

HOUSE BILL NO. HB0145

Emergency services-medical supervision requirements.

Sponsored by: Representative(s) Pelkey, Barlow, Blackburn,
Connolly, Olsen and Sommers and Senator(s)
Baldwin

A BILL

for

1 AN ACT relating to professions and occupations; specifying
2 who may serve as a medical director in the area of
3 ambulance services; extending immunity from liability to
4 such person; making conforming amendments; and providing
5 for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 1-1-120(b), 33-36-103(e), 33-36-104
10 by creating a new subsection (g) and 33-36-111(a) are
11 amended to read:

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13 **1-1-120. Persons rendering emergency assistance**
14 **exempt from civil liability.**

15

1 (b) Persons or organizations operating volunteer
2 ambulances or rescue vehicles supported by public or
3 private funds, staffed by unpaid volunteers, and which make
4 no charge, or charge an incidental service or user fee, for
5 services rendered during medical emergencies, and the
6 unpaid volunteers who staff ambulances and rescue vehicles
7 are not liable for any civil damages for acts or omissions
8 in good faith in furnishing emergency medical services.
9 This immunity does not apply to acts or omissions
10 constituting gross negligence or willful or wanton
11 misconduct. For purposes of this section, "unpaid
12 volunteers" means persons who either receive incidental
13 remuneration on a per call basis or receive no more than
14 one thousand dollars (\$1,000.00) annually for volunteer
15 ambulance and rescue activities. The immunity provided by
16 this subsection shall extend to a physician, advanced
17 practice registered nurse or physician assistant while
18 serving in his capacity as medical director of any
19 ambulance service, to hospitals and hospital employees for
20 activities directly related to providing clinical training
21 as part of an emergency medical service class approved by
22 the department of health, and to students while
23 participating in emergency medical services training

1 approved by the department of health. If an unpaid
2 volunteer's, medical director's, hospital's or trainee's
3 acts or omissions are subject to the provisions of the
4 Wyoming Governmental Claims Act, immunity under this
5 section is waived to the extent of the maximum liability
6 provided under W.S. 1-39-118.

7

8 **33-36-103. Rules and regulations; procedure;**
9 **initiation of proceedings.**

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11 (e) Notwithstanding W.S. 33-36-104(g), the division
12 shall recognize the practice requirements of the
13 Recognition of Emergency Medical Services Personnel
14 Licensure Interstate Compact Act, W.S. 33-36-202, and shall
15 prescribe any rules necessary for implementation of the
16 compact.

17

18 **33-36-104. Ambulance business license; persons**
19 **eligible; annual fee; renewal; supervisory authority.**

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21 (g) Except as otherwise provided in this section, an
22 advanced practice registered nurse who holds a valid,
23 unencumbered license under the Wyoming nurse practice act

1 or a physician assistant who holds a valid, unencumbered
2 license under title 33, chapter 26, article 5 of the
3 Wyoming statutes shall be authorized to serve in the
4 capacity of a medical director for any ambulance service.
5 An advanced practice registered nurse or physician
6 assistant may serve in the capacity of a medical director
7 under this section only if the person is competent to
8 monitor and assess the quality, safety and appropriateness
9 of the services provided and so long as the services being
10 monitored and assessed are within the scope of practice of
11 the advanced practice registered nurse or physician
12 assistant. This section shall not apply to the extent it
13 conflicts with the Recognition of Emergency Medical
14 Services Personnel Licensure Interstate Compact Act under
15 W.S. 33-36-202.

16

17 **33-36-111. Authorized acts of emergency medical**
18 **technicians.**

19

20 (a) An individual who holds a valid emergency medical
21 technician license issued by the division is authorized to
22 perform any act authorized by division rules, ~~and~~
23 ~~regulations,~~ under written or oral authorization of a

1 licensed physician or a medical director authorized by W.S.
2 33-36-104(c), and may provide emergency medical technician
3 services in other states as permitted by the Recognition of
4 Emergency Medical Services Personnel Licensure Interstate
5 Compact Act, W.S. 33-36-202.

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7 **Section 2.** The department of health shall review and
8 modify its rules for consistency with this act.

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10 **Section 3.** This act is effective July 1, 2020.

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12

(END)