



National Association of State EMS Officials

201 Park Washington Court • Falls Church, VA 22046-4527 • www.nasemso.org
703-538-1799 • fax 703-241-5603 • info@nasemso.org

PROJECT OBJECTIVE:

To develop model regulatory language for state adoption related to the design of ambulances, and identify options for vehicle specifications to be included therein for state promulgation as needed. The primary interests driving this proposal relate to safety, cost effectiveness, and reducing state-to-state variation.

BACKGROUND:

The National Association of State Emergency Medical Services Officials (NASEMSO) members are the chief EMS regulators and system developers in every state, territory, and the District of Columbia. The vast majority of states establish standards and requirements that must be met by local EMS agencies in order to function as 9-1-1 medical response organizations. In most of these states, these standards include what legally can be used as an ambulance, which in turn (in part) drives what ambulance purchasers will procure.

The immediate issue is the anticipated retirement of the General Services Administration (GSA) “KKK” specifications for ambulances which were created for the purpose of federal ambulance purchasing contracts. Many states have utilized those specifications as a de facto basis to define what could be used in a state as an ambulance in their regulation of local EMS agencies. The operating premise is that GSA will retire the KKK specification document on September 30, 2013.

Many states have long used a promulgation device called “incorporation by reference” in their rules or regulations to define what can legally be used as an ambulance. It is common for state administrative procedure acts to allow this mechanism of “pointing” to another document, giving it the force of rule only when it is a contemporary publication, and in some cases only when it is available for free. Therefore, states that have incorporated the KKK specifications will have to repeal that reference, leaving the state with no minimum standards related to the design and construction of ambulances, or replace this reference with another. Even in states that do not utilize parts of or the KKK specs in their entirety, the retirement of the KKK specs and what states that do use incorporation by reference replace them with will have a significant impact on ambulance manufacturing and local EMS systems on a nationwide basis.

An emerging National Fire Protection Association (NFPA) draft set of design specifications will be subject to adoption pending an NFPA member voting process that began in June 2012. “NFPA 1917” currently includes several departures from and additions to the KKK specs that have raised concerns among NASEMSO members. ASTM International also maintains “F2020 - 02a(2009) Standard Practice for Design, Construction, and Procurement of Emergency Medical Services Systems (EMSS) Ambulances”.

The development of model regulatory language for use by states is a service to NASEMSO members. Using an expert-informed collaborative process, model EMS laws and rules provide a resource to the states for promulgation that benefits from the group development, technical input, national consensus, and opportunity to inform state EMS officials about matters that they would otherwise have to research and write themselves. Model legislation and regulations also contribute to the reduction of state-to-state variation that would occur if every state, the District of Columbia, and the territories wrote new or revised existing laws or rules independently.

In anticipation of what is believed to be the majority of states needing to revise rules that currently incorporate the KKK specifications in whole or part on or after October 1, 2013, leadership of the National Association of State Emergency Medical Services Officials (NASEMSO) formed an Agency & Vehicle Licensure (AVL) Committee. The immediate charge to the committee will be to consider and develop two different but complimentary deliverables as resources for NASEMSO members and recommend final drafts for approval by the Board: develop model regulatory language for state adoption related to the design of ambulances, and identify options for vehicle specifications to be included therein for state promulgation as needed. This task will be supported by a separate workgroup described in the scope of work below. The AVL committee will meet by teleconference and when possible, in person in conjunction with NASEMSO midyear and annual meetings.

Other charges to the NASEMSO committee include:

- Identification of standards and promising practices related to states' local EMS agency licensure
- Identification of state practices related to education and certification of state EMS employees or contractors with licensure related duties in areas such as investigations or regulatory practices ... i.e., how do state EMS offices prepare their employees or contractors to perform inspection or investigation related duties related to agency licensure?
- Identification of state practices related to complaint management, investigations, sanctions, and administrative actions related to EMS agency licensure and proposed approaches to standardization
- Identification of existing and development of model laws and rules addressing legal recognition of agencies licensed in adjacent states when operating in another state in day-to-day and non-disaster situations.

SCOPE OF WORK:

This project will convene a working group representing NASEMSO, ambulance manufacturers, and ambulance purchasers. The ambulance manufacturer representatives have self-identified following a project announcement distributed by the National Truck Equipment Association Ambulance Manufacturers Division. Six representatives of "ambulance purchasers" are being invited from among the membership of the American Ambulance Association, the National EMS Management Association, the Association of Air Medical Services, the International Association of Fire Chiefs, the National Association of Counties, and the North Central EMS Institute. Five NASEMSO AVL Committee members will represent our membership at large and be joined by NASEMSO Executive Director Dia Gainor.

The goal of this multidisciplinary workgroup will be to identify the manufacturing and financial ramifications of incorporation of NFPA 1917 by reference as written and adopted by the NFPA, ASTM 2020, and other technically acceptable alternatives, and to pursue industry partner consensus and feedback on the model regulatory language for state adoption related to the design of ambulances as drafted by the AVL Committee. Funding has been secured to make three 1.5 day in person meetings possible with the first occurring during the NASEMSO annual meeting (September 24-25), the second in conjunction with the NASEMSO Midyear meeting during the first week of March 2013, followed by a final consensus meeting 2-3 months later so that final resources are available to state EMS offices prior to the GSA retiring the KKK specification.

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Contact Person:

Dia Gainor

NASEMSO Executive Director

dia@naseonso.org

208-861-4841