

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 952

Introduced by Watermeier, 1; Davis, 43; Kolterman, 24.

Read first time January 13, 2016

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to emergency medical services; to amend
- 2 section 38-1215, Revised Statutes Cumulative Supplement, 2014; to
- 3 require counties to be responsible for emergency medical services as
- 4 prescribed; to change membership of the Board of Emergency Medical
- 5 Services; and to repeal the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) The Legislature finds that efficient and reliable
2 statewide out-of-hospital emergency medical care is (a) a primary and
3 essential service, (b) vital to the safety of the public the same as law
4 enforcement services and fire protection, (c) essential to promoting the
5 health, safety, and welfare of residents of Nebraska, and (d) an
6 essential component of economic development and tourism.

7 (2) Beginning January 1, 2017, the county board shall be responsible
8 to ensure that emergency medical services are available to the residents
9 in the county. The county board may ensure the availability of emergency
10 medical services by establishing or contracting for emergency medical
11 services pursuant to section 13-303, by establishing or contracting for
12 public safety services pursuant to sections 13-318 to 13-326, by
13 establishing or contracting for emergency medical services, by
14 coordinating with any rural or suburban fire protection district,
15 hospital authority, city, village, or private entity which provides
16 emergency medical services within the county, or by any combination of
17 such authorized activities.

18 Sec. 2. Section 38-1215, Revised Statutes Cumulative Supplement,
19 2014, is amended to read:

20 38-1215 (1) The board shall have seventeen members appointed by the
21 Governor with the approval of a majority of the Legislature. The
22 appointees may begin to serve immediately following appointment and prior
23 to approval by the Legislature.

24 (2)(a) Seven members of the board shall be active out-of-hospital
25 emergency care providers at the time of and for the duration of their
26 appointment, and each shall have at least five years of experience in his
27 or her level of licensure at the time of his or her appointment or
28 reappointment. Of the seven members who are out-of-hospital emergency
29 care providers, two shall be ~~first responders~~ or emergency medical
30 responders, two shall be emergency medical technicians, one shall be an
31 ~~emergency medical technician-intermediate~~ or an advanced emergency

1 medical technician, and two shall be ~~emergency medical technicians-~~
2 ~~paramedic or paramedics.~~

3 (b) Three of the members shall be qualified physicians actively
4 involved in emergency medical care. At least one of the physician members
5 shall be a board-certified emergency physician.

6 (c) Five members shall be appointed to include one member who is a
7 representative of an approved training agency, one member who is a
8 physician assistant with at least five years of experience and active in
9 out-of-hospital emergency medical care education, one member who is a
10 registered nurse with at least five years of experience and active in
11 out-of-hospital emergency medical care education, and two public members
12 who meet the requirements of section 38-165 and who have an expressed
13 interest in the provision of out-of-hospital emergency medical care.

14 (d) The remaining two members shall have any of the qualifications
15 listed in subdivision (a), (b), or (c) of this subsection.

16 (e) In addition to any other criteria for appointment, among the
17 members of the board appointed after January 1, 2017, there shall be at
18 least three members who are ~~one member who is a~~ volunteer emergency
19 medical care providers ~~provider~~, at least one member who is a paid
20 emergency medical care provider, at least one member who is a
21 firefighter, at least one member who is a law enforcement officer, and at
22 least one member who is active in the Critical Incident Stress Management
23 Program. If a person appointed to the board is qualified to serve as a
24 member in more than one capacity, all qualifications of such person shall
25 be taken into consideration to determine whether or not the diversity in
26 qualifications required in this subsection has been met.

27 (f) At least five members of the board shall be appointed from each
28 congressional district, and at least one of such members shall be a
29 physician member described in subdivision (b) of this subsection.

30 (3) Members shall serve five-year terms beginning on December 1 and
31 may serve for any number of such terms. The terms of the members of the

1 board appointed prior to December 1, 2008, shall be extended by two years
2 and until December 1 of such year. Each member shall hold office until
3 the expiration of his or her term. Any vacancy in membership, other than
4 by expiration of a term, shall be filled within ninety days by the
5 Governor by appointment as provided in subsection (2) of this section.

6 (4) Special meetings of the board may be called by the department or
7 upon the written request of any six members of the board explaining the
8 reason for such meeting. The place of the meetings shall be set by the
9 department.

10 (5) The Governor upon recommendation of the department shall have
11 power to remove from office at any time any member of the board for
12 physical or mental incapacity to carry out the duties of a board member,
13 for continued neglect of duty, for incompetency, for acting beyond the
14 individual member's scope of authority, for malfeasance in office, for
15 any cause for which a professional credential may be suspended or revoked
16 pursuant to the Uniform Credentialing Act, or for a lack of license
17 required by the Emergency Medical Services Practice Act.

18 (6) Except as provided in subsection (5) of this section and
19 notwithstanding subsection (2) of this section, a member of the board who
20 changes his or her licensure classification after appointment or has a
21 licensure classification which is terminated under section 38-1217 when
22 such licensure classification was a qualification for appointment shall
23 be permitted to continue to serve as a member of the board until the
24 expiration of his or her term.

25 Sec. 3. Original section 38-1215, Revised Statutes Cumulative
26 Supplement, 2014, is repealed.