreement with a rehabilitation~~
- 13 ~~facility accredited by the Commission on Accreditation of Rehabilitation~~
- 14 ~~Facilities;~~
- 15 (d) ~~— Physical, occupational, speech therapies, and social services; and~~
- 16 (e) ~~— Substance abuse evaluation and counseling capability;~~
- 17 (27) ~~— A performance improvement program, as outlined in the North Carolina Chapter of the~~
- 18 ~~American College of Surgeons Committee on Trauma document "Performance~~
- 19 ~~Improvement Guidelines for North Carolina Trauma Centers," incorporated by reference~~
- 20 ~~in accordance with G.S. 150B-21.6, including subsequent amendments and editions. This~~
- 21 ~~document is available from the OEMS, 2707 Mail Service Center, Raleigh, North~~
- 22 ~~Carolina 27699-2707, at no cost. This performance improvement program must include:~~
- 23 (a) ~~— The state Trauma Registry whose data is submitted to the OEMS at least weekly~~
- 24 ~~and includes all the center's trauma patients as defined in Rule .0102(68) of this~~
- 25 ~~Subchapter who are either diverted to an affiliated hospital, admitted to the~~
- 26 ~~trauma center for greater than 24 hours from an ED or hospital, die in the ED,~~
- 27 ~~are DOA or are transferred from the ED to the OR, ICU, or another hospital~~
- 28 ~~(including transfer to any affiliated hospital);~~
- 29 (b) ~~— Morbidity and mortality reviews including all trauma deaths;~~
- 30 (c) ~~— Trauma performance committee that meets at least quarterly and includes~~
- 31 ~~physicians, nurses, pre-hospital personnel, and a variety of other healthcare~~
- 32 ~~providers, and reviews policies, procedures, and system issues and whose~~
- 33 ~~members or designee attends at least 50 percent of the regular meetings;~~
- 34 (d) ~~— Multidisciplinary peer review committee that meets at least quarterly and~~
- 35 ~~includes physicians from trauma, neurosurgery, orthopaedics, emergency~~
- 36 ~~medicine, anesthesiology, and other specialty physicians, as needed, specific to~~

- 1 the case, and the trauma nurse coordinator/program manager and whose
2 members or designee attends at least 50 percent of the regular meetings;
- 3 ~~(e) Identification of discretionary and non-discretionary audit filters;~~
4 ~~(f) Documentation and review of times and reasons for trauma-related diversion of~~
5 ~~patients from the scene or referring hospital;~~
6 ~~(g) Documentation and review of response times for trauma surgeons,~~
7 ~~neurosurgeons, anesthesiologists or airway managers, and orthopaedists. All~~
8 ~~must demonstrate 80 percent compliance.~~
- 9 ~~(h) Monitoring of trauma team notification times;~~
10 ~~(i) Review of pre-hospital trauma care that includes dead-on-arrivals; and~~
11 ~~(j) Review of times and reasons for transfer of injured patients;~~
- 12 (28) — An outreach program that includes:
- 13 ~~(a) Transfer agreements to address the transfer and receipt of trauma patients;~~
14 ~~(b) Programs for physicians within the community and within the referral area (that~~
15 ~~include telephone and on-site consultations) about how to access the trauma~~
16 ~~center resources and refer patients within the system;~~
17 ~~(c) Development of a Regional Advisory Committee as specified in Rule .1102 of~~
18 ~~this Subchapter;~~
19 ~~(d) Development of regional criteria for coordination of trauma care;~~
20 ~~(e) Assessment of trauma system operations at the regional level; and~~
21 ~~(f) ATLS;~~
- 22 (29) — A program of injury prevention and public education that includes:
- 23 ~~(a) Epidemiology research that includes studies in injury control, collaboration with~~
24 ~~other institutions on research, monitoring progress of prevention programs, and~~
25 ~~consultation with researchers on evaluation measures;~~
26 ~~(b) Surveillance methods that includes trauma registry data, special Emergency~~
27 ~~Department and field collection projects;~~
28 ~~(c) Designation of a injury prevention coordinator; and~~
29 ~~(d) Outreach activities, program development, information resources, and~~
30 ~~collaboration with existing national, regional, and state trauma programs.~~
- 31 (30) — A trauma research program designed to produce new knowledge applicable to the care of
32 injured patients that includes:
- 33 ~~(a) An identifiable institutional review board process;~~
34 ~~(b) Educational presentations that must include 12 education/outreach presentations~~
35 ~~offered outside the trauma center over a three-year period; and~~
36 ~~(c) 10 peer-reviewed publications over a three-year period that could come from~~
37 ~~any aspect of the trauma program; and~~

1 ~~(31) A written continuing education program for staff physicians, nurses, allied health~~
2 ~~personnel, and community physicians that includes:~~

3 ~~(a) A general surgery residency program;~~

4 ~~(b) 20 hours of Category I or II trauma-related continuing medical education (as~~
5 ~~approved by the Accreditation Council for Continuing Medical Education) every~~
6 ~~two years for all attending general surgeons on the trauma service, orthopedists,~~
7 ~~and neurosurgeons, with at least 50 percent of this being external education~~
8 ~~including conferences and meetings outside of the trauma center. Continuing~~
9 ~~education based on the reading of content such as journals or other continuing~~
10 ~~medical education documents is not considered education outside of the trauma~~
11 ~~center;~~

12 ~~(c) 20 hours of Category I or II trauma-related continuing medical education (as~~
13 ~~approved by the Accreditation Council for Continuing Medical Education) every~~
14 ~~two years for all emergency physicians, with at least 50 percent of this being~~
15 ~~external education including conferences and meetings outside of the trauma~~
16 ~~center or visiting lecturers or speakers from outside the trauma center.~~
17 ~~Continuing education based on the reading of content such as journals or other~~
18 ~~continuing medical education documents is not considered education outside of~~
19 ~~the trauma center;~~

20 ~~(d) ATLS completion for general surgeons on the trauma service and emergency~~
21 ~~physicians. Emergency physicians, if not boarded in emergency medicine, must~~
22 ~~be current in ATLS;~~

23 ~~(e) 20 contact hours of trauma-related continuing education (beyond in-house in-~~
24 ~~services) every two years for the TNC/TPM;~~

25 ~~(f) 16 hours of trauma registry related or trauma-related continuing education every~~
26 ~~two years, as deemed appropriate by the trauma nurse coordinator/program~~
27 ~~manager for the trauma registrar;~~

28 ~~(g) At least an 80 percent compliance rate for 16 hours of trauma-related continuing~~
29 ~~education (as approved by the TNC/TPM) every two years related to trauma care~~
30 ~~for RN's and LPN's in transport programs, Emergency Departments, primary~~
31 ~~intensive care units, primary trauma floors, and other areas deemed appropriate~~
32 ~~by the TNC/TPM; and~~

33 ~~(h) 16 hours of trauma-related continuing education every two years for mid-level~~
34 ~~practitioners routinely caring for trauma patients.~~

35
36 *History Note: Authority G.S. 131E-162;*
37 *Temporary Adoption Eff. January 1, 2002;*

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2
3

Eff. April 1, 2003;
Amended Eff. January 1, 2009; January 1, ~~2004.~~ 2004.
Readopted Eff. January 1, 2017.

Rule for: EMS & Trauma

Type of Rule: Readoption

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0902 - .0903 are proposed for readoption as a repeal as follows:

2

3 **10A NCAC 13P .0902 LEVEL II TRAUMA CENTER CRITERIA**

4 **10A NCAC 13P .0903 LEVEL III TRAUMA CENTER CRITERIA**

5

6 *History Note: Authority G.S. 131E-162;*

7 *Temporary Adoption Eff. January 1, 2002;*

8 *Eff. April 1, 2003;*

9 *Amended Eff. January 1, 2009; January 1, ~~2004~~ 2004;*

10 *Repealed Eff. January 1, 2017.*

Rule for: EMS & Trauma**Type of Rule: Readoption****MCC Action: Initiate Permanent Rule Making**

1 10A NCAC 13P .0904 is proposed for readoption with substantive changes as follows:

2

3 **10A NCAC 13P .0904 INITIAL DESIGNATION PROCESS**

4 (a) For initial Trauma Center designation, the hospital shall request a consult visit by OEMS and have the consult
5 within one year prior to submission of the RFP.

6 (b) A hospital interested in pursuing Trauma Center designation shall submit a letter of intent 180 days prior to the
7 submission of an RFP to the OEMS. The letter shall define the hospital's primary trauma catchment area.
8 Simultaneously, Level I or II applicants shall also demonstrate the need for the Trauma Center designation by
9 submitting one original and three copies of documents that include:

10 (1) ~~The~~ the population to be served and the extent to ~~which~~ that the population is underserved for
11 trauma care with the methodology used to reach this conclusion;

12 (2) ~~Geographic considerations~~ geographic considerations, to include trauma primary and secondary
13 catchment area and distance from other Trauma Centers; and

14 (3) ~~Evidence~~ evidence the Trauma Center will admit at least 1200 trauma patients yearly or show that
15 its trauma service will be taking care of at least 240 trauma patients with an ~~Injury Severity Score~~
16 ~~(ISS)~~ ISS greater than or equal to 15 yearly. ~~This~~ These criteria shall be met without
17 compromising the quality of care or cost effectiveness of any other designated Level I or II
18 Trauma Center sharing all or part of its catchment area or by jeopardizing the existing Trauma
19 Center's ability to meet this same 240-patient minimum.

20 (c) The hospital ~~must~~ shall be actively participating in the state Trauma Registry as defined in Rule .0102(61) of
21 this Subchapter, and submit data to the OEMS ~~at least~~ weekly and include all the Trauma Center's trauma patients as
22 defined in Rule ~~.0102(68)~~ .0102(59) of this Subchapter who are either diverted to an affiliated hospital, admitted to
23 the Trauma Center for ~~greater than~~ 24 hours from an ED or hospital, die in the ED, are ~~DOA~~ DOA, or are
24 transferred from the ED to the OR, ICU, or another hospital (including transfer to any affiliated hospital) a minimum
25 of 12 months prior to application.

26 (d) OEMS shall review the regional Trauma Registry ~~data,~~ data from both the applicant and the existing trauma
27 center(s), and ascertain the applicant's ability to satisfy the justification of need information required in
28 Subparagraphs (b)(1) through (3) of this Rule. Simultaneously, the applicant's primary RAC shall be notified by the
29 OEMS of the application and be provided the regional data as required in Subparagraphs (b)(1) through (3) of this
30 Rule submitted by the applicant for review and comment. The RAC shall be given ~~a minimum of~~ 30 days to submit
31 ~~any concerns in writing for OEMS' consideration,~~ written comments to the OEMS. ~~If no comments are received,~~
32 ~~OEMS shall proceed.~~

33 (e) OEMS shall notify the respective Board of County Commissioners in the applicant's primary catchment area of
34 the request for initial designation to allow for comment during the same 30 day comment period.

35 ~~(e)~~ (f) OEMS shall notify the hospital in writing of its decision to allow submission of an RFP. ~~The~~ If approved, the
36 RAC and Board of County Commissioners in the applicant's primary catchment area shall also be notified by the
37 OEMS so that any necessary changes in protocols can be considered.

1 ~~(f) OEMS shall notify the respective Board of County Commissioners in the applicant's trauma primary catchment~~
2 ~~area of the request for initial designation to allow for comment.~~

3 (g) Hospitals ~~Once the hospital is notified that an RFP will be accepted, the hospital desiring to be considered for~~
4 ~~initial trauma center designation shall complete and submit one paper copy with signatures and an electronic copy of~~
5 ~~the completed RFP with signatures to the OEMS at least 90 45 days prior to the proposed site visit date.~~

6 (h) For Level I, II, and III applicants, the RFP shall demonstrate that the hospital meets the standards for the
7 designation level applied for as found in ~~Rules .0901, .0902, or .0903~~ Rule .0901 of this Section.

8 (i) If OEMS does not recommend a site visit based upon failure to comply with ~~Rules .0901, .0902, or .0903~~, Rule
9 .0901 of this Section, the reasons shall be forwarded to the hospital in writing within 30 days of the decision. The
10 hospital may reapply for designation within six months following the submission of an updated RFP. If the hospital
11 fails to respond within six months, the hospital shall reapply following the process outlined in Paragraphs (a)
12 through (h) of this Rule.

13 (j) If after review of the RFP, the OEMS recommends the hospital for a site visit, the OEMS shall notify the
14 hospital within 30 days and the site visit shall be conducted within six months of the recommendation. The site visit
15 date shall be mutually agreeable to the hospital and the OEMS.

16 (k) ~~Any~~ Except for OEMS representatives, any in-state reviewer for a Level I or II visit ~~(except the OEMS~~
17 ~~representatives)~~ shall be from outside the ~~planning region~~ local or adjacent RAC, unless mutually agreed upon by
18 the OEMS and the trauma center seeking designation, in which where the hospital is located. The composition of a
19 Level I or II state site survey team shall be as follows:

20 (1) ~~One out-of-state~~ one out-of-state trauma surgeon who is a Fellow of the ACS, experienced as a
21 site surveyor, who shall be designated the primary reviewer;

22 (2) ~~One~~ one in-state emergency physician who works in a designated trauma center, is a member of
23 the American College of Emergency Physicians, ~~Physicians or American Academy of Emergency~~
24 Medicine, and is boarded in emergency medicine ~~(by by the American Board of Emergency~~
25 ~~Medicine or the American Osteopathic Board of Emergency Medicine);~~ Medicine;

26 (3) ~~One~~ one in-state trauma surgeon who is a member of the North Carolina Committee on Trauma;

27 (4) ~~One for Level I designation, one out-of-state trauma nurse coordinator/program manager and one~~
28 ~~in-state trauma nurse coordinator/program manager; and~~ program manager with an equivalent
29 license from another state;

30 (5) ~~for Level II designation, one in-state program manager who is licensed to practice professional~~
31 ~~nursing in North Carolina in accordance with the Nursing Practice Act, Article 9A, Chapter 90 of~~
32 ~~the North Carolina General Statutes; and~~

33 ~~(5)~~ (6) OEMS Staff.

34 (l) All site team members for a Level III visit shall be from in-state, ~~and all (except for the OEMS representatives)~~
35 ~~and, except for the OEMS representatives,~~ shall be from outside the ~~planning region~~ local or adjacent RAC in which
36 the hospital is located. The composition of a Level III state site survey team shall be as follows:

1 (1) ~~One~~ one Fellow of the ACS, who is a member of the North Carolina Committee on Trauma and
2 shall be ~~designated~~ the primary reviewer;

3 (2) ~~One~~ one emergency physician who currently works in a designated trauma center, is a member of
4 the North Carolina College of Emergency ~~Physicians, Physicians or American Academy of~~
5 Emergency Medicine, and is boarded in emergency medicine (~~by~~ by the American Board of
6 Emergency Medicine or the American Osteopathic Board of Emergency ~~Medicine~~); Medicine;

7 (3) ~~A one~~ one trauma nurse ~~coordinator/program manager; and program manager~~ who is licensed to
8 practice professional nursing in North Carolina in accordance with the Nursing Practice Act,
9 Article 9A, Chapter 90 of the North Carolina General Statutes; and

10 (4) OEMS Staff.

11 (m) On the day of the site ~~visit~~ visit, the hospital shall make available all requested patient medical charts.

12 (n) ~~The lead researcher primary reviewer~~ primary reviewer of the site review team shall give a verbal post-conference report
13 representing a consensus of the site review ~~team at the summary conference.~~ team. ~~A written consensus report shall~~
14 ~~be completed, to include a peer review report, by the primary reviewer and submitted to OEMS within 30 days of~~
15 ~~the site visit. The primary reviewer shall complete and submit to the OEMS a written consensus report that includes~~
16 ~~a peer review report within 30 days of the site visit.~~ The primary reviewer shall complete and submit to the OEMS a written consensus report that includes
a peer review report within 30 days of the site visit.

17 (o) The report of the site survey team and the staff recommendations shall be reviewed by the State Emergency
18 Medical Services Advisory Council at its next regularly scheduled meeting ~~which is more than 45 days~~ following
19 the site visit. Based upon the site visit report and the staff recommendation, the State Emergency Medical Services
20 Advisory Council shall recommend to the OEMS that the request for Trauma Center designation be approved or
21 denied.

22 (p) All criteria defined in Rule ~~.0901, .0902, or .0903~~ .0901 of this Section shall be met for initial designation at the
23 level requested. Initial designation shall not be granted if deficiencies exist.

24 (q) Hospitals with a deficiency(ies) shall be given up to 12 months to demonstrate compliance. Satisfaction of
25 deficiency(ies) may require an additional site visit. If compliance is not demonstrated within the time period, to be
26 defined by OEMS, the hospital shall submit a new application and updated RFP and follow the process outlined in
27 Paragraphs (a) through (h) of this Rule.

28 (r) The final decision regarding Trauma Center designation shall be rendered by the OEMS.

29 (s) The OEMS shall notify the hospital in ~~writing,~~ writing of the State Emergency Medical Services Advisory
30 Council's and OEMS' final recommendation within 30 days of the Advisory Council meeting.

31 (t) If a trauma center changes its trauma program administrative structure (~~such~~ such that the trauma service, trauma
32 medical director, trauma ~~nurse coordinator/program~~ program manager or trauma registrar are relocated on the
33 hospital's organizational ~~chart~~) chart at any time, it shall notify OEMS of this change in writing within 30 days of
34 the occurrence.

35 (u) Initial designation as a trauma center is valid for a period of three years.

36
37 *History Note: Authority G.S. 131E-162; 143-508; ~~143-509(3)~~;*

1 *Temporary Adoption Eff. January 1, 2002;*
2 *Eff. April 1, 2003;*
3 *Amended Eff. January 1, ~~2009~~ 2009;*
4 *Readopted Eff. January 1, 2017.*

Type of Rule: Readoption

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .0905 is proposed for readoption with substantive changes as follows:

2

3 10A NCAC 13P .0905 RENEWAL DESIGNATION PROCESS

4 (a) Hospitals may utilize one of two options to achieve Trauma Center renewal:

- 5 (1) ~~Undergo~~ undergo a site visit conducted by OEMS to obtain a four-year renewal designation; or
- 6 (2) ~~Undergo~~ undergo a verification visit ~~arranged~~ by the ACS, in conjunction with the OEMS, to
- 7 obtain a ~~four-year~~ three-year renewal designation.

8 (b) For hospitals choosing Subparagraph (a)(1) of this Rule:

- 9 (1) ~~Prior~~ prior to the end of the designation period, the OEMS shall forward to the hospital an RFP for
- 10 completion. The hospital shall, within 10 business days of receipt of the RFP, define for OEMS
- 11 the Trauma Center's trauma primary catchment area. Upon this notification, OEMS shall notify
- 12 the respective Board of County Commissioners in the applicant's trauma primary catchment area
- 13 of the request for renewal to allow 30 days for comment.
- 14 (2) ~~Hospitals~~ hospitals shall complete and submit one paper copy and an electronic copy of the RFP to
- 15 the OEMS and the specified site surveyors at least 30 days prior to the site visit. The RFP shall
- 16 include information that supports compliance with the criteria contained in Rule ~~.0901, .0902, or~~
- 17 ~~.0903~~ .0901 of this Section as it relates to the Trauma Center's level of designation.
- 18 (3) ~~All~~ all criteria defined in Rule ~~.0901, .0902, or .0903~~ .0901 of this Section, as relates to the
- 19 Trauma Center's level of designation, shall be met for renewal designation.
- 20 (4) ~~A~~ a site visit shall be conducted within 120 days prior to the end of the designation period. The
- 21 site visit shall be scheduled on a date mutually agreeable to the hospital and the OEMS.
- 22 (5) ~~The~~ the composition of a Level I or II site survey team shall be the same as that specified in Rule
- 23 ~~.0904(k)~~ of this Section.
- 24 (6) ~~The~~ the composition of a Level III site survey team shall be the same as that specified in Rule
- 25 ~~.0904(l)~~ of this Section.
- 26 (7) ~~On~~ on the day of the site visit the hospital shall make available all requested patient medical
- 27 charts.
- 28 (8) ~~The~~ the primary reviewer of the site review team shall give a verbal post-conference report
- 29 representing a consensus of the site review ~~team at the summary conference. A written consensus~~
- 30 ~~report shall be completed, to include a peer review report, by the primary reviewer and submitted~~
- 31 ~~to OEMS within 30 days of the site visit. team. The primary reviewer shall complete and submit~~
- 32 ~~to the OEMS a written consensus report that includes a peer review report within 30 days of the~~
- 33 ~~site visit.~~
- 34 (9) ~~The~~ the report of the site survey team and a staff recommendation shall be reviewed by the State
- 35 Emergency Medical Services Advisory Council at its next regularly scheduled meeting ~~which is~~
- 36 ~~more than 30 days~~ following the site visit. Based upon the site visit report and the staff
- 37 recommendation, the State Emergency Medical Services Advisory Council shall recommend to

1 the OEMS that the request for Trauma Center renewal be approved; approved with a
2 contingency(ies) due to a deficiency(ies) requiring a focused review; approved with a
3 contingency(ies) not due to a deficiency(ies) requiring a consultative visit; or denied.

4 (10) ~~Hospitals~~ hospitals with a deficiency(ies) have up to 10 ~~working~~ business days prior to the State
5 EMS Advisory Council meeting to provide documentation to demonstrate compliance. If the
6 hospital has a deficiency that cannot be corrected in this period prior to the State EMS Advisory
7 Council meeting, the hospital, instead of a four-year renewal, shall be given 12 months by the
8 OEMS to demonstrate compliance and undergo a focused ~~review~~, review that may require an
9 additional site visit. The hospital shall retain its Trauma Center designation during the focused
10 review period. If compliance is demonstrated within the prescribed time period, the hospital shall
11 be granted its designation for the four-year period from the previous designation's expiration date.
12 If compliance is not demonstrated within the time period, as specified by OEMS, the Trauma
13 Center designation shall not be renewed. To become redesignated, the hospital shall submit an
14 updated RFP and follow the initial applicant process outlined in Rule .0904 of this Section.

15 (11) ~~The~~ the final decision regarding trauma center renewal shall be rendered by the OEMS.

16 (12) ~~The~~ the OEMS shall notify the hospital in writing of the State Emergency Medical Services
17 Advisory Council's and OEMS' final recommendation within 30 days of the Advisory Council
18 meeting.

19 (13) hospitals with a deficiency(ies) shall submit an action plan to the OEMS to address the
20 deficiency(ies) within 10 business days following receipt of the written final decision on the
21 trauma recommendations.

22 ~~(13)~~ (14) ~~The~~ the four-year renewal date that may be eventually granted shall not be extended due to the
23 focused review period.

24 (c) For hospitals choosing Subparagraph (a)(2) of this Rule:

25 (1) ~~At~~ at least six months prior to the end of the Trauma Center's designation period, the trauma center
26 ~~must~~ shall notify the OEMS of its intent to undergo an ACS verification visit. It ~~must~~ shall
27 simultaneously define in writing to the OEMS its trauma primary catchment area. Trauma Centers
28 choosing this option ~~must~~ shall then comply with all the ACS' verification procedures, as well as
29 any additional state criteria as outlined in ~~Rule .0901, .0902, or .0903~~, Rule .0901 of this Section,
30 as apply to their level of designation.

31 (2) ~~When~~ when completing the ACS' documentation for verification, the Trauma Center ~~must~~ shall
32 ensure access to the ACS on-line PRQ (pre-review questionnaire) to OEMS. The Trauma Center
33 ~~must~~ shall simultaneously complete any documents supplied by OEMS ~~to verify compliance with~~
34 ~~additional North Carolina criteria (i.e., criteria that exceed the ACS criteria)~~ and forward these to
35 the OEMS and the ACS.

- 1 (3) ~~The~~ the OEMS shall notify the Board of County Commissioners within the trauma center's trauma
2 primary catchment area of the Trauma Center's request for renewal to allow 30 days for
3 comments.
- 4 (4) ~~The~~ the Trauma Center ~~must~~ shall make sure the site visit is scheduled to ensure that the ACS'
5 final written report, accompanying medical record reviews and cover letter are received by OEMS
6 at least 30 days prior to a regularly scheduled State Emergency Medical Services Advisory
7 Council meeting to ensure that the Trauma Center's state designation period does not terminate
8 without consideration by the State Emergency Medical Services Advisory Council.
- 9 (5) ~~The composition of the Level I or Level II site team must be as specified in Rule .0904(k) of this~~
10 ~~Section, except that both the required trauma surgeons and the emergency physician may be from~~
11 ~~out of state. Neither North Carolina Committee on Trauma nor North Carolina College of~~
12 ~~Emergency Physician membership is required of the surgeons or emergency physician,~~
13 ~~respectively, if from out of state. The date, time, and all proposed site team members of the site~~
14 ~~visit team must be submitted to the OEMS for review at least 45 days prior to the site visit. The~~
15 ~~OEMS shall approve the site visit schedule if the schedule does not conflict with the ability of~~
16 ~~attendance by required OEMS staff. The OEMS shall approve the proposed site team members if~~
17 ~~the OEMS determines there is no conflict of interest, such as previous employment, by any site~~
18 ~~team member associated with the site visit. any in-state review for a hospital choosing~~
19 ~~Subparagraph (a)(2) of this Rule, except for the OEMS staff, shall be from outside the local or~~
20 ~~adjacent RAC in which the hospital is located.~~
- 21 (6) ~~The composition of the Level III site team must be as specified in Rule .0904(l) of this Section,~~
22 ~~except that the trauma surgeon, emergency physician, and trauma nurse coordinator/program~~
23 ~~manager may be from out of state. Neither North Carolina Committee on Trauma nor North~~
24 ~~Carolina College of Emergency Physician membership is required of the surgeon or emergency~~
25 ~~physician, respectively, if from out of state. The date, time, and all proposed site team members~~
26 ~~of the site visit team must be submitted to the OEMS for review at least 45 days prior to the site~~
27 ~~visit. The OEMS shall approve the site visit schedule if the schedule does not conflict with the~~
28 ~~ability of attendance by required OEMS staff. The OEMS shall approve the proposed site team~~
29 ~~members if the OEMS determines there is no conflict of interest, such as previous employment, by~~
30 ~~any site team member associated with the site visit. the composition of a Level I, II, or III site~~
31 ~~survey team for hospitals choosing Subparagraph (a)(2) of this Rule shall be as follows:~~
32 ~~(A) two out-of-state trauma surgeon who is a Fellow of the ACS, experienced as a site~~
33 ~~surveyor, who shall be the primary reviewer;~~
- 34 ~~(B) one out-of-state emergency physician who works in a designated trauma center, is a~~
35 ~~member of the American College of Emergency Physicians or the American Academy of~~
36 ~~Emergency Medicine, and is boarded in emergency medicine by the American Board of~~
37 ~~Emergency Physicians or the American Osteopathic Board of Emergency Medicine;~~

1 (C) one out-of-state trauma program manager with an equivalent license from another state;
2 and

3 (D) OEMS staff.

4 (7) the date, time, and all proposed site team members of the site visit team shall be submitted to the
5 OEMS for review at least 45 days prior to the site visit. The OEMS shall approve the site visit
6 schedule if the schedule does not conflict with the ability of attendance by required OEMS staff.
7 The OEMS shall approve the proposed site team members if the OEMS determines there is no
8 conflict of interest, such as previous employment, by any site team member associated with the
9 site visit.

10 (7) (8) ~~All~~ all state Trauma Center criteria ~~must~~ shall be met as defined in Rules ~~.0901, .0902, and .0903~~
11 Rule .0901 of this Section, for renewal of state designation. An ACS' verification is not required
12 for state designation. An ACS' verification does not ensure a state designation.

13 (8) (9) ACS reviewers shall complete the state designation preliminary reporting form ~~immediately~~
14 to the post conference meeting. This document and the ACS final written report and supporting
15 documentation described in Subparagraph (c)(4) of this Rule shall be used to generate a staff
16 summary of findings report following the post conference meeting for presentation to the NC
17 EMS Advisory Council for redesignation.

18 (9) (10) ~~The~~ the final written report issued by the ACS' verification review committee, the accompanying
19 medical record reviews (~~from~~ from which all identifiers may be ~~removed~~), removed and cover
20 letter ~~must~~ shall be forwarded to OEMS within 10 ~~working~~ business days of its receipt by the
21 Trauma Center seeking renewal.

22 (10) (11) ~~The~~ the OEMS shall present its summary of findings report to the State Emergency Medical
23 Services Advisory Council at its next regularly scheduled meeting. The State EMS Advisory
24 Council shall recommend to the Chief of the OEMS that the request for Trauma Center renewal be
25 approved; approved with a contingency(ies) due to a deficiency(ies) requiring a focused review;
26 approved with a contingency(ies) not due to a deficiency(ies); or denied.

27 (11) (12) ~~The~~ the OEMS shall notify the hospital in writing of the State Emergency Medical Services
28 Advisory Council's and OEMS' final recommendation within 30 days of the Advisory Council
29 meeting.

30 (13) the final decision regarding trauma center designation shall be rendered by the OEMS.

31 (12) (14) ~~Hospitals~~ hospitals with contingencies, as the result of a deficiency(ies), as determined by OEMS,
32 have up to 10 ~~working~~ business days prior to the State EMS Advisory Council meeting to provide
33 documentation to demonstrate compliance. If the hospital has a deficiency that cannot be
34 corrected in this time period prior to the State EMS Advisory Council meeting, the hospital,
35 instead of a ~~four-year~~ three-year renewal, may undergo a focused review (~~to~~ to be conducted by
36 the ~~OEMS~~) OEMS whereby the Trauma Center is given 12 months by the OEMS to demonstrate
37 compliance. Satisfaction of contingency(ies) may require an additional site visit. The hospital

1 shall retain its Trauma Center designation during the focused review period. If compliance is
2 demonstrated within the prescribed time period, the hospital shall be granted its designation for the
3 ~~four-year~~ three-year period from the previous designation's expiration date. If compliance is not
4 demonstrated within the time period, as specified by OEMS, the Trauma Center designation shall
5 not be renewed. To become redesignated, the hospital shall submit a new RFP and follow the
6 initial applicant process outlined in Rule .0904 of this Section.

7 (15) hospitals with a deficiency(ies) shall submit an action plan to the OEMS to address the
8 deficiency(ies) within 10 business days following receipt of the written final decision on the
9 trauma recommendations.

10 (16) the three-year renewal date that may be eventually granted shall not be extended due to the
11 focused review period.

12 (d) If a Trauma Center currently using the ACS' verification process chooses not to renew using this process, it
13 must notify the OEMS at least six months prior to the end of its state trauma center designation period of its
14 intention to exercise the option in Subparagraph (a)(1) of this Rule. Upon notification, the OEMS shall extend the
15 designation for one additional year to ensure consistency with hospitals using Subparagraph (a)(1) of this Rule.

16 (e) Renewal shall be for a period not to exceed four years. If the hospital chooses the option in Subparagraph (a)(2)
17 of this Rule, the renewal shall coincide with the three-year designation period of the ACS verification.

18
19 *History Note: Authority G.S. 131E-162; 143-508; ~~143-509(3)~~;*
20 *Temporary Adoption Eff. January 1, 2002;*
21 *Eff. April 1, 2003;*
22 *Amended Eff. April 1, 2009; January 1, 2009; January 1, ~~2004~~, 2004;*
23 *Readoption Eff. January 1, 2017.*

Rule for: EMS & Trauma
Type of Rule: Amendment
MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .1101 is proposed for amendment as follows:

2

3 **10A NCAC 13P .1101 STATE TRAUMA SYSTEM**

4 (a) The state trauma system ~~consists~~ shall consist of regional plans, policies, guidelines and performance
5 improvement initiatives by the RACs to create an Inclusive Trauma System monitored by the OEMS.

6 (b) Each hospital and EMS System shall affiliate as defined in Rule .0102(4) of this Subchapter and participate with
7 the RAC that includes the Level I or II Trauma Center in which the majority of trauma patient referrals and
8 transports occur. Each hospital and EMS System shall submit to the OEMS upon request patient transfer patterns
9 from data sources that support the choice of their primary RAC affiliation. Each RAC shall include at least one
10 Level I or II Trauma Center.

11 (c) The OEMS shall notify each RAC of its hospital and EMS System ~~membership.~~ membership annually.

12 (d) Each hospital and each EMS System ~~must~~ shall update and submit its RAC affiliation information to the OEMS
13 no later than July 1 of each year. RAC affiliation may only be changed during this annual update and only if
14 supported by a change in the majority of transfer patterns. patterns to a Level I or Level II Trauma Center.
15 Documentation detailing these new transfer patterns must be included in the request to change affiliation. If no
16 change is made in RAC affiliation, notification of continued affiliation shall be provided to the OEMS in writing.

17

18 *History Note: Authority G.S. 131E-162;*

19 *Temporary Adoption Eff. January 1, 2002;*

20 *Eff. April 1, 2003;*

21 *Amended Eff. January 1, 2009;*

22 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February*
23 *2, 2016. 2016:*

24 *Amended Eff. January 1, 2017.*

Type of Rule: Amendment

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .1102 is proposed for amendment as follows:

2

3 10A NCAC 13P .1102 REGIONAL TRAUMA SYSTEM PLAN

4 (a) ~~A~~ After consultation with all Level I and II Trauma Centers within their catchment areas, a Level I or II Trauma
5 Center shall be selected as the lead RAC agency by the OEMS to facilitate development of and provide RAC staff
6 support that includes the following:

- 7 (1) ~~The~~ the trauma medical director(s) from the lead RAC agency;
- 8 (2) ~~Trauma~~ a trauma nurse coordinator(s) or program manager(s) from the lead RAC agency; and
- 9 (3) ~~An~~ an individual to coordinate RAC activities.

10 (b) The RAC membership shall include the ~~following:~~ following from the lead agency:

- 11 (1) ~~The~~ the trauma medical director(s) and the trauma nurse coordinator(s) or program manager(s)
12 from the lead RAC agency;
- 13 (2) ~~If~~ if on staff, ~~an~~ the outreach coordinator(s), or ~~designee(s); injury prevention coordinator(s) or~~
14 ~~designee(s), as well as a RAC registrar or designee(s)~~ designee(s) from the lead RAC agency;
- 15 (3) ~~if on staff, an injury prevention coordinator(s), or designees(s) from the lead RAC agency;~~
- 16 (4) ~~the RAC registrar or designee(s) from the lead RAC agency;~~
- 17 (3) (5) ~~A~~ a senior level hospital ~~administrator;~~ administrator from the lead RAC agency;
- 18 (4) (6) ~~An~~ an emergency ~~physieian;~~ physician from the lead RAC agency;
- 19 (5) (7) ~~A~~ a representative from each EMS system participating in the RAC;
- 20 (6) (8) ~~A~~ a representative from each hospital participating in the RAC;
- 21 (7) (9) ~~Community representatives;~~ community representatives from the lead RAC agency's catchment
22 area; and
- 23 (8) (10) ~~An EMS System physician involved in medical oversight.~~ Medical Director or Assistant Medical
24 Director from the lead RAC agency's catchment area.

25 (c) The lead RAC agency shall develop ~~and submit~~ a plan within one year of notification of the RAC membership,
26 ~~or for existing RACs within six months of the implementation date of this rule, to the OEMS~~ membership a regional
27 trauma system plan containing:

- 28 (1) ~~Organizational~~ organizational structure to include the roles of the members of the system;
- 29 (2) ~~Goals~~ goals and objectives to include the orientation of the providers to the regional system;
- 30 (3) RAC membership list, rules of order, terms of office, and meeting schedule (~~held held~~ at a
31 minimum of two times per year); year;
- 32 (4) ~~Copies of documents and information required by the OEMS as defined in Rule .1103 of this~~
33 Section;
- 34 (5) ~~System~~ the regional trauma system evaluation tools to be utilized;
- 35 (6) ~~Written documentation~~ written verification indicating of regional support from members of the
36 RAC for the regional trauma system plan; and

1 (7) ~~Performance~~ performance improvement activities to include utilization of regional trauma system
2 patient care data.

3 (d) The RAC shall ~~submit to the OEMS~~ prepare an annual progress report no later than July 1 of each year that
4 assesses compliance with the regional trauma system plan and specifies any updates to the plan. This report shall be
5 made available to the OEMS for review upon request.

6 (e) Upon OEMS' receipt of a letter of intent for initial Level I or II Trauma Center designation ~~pursuant to~~ by a
7 hospital in the lead RAC agency's catchment area as set forth in Rule .0904(b) of this Subchapter, the applicant's
8 lead RAC agency shall be provided the applicant's data from the OEMS to for distribution to all RAC members for
9 review and comment.

10 (f) The RAC membership has 30 days to comment on the request for initial designation. All comments should be
11 sent from each RAC member directly to the OEMS, with the lead RAC agency provided a copy of their response,
12 within this 30 comment period.

13 (g) The OEMS shall notify the RAC of the OEMS approval to submit an RFP so that necessary changes in
14 protocols can be considered.

15
16 *History Note: Authority G.S. 131E-162; 143-508;*
17 *Temporary Adoption Eff. January 1, 2002;*
18 *Eff. April 1, 2003;*
19 *Amended Eff. January 1, 2009;*
20 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February*
21 *2, ~~2016-2016~~;*
22 *Amended Eff. January 1, 2017.*

Rule for: EMS & Trauma
Type of Rule: Readoption
MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .1401 is proposed for readoption with substantive changes as follows:

2

3 **10A NCAC 13P .1401 CHEMICAL ADDICTION OR ABUSE TREATMENT PROGRAM**
4 **REQUIREMENTS**

5 (a) The OEMS shall provide a treatment program for aiding in the recovery and rehabilitation of EMS personnel
6 subject to disciplinary action for being unable to perform as credentialed EMS personnel with reasonable skill and
7 safety to patients and the public by reason of use of alcohol, drugs, chemicals, or any other type of ~~material and who~~
8 ~~are recommended by the EMS Disciplinary Committee pursuant to G.S. 143-519.~~ material as set forth in Rule .1507
9 of this Subchapter.

10 (b) This program requires:

11 (1) an initial assessment by a healthcare professional specialized in chemical dependency ~~affiliated~~
12 ~~with approved by the treatment program;~~

13 (2) a treatment plan developed by the healthcare professional described in Subparagraph (b)(1) of this
14 Rule for the individual using the findings of the initial assessment;

15 (3) random body fluid ~~screenings;~~ screenings using a standardized methodology designed by OEMS
16 program staff to ensure reliability in verifying compliance with program standards;

17 (4) the individual attend three self-help recovery meetings each week for the first year of
18 participation, and two each week for the remainder of participation in the treatment program;

19 (5) monitoring by OEMS program staff of the individual for compliance with the treatment program;
20 and

21 (6) written progress ~~reports~~ reports, including detailed information on the individual's progress and
22 compliance with program criteria as set forth in this Rule, shall be made available for review by
23 ~~the EMS Disciplinary Committee;~~ upon request of OEMS program staff.

24 (A) upon completion of the initial assessment by the treatment program;

25 (B) upon request by the ~~EMS Disciplinary Committee~~ OEMS program staff throughout the
26 individual's participation in the treatment program;

27 (C) upon completion of the treatment program;

28 (D) of all body fluid screenings showing chain of custody;

29 (E) by the therapist or counselor assigned to the individual during the course of the treatment
30 program; and

31 (F) listing attendance at self-help recovery meetings.

32

33 *History Note: Authority G.S. 131E-159(f); 143-508(d)(10); ~~143-509(13); 143-519;~~*
34 *Eff. October 1, ~~2010~~ 2010;*
35 *Readopted Eff. January 1, 2017.*

1 10A NCAC 13P .1402 is proposed for readoption with changes as follows:

2

3 10A NCAC 13P .1402 PROVISIONS FOR PARTICIPATION IN THE CHEMICAL ADDICTION OR
4 ABUSE TREATMENT PROGRAM

5 Individuals ~~recommended by the EMS Disciplinary Committee~~ authorized by the OEMS, using screening criteria set
6 forth in Section .1400 of this Subchapter, to enter the Treatment Program ~~defined~~ established in Rule .1401 of this
7 Section may participate ~~if:~~ if the individual meets all the following requirements:

- 8 (1) ~~the individual~~ acknowledges, in writing, the actions ~~which~~ that violated the performance
9 requirements found in this Subchapter;
- 10 (2) ~~the individual~~ has not been ~~charged~~ charged, awaiting adjudication, or convicted at any time in his
11 or her past, of diverting chemicals for the purpose of ~~sale or distribution or dealing or selling illicit~~
12 drugs; sale, or distribution, or dealing, or selling illicit drugs;
- 13 (3) ~~the individual~~ is not under criminal investigation or subject to pending criminal charges by law
14 enforcement;
- 15 (4) ~~the individual~~ ceases in the direct delivery of any patient care and surrenders all EMS credentials
16 until either the individual is eligible for issuance of an encumbered EMS credential pursuant to
17 Rule .1403 of this Section, or has ~~successfully~~ completed the treatment program established in
18 Rule .1401 of this Section; and
- 19 (5) ~~the individual~~ agrees to accept responsibility for all costs including assessment, treatment,
20 monitoring, and body fluid screening.

21

22 *History Note: Authority G.S. 131E-159(f); 143-508(d)(10); 143-509(13); 143-519;*

23 *Eff. October 1, 2010. 2010;*

24 *Readopted Eff. January 1, 2017.*

Type of Rule: Readoption

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .1403 is proposed for readoption with substantive changes as follows:

2

3 **10A NCAC 13P .1403 CONDITIONS FOR RESTRICTED PRACTICE WITH LIMITED PRIVILEGES**

4 (a) In order to assist in determining eligibility for an individual to return to restricted practice with an encumbered
5 credential containing limited privileges pursuant to G.S. 143-509(13), the OEMS shall create a standing
6 Reinstatement Committee that shall consist of at least the following members:

7 (1) one physician licensed by the North Carolina Medical Board, representing EMS Systems who
8 shall serve as Chair of this committee;

9 (2) one counselor trained in chemical addiction or abuse therapy; and

10 (3) the OEMS staff member responsible for managing the Chemical Addiction or Abuse Treatment
11 Program.

12 ~~(a)~~ (b) Individuals who have surrendered their his or her EMS credential credential(s) as a condition of entry into
13 the treatment program program, as established in Rule .1402(4) of this Section, may be reviewed by the EMS
14 Disciplinary OEMS Reinstatement Committee to determine if a recommendation to the OEMS for issuance of an
15 encumbered EMS credential is warranted; warranted by the Department.

16 ~~(b)~~ (c) In order to obtain an encumbered credential with limited privileges, an individual must shall:

17 (1) be compliant for a minimum of 90 consecutive days with the treatment program described in
18 Paragraph (b) of Rule .1402 .1401 of this Section;

19 (2) be recommended in writing for review by the individual's treatment counselor;

20 (3) be interviewed by the EMS Disciplinary OEMS Reinstatement Committee; and

21 (4) be recommended in writing by the EMS Disciplinary OEMS Reinstatement Committee for
22 issuance of an encumbered EMS credential. The EMS Disciplinary OEMS Reinstatement
23 Committee shall detail in their recommendation to the OEMS all restrictions and limitations to the
24 individual's practice privileges.

25 ~~(e)~~ (d) The individual must shall agree to sign a consent agreement with the OEMS which that details the practice
26 restrictions and privilege limitations of the encumbered EMS credential, and which that contains the consequences
27 of failure to abide by the terms of this agreement.

28 ~~(d)~~ (e) The individual shall be issued the encumbered credential within 10 business days following execution of the
29 consent agreement described in Paragraph (e); (d) of this Rule.

30 (f) The encumbered EMS credential shall be valid for a period not to exceed four years.

31

32 *History Note: Authority G.S. 131E-159(f); 143-508(d)(10); ~~143-509(13); 143-519;~~*

33 *Eff. October 1, ~~2010~~; 2010;*

34 *Readopted Eff. January 1, 2017.*

Rule for: EMS & Trauma

Type of Rule: Amendment

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .1405 is proposed for amendment as follows:

2

3 **10A NCAC 13P .1405 FAILURE TO COMPLETE THE CHEMICAL ADDICTION OR ABUSE**
4 **TREATMENT PROGRAM**

5 Individuals who fail to complete the treatment ~~program~~, program established in Rule .1401 of this Section, upon
6 review and ~~recommendation~~ by the North Carolina EMS Disciplinary Committee to the OEMS, are subject to
7 revocation of their EMS credential.

8

9 *History Note: Authority G.S. 131E-159(f); 143-508(d)(10); ~~143-519;~~*
10 *Eff. October 1, 2010;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February*
12 *2, ~~2016, 2016;~~*

13 *Amended Eff. January 1, 2017.*

Type of Rule: Amendment

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .1502 is proposed for amendment as follows:

2

3 10A NCAC 13P .1502 LICENSED EMS PROVIDERS

4 (a) The OEMS shall deny an initial or renewal EMS Provider license for any of the following reasons:

5 (1) failure to comply, as defined in Rule .0102(45) of this Subchapter, with the applicable licensing
6 requirements as found in Rule .0204 of this Subchapter;

7 (2) making false statements or representations to the OEMS or willfully concealing information in
8 connection with an application for licensing;

9 (3) tampering with or falsifying any record used in the process of obtaining an initial license or in the
10 renewal of a license; or

11 (4) disclosing information as defined in Rule .0223 of this Subchapter, determined by OEMS staff
12 based upon review of documentation, to disqualify the applicant from licensing.

13 ~~(a)~~ (b) The Department shall amend any EMS Provider license by reducing it from a full license to a provisional
14 license whenever the Department finds that:

15 (1) the licensee failed to comply with the provisions of G.S. 131E, Article 7, and the rules adopted
16 under that article; and

17 (2) there is a ~~reasonable~~ probability that the licensee can ~~remedy the licensure deficiencies~~ take
18 corrective measures to resolve the issue of non-compliance with Rule .0204 of this Subchapter,
19 and be able thereafter to remain in compliance within a reasonable length of time; and time
20 determined by OEMS staff.

21 (3) there is a ~~reasonable probability~~ probability, determined by OEMS staff using their professional
22 judgement based upon analysis of the licensee's ability to take corrective measures to resolve the
23 issue of non-compliance with the licensure rules, that the licensee will be able thereafter to remain
24 in compliance with the licensure rules for the foreseeable future. rules.

25 ~~(b)~~ (c) The Department shall give the licensee written notice of the amendment of the EMS Provider license. This
26 notice shall be given personally or by certified mail and shall set forth:

27 (1) the length of the provisional EMS Provider license;

28 (2) the factual allegations;

29 (3) the statutes or rules alleged to be violated; and

30 (4) notice of the EMS provider's right to a contested case ~~hearing~~ hearing, as set forth in Rule .1509 of
31 this Subchapter, on the amendment of the EMS Provider license.

32 ~~(c)~~ (d) The provisional EMS Provider license is effective ~~immediately~~ upon its receipt by the licensee and shall be
33 posted in a location at the primary business location of the EMS Provider, accessible to public view, in lieu of the
34 full license. ~~The~~ Pursuant to G.S. 131E-155.1(d), the provisional license remains in effect until the Department:

35 (1) restores the licensee to full licensure status; or

36 (2) revokes the licensee's license.

1 ~~(d)~~ (e) The Department shall revoke or suspend an EMS Provider license whenever the Department finds that the
2 licensee:

- 3 (1) failed to comply with the provisions of G.S. 131E, Article 7, and the rules adopted under that
4 article and it is not ~~reasonably~~ probable that the licensee can remedy the licensure deficiencies
5 within 12 months or less;
- 6 (2) failed to comply with the provisions of G.S. 131E, Article 7, and the rules adopted under that
7 Article and, although the licensee may be able to remedy the deficiencies, it is not ~~reasonably~~
8 probable that the licensee will be able to remain in compliance with licensure rules for the
9 foreseeable future;
- 10 (3) failed to comply with the provision of G.S. 131E, Article 7, and the rules adopted under that
11 article that endanger the health, safety or welfare of the patients cared for or transported by the
12 licensee;
- 13 (4) obtained or attempted to obtain an ambulance permit, EMS nontransporting vehicle permit, or
14 EMS Provider license through fraud or misrepresentation;
- 15 (5) ~~repeated~~ continues to repeat the same deficiencies placed on the EMS Provider License in
16 previous compliance site visits;
- 17 (6) ~~failed~~ has recurring failure to provide emergency medical care within the defined EMS service
18 area in a ~~timely~~ manner as determined by the EMS ~~System~~; System pursuant to G.S. 153A-250;
- 19 ~~(7)~~ failed to disclose or report information in accordance with Rule .0223 of this Subchapter;
- 20 ~~(8)~~ is deemed by OEMS to place the public at risk because the owner or any officer or agent is
21 convicted in any court of a crime involving fiduciary misconduct or a conviction of a felony;
- 22 ~~(7)~~ (9) altered, destroyed, attempted to destroy, ~~withheld~~ withheld, or delayed release of evidence,
23 records, or documents needed for a complaint ~~investigation~~; investigation being conducted by the
24 OEMS; or
- 25 ~~(8)~~ (10) continues to operate within an EMS System after a Board of County Commissioners has
26 terminated its affiliation with the ~~licensee~~; licensee, resulting in a violation of the licensing
27 requirement set forth in Rule 0204 (b)(1) of this Subchapter.

28 (f) The Department shall give the EMS Provider written notice of revocation. This notice shall be given personally
29 or by certified mail and shall set forth:

- 30 (1) the factual allegations;
- 31 (2) the statutes or rules alleged to be violated; and
- 32 (3) notice of the EMS Provider's right to a contested case hearing, as set forth in Rule .1509 of this
33 Section, on the revocation of the EMS Provider's license.

34 ~~(e)~~ (g) The issuance of a provisional EMS Provider license is not a procedural prerequisite to the revocation or
35 suspension of a license pursuant to Paragraph ~~(d)~~ (e) of this Rule.

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37 *History Note: Authority G.S. 131E-155.1(d); 143-508(d)(10);*

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Eff. January 1, 2013;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016. 2016;

Amended Eff. January 1, 2017.

Type of Rule: Amendment

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .1505 is proposed for amendment as follows:

2

3 10A NCAC 13P .1505 EMS EDUCATIONAL INSTITUTIONS

4 (a) For the purpose of this Rule, focused review means an evaluation by the OEMS of an educational institution's
5 corrective actions to remove contingencies that are a result of deficiencies identified in the initial or renewal
6 application process.

7 (a) (b) The Department shall deny the initial or renewal ~~credential~~, designation, without first allowing a focused
8 review, of an EMS Educational Institution for any of the following reasons:

- 9 (1) failure to comply with the provisions of Section .0600 of this Subchapter;
- 10 (2) attempting to obtain an EMS Educational Institution designation through fraud or
11 misrepresentation; or
- 12 (3) ~~endangerment to the health, safety, or welfare of patients cared by students of the EMS~~
13 ~~Educational Institution; or~~
- 14 (4) (3) ~~repetition of repetitive~~ deficiencies placed on the EMS Educational Institution in previous
15 compliance site visits.

16 (b) (c) When an EMS Educational Institution is required to have a focused review, it ~~must~~ shall demonstrate
17 compliance with the provisions of Section .0600 of this Subchapter within 12 months or less.

18 (e) (d) The Department ~~will~~ shall revoke an EMS Educational Institution ~~credential~~ designation at any time or deny
19 a request for renewal of ~~credential~~, designation whenever the Department finds that the EMS Educational Institution
20 has failed to ~~comply~~ comply, as defined in Rule .0102(45) of this Subchapter, with the provisions of Section .0600
21 of this Subchapter; and:

- 22 (1) it is not probable that the EMS Educational Institution can remedy the deficiencies within 12
23 months or ~~less~~; less as determined by OEMS staff based upon analysis of the educational
24 institution's ability to take corrective measures to resolve the issue of non-compliance with
25 Section .0600 of this Subchapter;
- 26 (2) although the EMS Educational Institution may be able to remedy the deficiencies, it is not
27 probable that the EMS Educational Institution shall be able to remain in compliance with
28 credentialing ~~rules for the foreseeable future~~; rules;
- 29 (3) ~~failure to produce records upon request as defined in Rule .0601(b)(6) of this Subchapter;~~
- 30 (3) (4) the EMS Educational Institution failed to meet the requirements of a focused review;
- 31 (4) (5) the failure to comply endangered the health, safety, or welfare of patients cared for as part of an
32 EMS educational ~~program~~; program is determined by OEMS staff in their professional judgement
33 based upon a complaint investigation, using a standardized methodology designed by OEMS
34 program staff through consultation with the Department and Office of the Attorney General legal
35 counsel, to verify the results of the investigations are sufficient to initiate enforcement action
36 pursuant to G.S. 150B; or

1 ~~(5)~~ (6) the EMS Educational Institution altered, ~~destroyed~~ destroyed, or attempted to destroy evidence
2 needed for a complaint investigation.

3 ~~(d)~~ (e) The Department shall give the EMS Educational Institution written notice of revocation. This notice shall be
4 given personally or by certified mail and shall set forth:

5 (1) the factual allegations;

6 (2) the statutes or rules alleged to be violated; and

7 (3) notice of the EMS Educational Institution 's right to a contested case ~~hearing~~ hearing, set forth in
8 Rule .1509 of this Subchapter, on the revocation of the ~~credential~~ designation.

9 ~~(e)~~ (f) Focused review is not a procedural prerequisite to the revocation of a ~~credential~~ designation pursuant to
10 ~~Paragraph (e) of this Rule~~, as set forth in Rule .1509 of this Section.

11 ~~(f)~~ (g) An If determined by the educational institution that suspending its approval to offer EMS educational
12 programs is necessary, the EMS Educational Institution may voluntarily withdraw surrender its credential without
13 explanation for a maximum of one year by submitting a written request, request to the OEMS stating its intention.
14 To voluntarily surrender shall not affect the original expiration date of the EMS Educational Institution's
15 designation. This request shall include the reasons for withdrawal and a plan for resolution of the deficiencies. To
16 reactivate the credential, the institution shall provide to the Department written documentation of compliance.
17 ~~Voluntary withdrawal does not affect the original expiration date of the EMS Educational Institution's credential.~~
18 To reactivate the designation:

19 (1) the institution shall provide OEMS written documentation requesting reactivation; and

20 (2) the OEMS shall verify the educational institution is compliant with all credentialing requirements
21 set forth in Section .0600 of this Subchapter prior to reactivation of the designation by the OEMS.

22 ~~(g)~~ (h) If the institution fails to resolve the issues which resulted in a voluntary ~~withdrawal~~ surrender within one year,
23 ~~surrender~~, the Department shall revoke the EMS Educational Institution ~~credential~~ designation.

24 ~~(i)~~ (i) The OEMS shall give the EMS Educational Institution written notice of revocation. This notice shall be given
25 personally or by certified mail and shall set forth:

26 (1) the factual allegations;

27 (2) the statutes or rules alleged to be violated; and

28 (3) notice of the EMS Educational Institution 's right to a contested case hearing, set forth in Rule
29 .1509 of this Section, on the revocation of the designation.

30 ~~(h)~~ (j) In the event of a revocation or voluntary ~~withdrawal~~ surrender, the Department shall provide written
31 notification to all EMS Systems within the EMS Educational Institution's defined service area. The Department
32 shall provide written notification to all EMS Systems within the EMS Educational Institution's defined service area
33 ~~if, and when,~~ when the voluntary ~~withdrawal~~ surrender reactivates to full credential.

34 ~~(k)~~ (k) When an accredited EMS Educational Institution as defined in Rule .0605 of this Subchapter has administrative
35 action taken against its accreditation, the OEMS shall determine if the cause for action is sufficient for revocation of
36 the EMS Educational Institution designation or imposing a focused review pursuant to Paragraph (b) and (c) of this
37 Rule is warranted.

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*History Note: Authority G.S. ~~143-508(d)(4), (d)(10)~~; 143-508(d)(4); 143-508(d)(10);
Eff. January 1, 2013;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February
2, 2016. 2016;
Amended Eff. January 1, 2017.*

Type of Rule: Readoption

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .1507 is proposed for readoption with substantive changes as follows:

2

3 10A NCAC 13P .1507 EMS PERSONNEL CREDENTIALS

4 (a) An EMS credential ~~which that~~ has been forfeited under G.S.15A-1331A may not be reinstated until the person
5 has ~~sueessfully~~ complied with the court's requirements, has petitioned the Department for reinstatement, ~~has~~
6 ~~appeared before the EMS Disciplinary Committee, and has had reinstatement approved.~~ has completed the
7 disciplinary process, and has established Department reinstatement approval.

8 (b) The Department shall amend, deny, suspend, or revoke the credentials of EMS personnel for significant failure
9 to comply with, as defined in Rule .0102(45), any of the following reasons: following:

- 10 (1) failure to comply with the applicable performance and credentialing requirements as found in this
11 Subchapter;
- 12 (2) making false statements or representations to the ~~Department~~ Department, or ~~willfully~~ concealing
13 information in connection with an application for credentials;
- 14 (3) making false statements or representations, ~~willfully~~ concealing information, or failing to respond
15 ~~within a reasonable period of time and in a reasonable manner~~ to inquiries from the Department
16 during a complaint investigation;
- 17 (4) tampering ~~with~~ with, or falsifying any record used in the process of obtaining an initial EMS
18 ~~eredential~~ credential, or in the renewal of an EMS credential;
- 19 (5) in any manner or using any medium, engaging in the stealing, manipulating, copying, ~~reproducing~~
20 reproducing, or reconstructing of any written EMS credentialing examination ~~questions~~ questions,
21 or scenarios;
- 22 (6) ~~eheating~~ cheating, or assisting others to cheat while preparing to ~~take~~ take, or when taking a
23 written EMS credentialing examination;
- 24 (7) altering an EMS credential, using an EMS credential that has been ~~altered~~ altered, or ~~permitting~~
25 permitting, or allowing another person to use his or her EMS credential for the purpose of
26 alteration. Altering includes ~~changing~~ the name, expiration ~~date~~ date, or any other information
27 appearing on the EMS credential;
- 28 (8) unprofessional conduct, including a failure to comply with the rules relating to the proper function
29 of credentialed EMS personnel contained in this ~~Subchapter~~ Subchapter, or the performance of ~~of~~
30 or attempt to perform a procedure that is detrimental to the health and safety of any ~~person~~ person,
31 or that is beyond the scope of practice of credentialed EMS ~~personnel~~ personnel, or EMS
32 instructors;
- 33 (9) being unable to perform as credentialed EMS personnel with reasonable skill and safety to patients
34 and the public by reason of ~~illness~~; illness, use of alcohol, drugs, chemicals, or any other type of
35 ~~material~~; material, or by reason of any ~~physical~~ physical, or mental abnormality;

- 1 (10) conviction in any court of a crime involving moral turpitude, a conviction of a felony, a conviction
2 requiring registering on a sex offender registry, or conviction of a crime involving the scope of
3 practice of credentialed EMS personnel;
- 4 (11) by false representations ~~obtaining~~ obtaining, or attempting to obtain ~~money~~ money, or anything of
5 value from a patient;
- 6 (12) adjudication of mental incompetence;
- 7 (13) lack of competence to practice with a reasonable degree of skill and safety for patients including a
8 failure to perform a prescribed procedure, failure to perform a prescribed procedure ~~competently~~
9 competently, or performance of a procedure that is not within the scope of practice of credentialed
10 EMS ~~personnel~~ personnel, or EMS instructors;
- 11 (14) performing as an ~~EMT-I, EMT-P, or EMD~~ a credentialed EMS personnel in any EMS System in
12 which the individual is not affiliated and authorized to function;
- 13 ~~(15) performing, or authorizing the performance of procedures, or administration of medications~~
14 detrimental to a student, or individual;
- 15 ~~(16) delay or failure to respond when on-duty and dispatched to a call for EMS assistance;~~
- 16 ~~(15) (17) testing positive~~ positive, whether for-cause or at random, through urine, blood, or breath
17 sampling, for any substance, legal or illegal, that ~~has impaired~~ is likely to impair the physical or
18 psychological ability of the credentialed EMS personnel to perform all required or expected
19 functions while on duty;
- 20 ~~(16) (18) failure to comply with G.S. 143-518 regarding the use or disclosure of records or data associated~~
21 with EMS Systems, Specialty Care Transport Programs, Alternative Practice Settings, or patients;
- 22 ~~(17) (19) refusing to consent to any criminal history check required by G.S. 131E-159;~~
- 23 ~~(18) (20) abandoning or neglecting a patient who is in need of care, without making reasonable~~
24 arrangements for the continuation of such care;
- 25 ~~(19) (21) falsifying a patient's record or any controlled substance records;~~
- 26 ~~(20) (22) harassing, abusing, or intimidating a patient~~ patient, student, bystander, or OEMS staff, either
27 physically or verbally; physically, verbally, or in writing;
- 28 ~~(21) (23) engaging in any activities of a sexual nature with a patient including kissing, fondling~~ fondling, or
29 touching while responsible for the care of that individual;
- 30 ~~(22) (24) any criminal arrests that involve charges which that~~ have been determined by the Department to
31 indicate a necessity to seek action in order to further protect the public pending adjudication by a
32 court;
- 33 ~~(23) (25) altering, destroying~~ destroying, or attempting to destroy evidence needed for a complaint
34 investigation; being conducted by the OEMS;
- 35 ~~(24) (26) as a condition to the issuance of an encumbered EMS credential with limited and restricted~~
36 practices for persons in the chemical addiction or abuse treatment program; or

1 (27) unauthorized possession of lethal or non-lethal weapons, chemical irritants to include mace,
2 pepper (oleoresin capsicum) spray and tear gas, or explosives while in the performance of
3 providing emergency medical services;

4 (28) failure to provide EMS care records to the licensed EMS provider for submission to the OEMS as
5 required by Rule .0204 of this Subchapter;

6 (29) continuing to provide EMS care after local suspension of practice privileges by the local EMS
7 System, Medical Director, or Alternative Practice Setting; or

8 (25) (30) representing or allowing others to represent that the credentialed EMS personnel has a credential
9 that the credentialed EMS personnel does not in fact have.

10 (c) Pursuant to the provisions of ~~S.L. 2011-37~~, G.S. 131-E-159(h), the OEMS shall not issue an EMS credential for
11 any person listed on the North Carolina Department of Justice Sex Offender and Public Protection Registry ~~shall be~~
12 ~~denied initial or renewal EMS credentials.~~ Registry, or who was convicted of an offense that would have required
13 registration if committed at a time when the registration would have been required by law.

14 (d) Pursuant to the provisions of G.S. 50-13.12, upon notification by the court, the OEMS shall immediately revoke
15 an individual's EMS credential until the Department has been notified by the court evidence has been obtained of
16 compliance with a child support order.

17 ~~(d)~~ (e) When a person who is credentialed to practice as an EMS professional is also credentialed in another
18 jurisdiction and that other jurisdiction takes disciplinary action against the person, the Department shall summarily
19 impose the same or lesser disciplinary action upon receipt of the other jurisdiction's action. The EMS professional
20 may request a hearing before the EMS Disciplinary Committee. At the hearing the issues shall be limited to:

21 (1) whether the person against whom action was taken by the other jurisdiction and the Department
22 are the same person;

23 (2) whether the conduct found by the other jurisdiction also violates the rules of the N.C. Medical
24 Care Commission; and

25 (3) whether the sanction imposed by the other jurisdiction is lawful under North Carolina law.

26 (f) The OEMS shall provide written notification of the amendment, denial, suspension, or revocation. This notice
27 shall be given personally, or by certified mail and shall set forth:

28 (1) the factual allegations;

29 (2) the statutes or rules alleged to have been violated

30 (3) notice of the individual's right to a contested hearing, set forth in Rule .1509 of this Section, on
31 the revocation of the credential.

32 (g) The OEMS shall provide written notification to the EMS professional within five business days after
33 information has been entered into the National Practitioner Data Bank and the Healthcare Integrity and Protection
34 Integrity Data Bank.

36 History Note: Authority G.S. 131-E-159; G.S. 131E-159(f), (g); 143-508(d)(10); S.L. 2011-37;

37 Eff. January 1, 2013- 2013;

Readopted Eff. January 1, 2017.

Type of Rule: Adoption

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .1510 is proposed for adoption as follows:

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3 **10A NCAC 13P .1510 PROCEDURES FOR VOLUNTARY SURRENDERING OR MODIFYING THE**
4 **LEVEL OF AN EMS CREDENTIAL**

5 (a) An individual who holds a valid North Carolina EMS credential may request to voluntarily surrender the
6 credential to the OEMS by completing the following:

7 (1) provide, in writing, a letter expressing the individual's desire to surrender the credential and
8 explaining in detail the circumstances surrounding the request; and

9 (2) return the pocket credential and wall certificate to the OEMS upon notification the request has
10 been approved.

11 (b) An individual who holds a valid North Carolina EMS credential may request to voluntarily modify the current
12 credentialing level from a higher level to a lower level by the OEMS by completing the following:

13 (1) provide, in writing, a letter expressing the individual's desire to lower their current level and
14 explaining in detail the circumstances surrounding the request;

15 (2) state the desired level of credentialing; and

16 (3) return the pocket credential and wall certificate to the OEMS upon notification the request has
17 been approved.

18 (c) The OEMS shall provide a written response to the individual within 10 working days following receipt of the
19 request either approving or denying the request. This response shall detail the reason(s) for approval or denial.

20 (d) If, at a future date, the individual seeks to restore the credential to the previous status, the individual must:

21 (1) wait a minimum of six months from the date the action was taken;

22 (2) provide, in writing, a letter expressing the individual's desire to restore the previous credential;

23 (3) provide evidence of continuing education at a minimum of 2 hours per month at the level of the
24 EMS credential being sought; and

25 (4) undergo a National Criminal History background check.

26 (e) If the OEMS denies the individual's request for restoration of the previous EMS credential, the OEMS shall
27 provide in writing the reason(s) for denial and inform the individual of the procedures for contested case hearing as
28 defined in Rule .1509 of this Section.

29

30 *History Note: Authority G.S. 131E-159(g); 143-508(d)(3); 143-508(d)(10);*

31 *Eff. January 1, 2017.*

Type of Rule: Adoption

MCC Action: Initiate Permanent Rule Making

1 10A NCAC 13P .1511 is proposed for adoption as follows:

2

3 10A NCAC 13P .1511 PROCEDURES FOR QUALIFYING FOR AN EMS CREDENTIAL

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FOLLOWING ENFORCEMENT ACTION

5 (a) Any individual who has been subject to denial, suspension, revocation or amendment of an EMS credential must
6 submit in writing to the OEMS a request for review to determine eligibility for credentialing.

7 (b) Factors to be considered by the Department when determining eligibility shall include:

8 (1) the reason for administrative action, that includes:

9 (A) criminal history;

10 (B) patient care;

11 (C) substance abuse; and

12 (D) failure to meet credentialing requirements.

13 (2) the length of time since the administrative action was taken; and

14 (3) any mitigating or aggravating factors relevant to obtaining a valid EMS credential.

15 (c) In order to be considered for eligibility, the individual must:

16 (1) wait a minimum of 36 months following administrative action before seeking review; and

17 (2) undergo a national criminal history background check. If the individual has been charged or
18 convicted of a misdemeanor or felony in this or any other state or country within the previous 36
19 months, the 36 month waiting period will begin from the date of the latest charge or conviction.

20 (d) If determined to be eligible, the Department shall grant authorization for the individual to begin the process for
21 EMS credentialing as defined in Rule .0502 of this Subchapter.

22 (e) Prior to enrollment in an EMS educational program, the individual must disclose the prior administrative action
23 taken against the individual's credential in writing to the EMS educational institution.

24 (f) An individual who has undergone administrative action against his or her EMS credential is not eligible for legal
25 recognition as defined in G.S. 131E-159(d) or issuance of a temporary EMS credential as defined in G.S. 131E-
26 159(e).

27 (g) For a period of 10 years following restoration of the EMS credential, the individual must disclose the prior
28 administrative action taken against his or her credential to every EMS System, Medical Director, EMS Provider, and
29 EMS Educational Institution in which the he or she is affiliated and provide a letter to the OEMS from each
30 verifying disclosure.

31 (h) If the Department determines the individual is ineligible for EMS credentialing, the Department shall provide in
32 writing the reason(s) for denial and inform him or her of the procedures for contested case hearing as defined in
33 Rule .1509 of this Section.

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35 *History Note: Authority G.S. 131E-159(g); 143-508(d)(3); 143-508(d)(10);*

36 *Eff. January 1, 2017.*