

**902 KAR 14:082. Class II ground ambulance providers.**

RELATES TO: KRS 211.950 to 211.956, 216B.010 to 216B.130, 216B.990(1)(2)

STATUTORY AUTHORITY: KRS 211.952, 216B.042, EO 96-862, 1996 Ky. Acts ch. 233

NECESSITY, FUNCTION, AND CONFORMITY: Executive Order 96-862, effective July 2, 1996, reorganizes the Cabinet for Human Resources and places the Department for Public Health and its programs under the Cabinet for Health Services. KRS 216B.042 requires the Cabinet for Health Services to regulate health facilities and health services. KRS 211.952(2)(c) requires the Cabinet for Health Services to promulgate administrative regulations for licensing, inspecting, and regulating ambulance providers. This administrative regulation provides for the minimum licensing requirements for Class II ground ambulance providers.

Section 1. Definitions. (1) "Basic life support (BLS)" means an ambulance provider which:

(a) Utilizes at least two (2) emergency medical personnel who are certified or licensed to provide prehospital medical care such as:

1. First aid;
2. Cardiopulmonary resuscitation;
3. Airway management;
4. Cervical spine control;
5. Breathing assistance;
6. Hemorrhage control; and
7. Basic patient movement procedures;

(b) Meets the requirements established in Sections 1 through 6 of this administrative regulation; and

(c) Is licensed by the cabinet to provide basic life support treatment and transportation on a scheduled basis.

(2) "Continuing education" means the provision of information or training within the scope of an individual's level of certification.

(3) "CPR" means cardiopulmonary resuscitation as conforming to the basic rescuer course of the American Heart Association; the National Safety Council; or the basic life support professional rescuer course of the American Red Cross, which shall include one (1) and two (2) person CPR, airway obstruction, and airway adjuncts for adults, children, and infants.

(4) "Dispatch center" means the location where incoming calls are initially received requesting an ambulance.

(5) "Emergency medical technician (EMT)" means a person certified pursuant to 902 KAR 13:010 through 13:100.

(6) "Emergency medical technician-first responder" means a person certified pursuant to 902 KAR 13:110.

(7) "Employee" means ambulance provider medical personnel who may be paid or volunteer, full time or part time.

(8) "Interfacility care" means BLS nonemergency health care provided to a patient during ambulance transportation between two (2) health care facilities.

(9) "Licensing agency" means the Cabinet for Health Services, Department for Public Health.

(10) "Provider" means a Class II ground ambulance provider as defined in KRS 211.950(2), and KRS 211.952(2)(c)3.

Section 2. Class II Ground Ambulance Licensing Requirements. (1) The following licensing requirements shall apply to Class II ground ambulance providers:

(a) A person shall not provide, advertise, or profess to engage in the provision of Class II medical care or transportation that originates in Kentucky without having first obtained a certificate of need and a license from the cabinet. An ambulance provider which falls under the provisions of KRS 211.952 to 211.956, as amended by 1996 Ky. Acts ch. 233, Section 7 may apply for a license from the cabinet without first obtaining an

additional certificate of need;

(b) An ambulance provider shall comply with local, state, and federal statutes and regulations.

(c) The license shall be displayed in a prominent place at the service base station. The following information shall be included on the license:

1. Identity and location of the base station;
2. Number and location of substations, if any, to be operated by the licensee;
3. Designation of the specific geographic area to be served by the licensee. The provider shall not be precluded from responding to calls outside of its geographic service area when providing:

- a. Mutual aid;
- b. Disaster assistance;
- c. Nonemergency transfers from damaged or closed health facilities; or
- d. Interfacility care to residents of its service area, who are patients in facilities outside of its service area, for the purpose of returning the patients to their home service area; and

4. Designation of the number of ambulances to be operated by the provider;

(d) Each Class II ambulance licensed shall be staffed and equipped according to the requirements of this administrative regulation.

(e) Each ambulance provider shall provide the licensing agency with the serial number and license tag number of each ambulance licensed.

(f) The licensee shall:

1. Notify the licensing agency of any change in the number, type, or use of the ambulances to be operated; and

2. Meet the following requirements:

- a. An ambulance shall not be operated until after the licensing agency has been notified and has verified, through a physical inspection, that it meets the requirements of this administrative regulation. If the ambulance represents an expansion of service (e.g., an increase in the number of ambulances), the licensing agency shall verify that a certificate of need has been granted prior to the inspection; and

- b. The licensing agency shall be notified, on the next licensing agency business day, of the disposition of any prior approved ambulance operated by the ambulance provider (i.e., discontinued from service, change in use by the same ownership, or sale to another identified licensed ambulance provider).

(g) The licensing agency procedures shall not preclude the ambulance provider from utilizing a replacement ambulance on a temporary basis if a previously approved ambulance is out of service for maintenance. The following requirements shall apply:

1. The licensing agency shall be immediately notified (or on the next business day) by phone of the need for an ambulance provider to operate a temporary replacement unit. Within five (5) days, the ambulance provider shall send the licensing agency:

- a. Written notice of the make, model, license number, and vehicle identification number; and

- b. Assurances that the temporary replacement ambulance meets the requirements of this administrative regulation;

2. A temporary replacement ambulance shall not be utilized for more than thirty (30) days unless the licensing agency has verified, through a physical inspection, that it meets the requirements of this administrative regulation.

3. If the ambulance provider plans to utilize the replacement ambulance for more than thirty (30) days, the provider shall notify the licensing agency of the anticipated length of time the replacement will be in use; and

4. The licensing agency shall be notified if the replaced unit is back in service.

(h) The licensing agency shall maintain identifying records on all ambulances according to established procedures.

- (2) A licensed Class II provider shall have on file proof of

professional and vehicular liability insurance.

(3) The following situations shall be exempt from the provisions of this administrative regulation:

(a) First aid or transportation provided in accordance with KRS 216B.020(2)(f);

(b) A vehicle serving as an ambulance during a major catastrophe;

(c) An ambulance operated by the United States government; and

(d) An ambulance from an out-of-state licensed ambulance provider making a nonemergency run originating from a Kentucky facility for the purpose of returning a patient who is not a Kentucky resident to his state of residence.

Section 3. Class II Management Requirements. A Class II ground ambulance provider shall:

(1) Establish lines of authority (i.e., an organizational chart) to include the designation of:

(a) An administrator responsible for assuring compliance with this administrative regulation during the daily operation of the service; and

(b) A designee who shall serve if necessary in the absence of the administrator.

(2) Maintain adequate records and reports at the ambulance service base station to be made available for review as deemed necessary by the cabinet, including:

(a) An original, microfilm, electronic equivalent as authorized under KRS 216B.410(1), or similar copy procedure of EMS run form, EHS-8A "Kentucky Emergency Medical Service Ambulance Run Report", for all runs originating in Kentucky.

1. Copies of completed run report forms shall be kept as required by KRS 216B.410(1) and guidelines established by the licensing agency in a manner of confidentiality and safekeeping for a minimum of five (5) years from the date on which the service was rendered, or in the case of a minor, until five (5) years after the minor reaches eighteen (18) years of age; and

2. The third copy of the run form, or an electronic equivalent, shall be forwarded to the cabinet within thirty (30) days following the end of the month in which the run occurred.

(b) Personnel files on each ambulance driver and attendant shall be maintained for:

1. A minimum of five (5) years, or longer if specified in local government archives approved schedules, following termination or retirement from employment; or

2. Five (5) years following the demise of the employee.

(c) Individual ambulance driver and attendant personnel files shall contain evidence of:

1. Training;

2. Experience;

3. Current credentials including proof of CPR certification, or EMT or paramedic certification with corresponding numbers and expiration dates, or nursing or physician license;

4. Current and valid driver's license;

5. A preemployment criminal and Department of Transportation driver's records check for each individual added to the service;

6. Health records to include:

a. Written evidence of a preemployment health assessment having been conducted by a physician or a licensed advanced registered nurse practitioner (ARNP) stating the employee is capable of performing assigned job duties; and

b. Health records which meet the requirements of KRS 216B.410(3).

(3) Maintain and follow written administrative, personnel, medical, and other operational policies and procedures that are reviewed on an annual basis by the ambulance provider in order to assess their effectiveness. The policies and procedures shall be developed to include the following areas:

(a) Organizational structure, staffing, and allocation of

responsibility and accountability;

(b) Ambulance service mutual aid agreements and agreements with other ambulance providers;

(c) Personnel performance guidelines; and

(d) A plan to assure that a continuing education program shall be provided for its staff. The program shall include:

1. Evidence of continuing education for staff regarding acquired immune deficiency syndrome (AIDS) and infection control, including the handling of infectious waste in accordance with Centers for Disease Control guidelines.

2. A plan for response to, and the protection and decontamination of, the patient, ambulance, equipment, and staff if called upon to transport a patient exposed to hazardous materials;

3. A plan for assessing all other staff continuing education needs, with a coordinated development of methods to meet those needs; and

4. The maintenance of training rosters or other written records to support continuing education conducted by, or at the request of, the licensee.

(e) A plan for the quality assessment of patient care including a periodic review of ambulance run report forms, and evaluation of staff performance related to patient care.

(f) Policies and procedures concerning:

1. Vehicle maintenance;

2. Standard operating procedures (SOPS);

3. Patient protocols;

4. Ambulance response;

5. Transport limitations; and

6. Patient destination.

Section 4. Class II Operating Requirements. (1) A Class II ambulance provider shall provide transportation on a twenty four (24) hour, seven (7) days a week basis. This provision may be met through a call system or by a written mutual aid agreement with another Kentucky licensed ambulance provider.

(2) For the purpose of assisting the Class II provider in situations where the medical needs of the patient exceed the scope and authority of a Class II provider, the Class II provider shall have a mutual aid agreement with a Class I ambulance provider which serves all or part of the same service area of the Class II provider. The agreement may also include other circumstances in which each provider may be asked to assist the other on an occasional basis within the scope and authority of each provider's license to meet the needs of the service area.

(3) Ambulances used in the provision of Class II ambulance services shall:

(a) Be maintained in good operating condition and in full repair;

(b) Be designed to provide for the medical care and transportation of patients;

(c) Comply fully with ambulance design criteria contained in "Federal Specifications for Ambulances", KKK-A-1822 D (11/94) (GSA federal specifications) in effect at the time the ambulance is manufactured, except for color and provider identification.

(d) Comply with KRS 189.910 through 189.950 regarding the use of lights and siren.

(4)(a) The Class II ambulance provider shall require that a certification decal or sticker be supplied by the manufacturer of newly purchased ambulances, indicating that the ambulance met GSA federal specifications on the date it was manufactured. The certification decal shall be located on a permanent surface, such as in the ambulance oxygen tank compartment, or as later identified in a GSA federal specification revision.

(b) A Class II ambulance provider shall require, for units that are later modified, the conversion company to supply a letter to verify the modification meets or exceeds the GSA federal specification requirements, except for color or provider identification, as incorporated in the GSA federal specifications on the ambulance original date of manufacture.

(5) In addition to the GSA federal specifications, the following state licensing requirements shall be maintained:

(a) The heating system shall maintain a temperature of not less than sixty-five (65) degrees Fahrenheit in the driver and patient compartments in winter weather conditions;

(b) The air conditioning system shall maintain a temperature of not more than eighty-five (85) degrees Fahrenheit in the driver and patient compartments in summer weather conditions; and

(c) The name of the ambulance provider shall appear on the exterior surface of the ambulance.

(6)(a) A preventive maintenance program for each ambulance and its equipment shall be developed and implemented to keep them in optimum working order to protect the health and safety of the patient and ambulance personnel.

(b) Documentation shall be maintained by the ambulance provider to support evidence of periodic inspections or calibrations required for maintenance and operation of the ambulance and its equipment.

(7) The interior of the ambulance and its equipment shall be checked after each use to ensure that they are kept and maintained in a clean and sanitary condition, unless precluded by emergency conditions.

(8) A communications system shall be developed, coordinated, and maintained by each ambulance provider. The communication system shall meet the following requirements:

(a) A Class II ambulance shall be equipped with two (2) way radio communication equipment capable, under normal conditions, of contacting the ambulance dispatch center and the receiving facility;

(b) One (1) portable communication device per ambulance, on the ambulance radio frequency, shall be provided for personnel if away from the ambulance;

(c) A Class II provider shall have an acceptable plan to assure that all calls are promptly answered, and runs are dispatched in an expedient manner;

(d) An ambulance provider shall provide orientation to all drivers and attendants related to communication protocols that have been established by the service.

Section 5. Basic Life Support Personnel. (1) A Class II provider shall be staffed to provide (2) attendants for each run. One (1) attendant shall remain with the patient at all times during transport;

(2) There shall be no more patients, personnel, and other persons than can be safely secured by means of seat safety belts or similar devices in the ambulance during transportation; and

(3) All personnel shall be capable of performing their job duties, and shall not cause the patient or other personnel any undue harm.

(4) The driver on each Class II ambulance run shall:

(a) Be at least eighteen (18) years of age, with current motor vehicle operator's license;

(b) Have at least two (2) years of licensed driver/operator experience;

(c) Complete a defensive driving training program that is developed by the ambulance provider or in conjunction with another agency or organization. The defensive driving training program shall be repeated for each driver at least every four (4) years.

1. The training program shall consist of four (4) hours review of driving a vehicle under emergency conditions;

2. Documentation shall be available to support training in at least the following areas:

a. Review of KRS 189.910 through 189.950 regarding emergency vehicles.

b. Forward and back-up driving maneuvers in a controlled situation, such as in an obstacle course designed specifically for this purpose.

c. Review of defensive driving techniques and procedures by hands-on experience or exposure by visual aids, such as video tapes, slides, or planned demonstrations.

(5) One (1) ambulance attendant on each Class II ground ambulance run shall be certified or licensed for one (1) of the following levels:

- (a) Emergency medical technician (EMT);
- (b) Paramedic;
- (c) Registered nurse (RN) licensed by the Kentucky Board of Nursing (KBN); or
- (d) Physician licensed by the Kentucky Board of Medical Licensure (KBML).

(6) The second ambulance attendant, who may also be the driver shall have certification or licensing for one (1) of the following levels:

- (a) EMT- first responder;
- (b) EMT;
- (c) Paramedic;
- (d) RN licensed by the KBN; or
- (e) Physician licensed by the KBML.

(7) Personnel who on occasion may serve as an attendant or a driver shall meet the qualifications for both roles. Documentation shall be required in personnel files for personnel who:

- (a) Serve as drivers only in a three (3) person crew; and
- (b) Do not render any type of first aid or medical treatment;

or

- (c) Serve as attendants only.

(8) Ambulance personnel required to meet patient needs for interfacility or facility-to-home patient transports may be determined by the attending physician and the initiating facility, in conjunction with the ambulance service staff.

Section 6. Equipment and Supplies. A Class II ground ambulance shall carry and maintain, in full operational order, the following equipment and supplies:

- (1) Suction, ventilation, and blood pressure equipment.
  - (a) Fixed and portable suction apparatus including:
    - 1. Rigid tonsillar catheters; and
    - 2. Flexible catheters in the sizes 6 French (F), 8F, 10F and 14F;
  - (b) Disposable bag-valve-mask ventilation units in 250 ml, and 1000 ml with oxygen reservoir with adult and infant size masks (capable of use with oxygen);
  - (c) Nasopharyngeal and oropharyngeal airways in newborn, infant, child, and adult sizes; and
  - (d) Adult, obese adult, infant, and child sphygmomanometer cuffs with stethoscope. A permanently mounted sphygmomanometer shall not satisfy this requirement.
- (2) Oxygen equipment.
  - (a) Fixed and portable oxygen tanks with a filled, minimum size D, secured spare portable cylinder;
  - (b) Pressure gauge and flow rate regulator (range of zero to fifteen (15) liters per minute);
  - (c) Oxygen humidifier attachment for use on the fixed oxygen tank;
    - (d) Adapter and tubing;
    - (e) Transparent simple oxygen masks for adults and children;
    - (f) Transparent nonrebreather oxygen masks for adults, children and infants; and
    - (g) Nasal cannulas for adults, children, and infants.
- (3) Bandages and tape.
  - (a) Two (2) sterile universal dressings at least ten (10) inches by thirty (30) inches, compactly folded and packaged;
  - (b) Twenty-five (25) sterile gauze pads, four (4) inches by four (4) inches;
  - (c) Ten (10) soft roller self-adhering bandages, various sizes;
  - (d) Four (4) rolls of adhesive tape, minimum of two (2) sizes;

- (e) Ten (10) triangular bandages with large safety pins; and
- (f) Two (2) sterile burn sheets.
- (4) Miscellaneous supplies.
  - (a) Eye protector pads and shields;
  - (b) One (1) roll of aluminum foil, or an occlusive substitute approved by the licensing agency;
  - (c) Shears for bandages;
  - (d) Hand held flashlight;
  - (e) Two (2) penlights;
  - (f) Two (2) sterile obstetrical kits;
  - (g) Sterile irrigation fluids with current expiration date, if stocked on the ambulance, shall be obtained and maintained according to local, state, and federal statutes and regulations.
- (5) Splints and immobilization devices.
  - (a) Lower extremity traction splint, or equivalent as approved by the cabinet, for use in EMT training;
  - (b) Splints for arm, leg, and foot (e.g., inflatable air splints, padded boards, ladder splints, or acceptable substitute approved by the cabinet);
  - (c) Immobilization devices.
    - 1. Short spine board or other acceptable extrication device, as determined by the cabinet; and
    - 2. Long spine board with cervical immobilization accessories;
    - 3. An orthopedic "scoop" stretcher or other full-body immobilization device as determined by the cabinet.
  - (d) Rigid, stiff cervical collars in large, medium, small adult, no-neck, and pediatric sizes;
  - (e) A short spine board or an acceptable substitute, as determined by the cabinet, shall be provided for administering CPR.
- (6) Safety supplies and equipment.
  - (a) Two (2) five (5) pound size, ABC multipurpose fire extinguishers, approved by Underwriters Laboratory, Coast Guard, or Factory Mutual. One (1) shall be located in the driver compartment and the other located in the patient compartment;
  - (b) Multiposition stretcher with wheels and a mechanism to secure the stretcher while in transit;
  - (c) One (1) pocket mask with an isolation valve per patient attendant;
  - (d) One (1) clean scrub gown (or substitute, such as disposable coveralls), disposable mask, and gloves per patient attendant;
  - (e) One (1) particulate filter face mask per attendant meeting federal standards set by the Occupational Safety and Health Administration (OSHA) and one (1) face mask per patient meeting OSHA standards for use during transport of patients known to be infected with tuberculosis;
  - (f) A means of cleansing the hands shall be provided, such as the provision of a solution or disposable towelettes;
  - (g) Hospital type disinfectants;
  - (h) Plastic bags for disposal of waste materials;
  - (i) Puncture resistant containers for disposal of sharp objects, if sharps are carried;
  - (j) Two (2) clean blankets, sheets, and pillowcases;
  - (k) Tissues or similar substitute; and
  - (l) An emesis container or similar substitute.

Section 7. Material Incorporated By Reference. The following material is incorporated by reference and may be inspected, obtained, or copied at the Office of the Commissioner, Department for Public Health, 275 East Main Street, Frankfort, Kentucky 40621, 8 a.m. to 4:30 p.m., Monday through Friday.

- (1) Form EHS-8A, "Kentucky Emergency Medical Service Ambulance Run Report," (2/91).
- (2) "Federal Specifications for Ambulances", KKK-A-1822 D (11/94), General Services Administration, Federal Supply Service, Washington, D.C. 20406. (23 Ky.R. 1295; eff. 9-18-96.)