

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

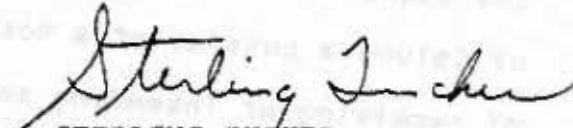
October 11, 1977

D.C. LAW 2-25

"Advanced Life Support Act of 1977"

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act (PL 93-198), the Act, the Council of the District of Columbia adopted Bill No. 2-136 on first and second readings June 14, 1977, and June 28, 1977, respectively. Following the signature of the Mayor on July 8, 1977, this legislation was assigned Act No. 2-56, published in the July 22, 1977, edition of the D.C. Register, and transmitted to both Houses of Congress for a 30-day review, in accordance with Section 602(c) (1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired and, therefore, cites the following legislation as D. C. Law 2-25, effective September 28, 1977.


STERLING TUCKER
Chairman of the Council

(Vol. 24, D.C. Register, 817, July 22, 1977)

D.C. LAW

2-25

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 28, 1977

To amend the Good Samaritan Act of the District of Columbia, to establish a program for the certification of emergency medical technician/paramedics, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Advanced Life Support Act of 1977".

Sec. 2. The Act to relieve physicians of liability for negligent medical treatment at the scene of an accident in the District of Columbia, approved November 8, 1965 (79 Stat. 1302; D.C. Code, sec. 2-142) is amended to read as follows:

"(a) Any person who in good faith renders emergency medical care or assistance to an injured person at the scene of an accident or other emergency in the District of Columbia outside of a hospital, without the expectation of receiving or intending to seek compensation from such injured person for such service, shall not be liable in civil damages for any act or omission, not constituting gross negligence, in the course of rendering such care or assistance.

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"(b) In the case of a person who renders emergency medical care or assistance in circumstances described in subsection (a) of this section and who is not licensed or certified by the District of Columbia or by any state to provide medical care or assistance, the limited immunity provided in subsection (a) of this section shall apply to such person: PROVIDED, That the person shall relinquish the direction of the care of the injured person when an appropriate person licensed or certified by the District of Columbia or by any state to provide medical care or assistance assumes responsibility for the care of the injured person.

"(c) A certified emergency medical technician/paramedic who, in good faith and pursuant to instructions either directly or via telecommunication from a licensed physician, renders advanced emergency medical care or assistance to an injured person at the scene of an accident or other emergency or in transit from the scene of an accident or emergency to a hospital shall not be liable in civil damages for any act or omission not constituting gross negligence in the course of rendering such advanced emergency medical care or assistance.

"(d) A licensed physician who in good faith gives emergency medical instructions either directly or via

telecommunication to a certified emergency medical technician/paramedic for the purpose of providing advanced emergency medical care to an injured person at the scene of an accident or other emergency or in transit from the scene of an accident or emergency to a hospital shall not be liable in civil damages for any act or omission not constituting gross negligence in the course of giving such emergency medical instructions.

"(e) For the purposes of this section, the term 'emergency medical technician/paramedic' means a person who has been trained in advanced emergency medical care, employed in that capacity, and certified by the appropriate governmental certifying authority in the District of Columbia or in any state to:

"(1) carry out all phases of basic life support;

"(2) administer drugs under the written or oral authorization, including via telecommunication, of a licensed physician;

"(3) administer intravenous solutions under the written or oral authorization, including via telecommunication, of a licensed physician; and

"(4) carry out, either directly or via telecommunication instructions from a licensed physician,

certain other phases of advanced life support as authorized by the appropriate governmental certifying authority."

Sec. 3. The District of Columbia regulation entitled "A Regulation to Establish Standards for Ambulances and Medical Personnel and to Provide for Their Certification", approved December 13, 1972 (Reg. 72-29) is amended as follows:

(a) by striking "Commissioner" wherever it appears and inserting in lieu thereof "Mayor";

(b) by adding to the end of section 1 the following new definition:

"(f) 'Emergency Medical Technician/Paramedic' means a person who possesses a valid Emergency Medical Technician/Paramedic's certificate issued pursuant to this regulation.";

(c) by adding a new subsection (c) to section 2 to read as follows:

"(c) No person, firm, corporation, association or government agency shall advertise or disseminate information to the public that Emergency Medical Technician/Paramedic ambulance service is offered unless that service is, in fact, provided by Emergency Medical Technician/Paramedics in mobile intensive care units, as defined by the Mayor pursuant to subsection (c) of section 4 of this regulation, on a continuous twenty-four (24) hour

per day basis. If advertising or information regarding Emergency Medical Technician/Paramedic ambulance service appears on any vehicle, it may only appear on those mobile intensive care unit vehicles, as defined by the Mayor pursuant to subsection (c) of section 4 of this regulation, utilized on a continuous twenty-four (24) hour per day basis to provide service.";

(d) by adding to section 3 the following new subsection (k):

"(k) The Mayor may establish additional license requirements for an ambulance serving as a mobile intensive care unit, as defined by the Mayor pursuant to subsection (c) of section 4 of this regulation, including additional fees for such a license.";

(e) by adding to section 4 the following new subsection (c):

"(c) The Mayor, with the assistance of the District of Columbia Advisory Committee on Emergency Medical Services, is authorized in his or her discretion to promulgate regulations specifying additional equipment and vehicular requirements for an ambulance serving as a mobile intensive care unit.";

(f) by amending section 6 as follows:

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(1) subsections (a) through (h) are redesignated as paragraphs (a) (1) through (a) (8), respectively;

(2) the heading "Ambulance Personnel." is amended to read as follows: "Emergency Medical Technicians and Emergency Medical Technician/Paramedics.";

(3) the terms "licensing", "licensed", and "license" are stricken and the terms "certifying", "certified", and "certificate", respectively, are inserted in lieu thereof;

(4) a new subsection (b) is added to read as follows:

"(b) (1) The Mayor, within thirty (30) days of the effective date of this subsection, shall with the assistance of the District of Columbia Advisory Committee for Emergency Medical Services promulgate rules and regulations establishing standards and procedures for the certification of Emergency Medical Technician/Paramedics. Such standards and procedures shall include:

"(A) a requirement for the satisfactory completion of a training course in emergency cardiac and noncardiac care, approved by the Mayor, consisting of not less than four hundred (400) hours of

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classroom and practical instruction, including, but not limited to, instruction in --

"(i) all phases of basic life support, and

"(ii) the administration of drugs and intravenous solutions under the written and oral authorization, either directly or via telecommunication, of a licensed physician;

"(B) a requirement for the initial and the continual determination of skills through oral, written and practical examinations;

"(C) provisions prescribing the life support services which may be provided by Emergency Medical Technician/Paramedics, including those services which require the supervision by telecommunication of a licensed physician;

"(D) provisions for the continuity of emergency medical care and assistance across state borders, including a provision for the reciprocal recognition of medical personnel certified or licensed by another jurisdiction: PROVIDED, That this section shall not be construed to allow such personnel to perform any services which they are not licensed or certified by the parent jurisdiction to perform; and

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"(E) provisions for the renewal, denial, suspension and revocation of certification: PROVIDED, That an examination for the renewal of the certification of an Emergency Medical Technician/Paramedic shall be required at least every twelve (12) months.

"(2) No applicant may be certified as an Emergency Medical Technician/Paramedic unless the applicant has satisfied all conditions for certification as an Emergency Medical Technician as required pursuant to subsection (a) of this section.

"(3) During the practical portion of the training program specified in subparagraph (1) of subsection (b) of this section, the Emergency Medical Technician/Paramedic trainee shall be supervised continuously by a physician or by a registered nurse.";

(g) by amending section 7 to read as follows:

"Section 7. The Mayor is hereby authorized and directed to provide, upon the payment of such fees as he or she may establish, and to approve courses of study and training designed to:

"(1) prepare interested persons for those oral, written and practical examinations

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required for certification as an Emergency Medical Technician;

"(2) prepare a certified Emergency Medical Technician for certification as an Emergency Medical Technician/Paramedic; and

"(3) assist a certified Emergency Medical Technician or a certified Emergency Medical Technician/Paramedic in improving and updating his or her skills, and in preparing a certified Emergency Medical Technician/Paramedic for the examination for the renewal of his or her certification.";

(b) by deleting the words "of \$2.00" wherever they appear in sections 3(j), 6(a)(8) and 8(c) of Regulation 72-29 and inserting in lieu thereof the words "in an amount determined by the Mayor"; and

(i) by amending section 9 as follows:

(1) by inserting the words "or person certified" after the word "licensee" wherever it appears;

(2) by inserting the words "or certificate" after the word "license" wherever it appears; and

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(3) by inserting the words "or Emergency Medical Technician/Paramedic, as the case may be," after the words "Emergency Medical Technician" wherever they appear.

Sec. 4. Section 2 of the "District of Columbia Employee Non-Liability Act", as amended by the "Medical Employee Protection Act of 1975", effective March 26, 1976 (D.C. Law 1-59) is further amended by inserting after the words "nurses, nursing assistants", but before the words "physicians' assistants" the following language: ",emergency medical technician, emergency medical technician/paramedic,".

Sec. 5. Subsection (a) of section 9 of the "District of Columbia Uniform Narcotic Drug Act", approved June 20, 1938 (52 Stat. 790; D.C. Code, sec. 33-409(a)) is amended by inserting after the word "nurse" the words ",certified emergency medical technician/paramedic,".

Sec. 6. This act shall take effect as provided in section 602(c) of the District of Columbia Self-Government and Governmental Reorganization Act.

RECORD OF OFFICIAL COUNCIL ACTION

Docket No: 2-136

First Reading Action: June 14, 1977

VOICE VOTE: Adopted Unanimously (2 abs.)

Robert Williams
Secretary to the Council

ROLL CALL VOTE:

COUNCIL MEMBER	ATT	NAF	N.Y.	AB.	COUNCIL MEMBER	ATT	NAF	N.Y.	AB.	COUNCIL MEMBER	ATT	NAF	N.Y.	AB.
TUCKER					MASON					SPAULDING				
HARDY					MOORE, D.					WILSON				
BARRY					MOORE, J.					WINTER				
CLARKE					ROLAK									
DIXON					SHACKLETON									

2-Inclusive Vote A. 3-Inclusive N. 7-Inclusive Vote

Secretary to the Council

Amended First Reading Action: _____

VOICE VOTE: _____

Secretary to the Council

ROLL CALL VOTE:

COUNCIL MEMBER	ATT	NAF	N.Y.	AB.	COUNCIL MEMBER	ATT	NAF	N.Y.	AB.	COUNCIL MEMBER	ATT	NAF	N.Y.	AB.
TUCKER					MASON					SPAULDING				
HARDY					MOORE, D.					WILSON				
BARRY					MOORE, J.					WINTER				
CLARKE					ROLAK									
DIXON					SHACKLETON									

2-Inclusive Vote A. 3-Inclusive N. 7-Inclusive Vote

Secretary to the Council

Final Reading or Emergency Action: June 28, 1977

VOICE VOTE: Adopted Unanimously (2 abs.)

Robert Williams
Secretary to the Council

ROLL CALL VOTE:

COUNCIL MEMBER	ATT	NAF	N.Y.	AB.	COUNCIL MEMBER	ATT	NAF	N.Y.	AB.	COUNCIL MEMBER	ATT	NAF	N.Y.	AB.
TUCKER					MASON					SPAULDING				
HARDY					MOORE, D.					WILSON				
BARRY					MOORE, J.					WINTER				
CLARKE					ROLAK									
DIXON					SHACKLETON									

2-Inclusive Vote A. 3-Inclusive N. 7-Inclusive Vote

Secretary to the Council

RECORD OF OFFICIAL COUNCIL ACTION (Page 2)

Docket No: 2-136

Presented to the Mayor: _____

Robert A. Williams
Secretary to the Council

Action of the Mayor: 8 JUL 1977

- Approved: Disapproved:
 Disapproved in part --*Reference Document:
 *Budget Actions.

Actie Washburn 8 JUL 1977
Mayor of the District of Columbia

Returned Without Action

Executive Secretary, D. C.

Enacted without Mayor's Signature _____

Secretary to the Council

Council Reenactment: _____

VOICE VOTE: _____

Secretary to the Council

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.
TUCKER					MASON					SPAULDING				
HARDY					MOORE, D.					WILSON				
BARRY					MOORE, I.					WINTER				
CLARKE					ROLARK									
DEKON					SHACKLETON									

Enrollment Vote A. Enrolled N. Y. - Yes Voting

Secretary to the Council

Presented to the President: _____

Secretary to the Council

Action of the President: _____

- Reenactment Approved
 Mayor's Veto Sustained

President of the U. S.

Submitted to the Congress: JUL 18 1977

Robert A. Williams
Secretary to the Council

Senate Action: _____
Resolution Number: _____

House Action: _____
Resolution Number: _____

Secretary of the Senate

Clerk of the House

Enacted Without Congressional Action: _____

