

SESSION OF 2019

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 99**

As Amended by House Committee on Federal  
and State Affairs

**Brief\***

SB 99, as amended, would create and amend law related to emergency medical services and licensure by the Emergency Medical Services Board (Board).

***Inactive Certificate***

The bill would create the designation of inactive certificate, authorizing the Board to issue an inactive certificate to persons currently certified by the Board who make a written application on a Board form and pay the corresponding fee.

The Board could issue such inactive certificates only to persons who are not directly providing emergency medical services (EMS) in the state and are not holding themselves out to the public as providing EMS. The bill would further state possession of an inactive certificate would not allow the holder to engage in the practice of EMS.

The bill would provide inactive certificates could be renewed pursuant to Board procedure and each certificate holder would be subject to continuing laws regarding EMS, but would not be required to complete any continuing education requirements set by the Board.

Inactive certificate holders could apply for an active certificate by filing a written application on a form prepared by

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

the Board and paying the corresponding fee. The Board would have the authority to require additional testing, training, or education as deemed necessary to establish the inactive certificate holder's ability to engage in the provision of EMS with reasonable skill and safety.

### ***Board Meetings***

Current law requires the Board to meet at least six times annually. The bill would lower the number of required meetings to four each year.

### ***Emergency Medical Service Providers***

The bill would add a definition for "emergency medical service provider," which would mean an emergency responder, advanced emergency medical technician, emergency medical technician, or paramedic certified by the Board.

The bill would also establish certain background check procedures for emergency medical service provider certification applicants. The Board would be allowed to require applicants to submit fingerprints and to submit to a state and national criminal history record check. The Board would be allowed to submit such fingerprints to the Kansas Bureau of Investigation (KBI) and the Federal Bureau of Investigation for state and national criminal history record checks. The Board would be allowed to use information obtained from fingerprinting and background checks to verify the identification of the applicant and to determine the qualifications and fitness of the applicant to be issued or to maintain a certificate.

Local and state law enforcement would be required to assist in taking fingerprints of applicants and the KBI would be required to release to the Board all records of an

applicant's adult convictions, non-convictions, or adjudications from any state.

*Emergency Medical Services Criminal History and Fingerprinting Fund*

The Board would be allowed to charge a fee equal to the cost of fingerprinting and state and federal background checks. The Board would be required to remit such funds to the State Treasurer.

The bill would create the Emergency Medical Services Criminal History and Fingerprinting Fund (Fund), administered by the Board, into which the State Treasurer would be directed to deposit the remitted funds.

All moneys credited to the Fund would be required to be used only to pay the KBI for processing of fingerprints and criminal background checks. The Fund would be administered by the Board.

Any expenditures from the Fund would be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the Board chairperson.

***Technical and Conforming Changes***

The bill would remove definitions for certain certification levels no longer certified by the Board as well as corresponding statutory provisions related to those certification levels and would make conforming technical changes to other existing statutory provisions.

***Effective Date***

*The bill would be in effect upon publication in the Kansas Register.*

## **Background**

SB 99 was introduced by the Senate Committee on Federal and State Affairs at the request of the Board.

In the Senate Committee hearing, proponent testimony was provided by the Board and the Kansas EMS Association. Neutral testimony was provided by the Kansas Medical Association. No opponent testimony was provided.

The Senate Committee adopted a technical amendment to amend the title of the bill and to make additional technical language revisions.

In the House Committee on Federal and State Affairs hearing, proponent testimony was provided by the Board. Written only proponent testimony was provided by the Kansas EMS Association. No other testimony was provided.

The House Committee adopted an amendment to make the bill effective upon publication in *The Kansas Register*.

According to the fiscal note prepared by the Division of Budget on the bill, as introduced, the Board indicates enactment of the bill would result in \$50,000 in additional revenue and expenditures during FY 2020.

The KBI indicates enactment of the bill would result in \$50,000 in additional revenue from payments by the Board, which would be used to maintain the Automated Fingerprint Identification System and related information technology expenditures.

The Division of Budget also notes the additional revenues and expenditures resulting from enactment of the bill would be considered “on-budget” for the Board and “off-budget” for the KBI. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2020 Governor’s Budget Report*.