

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 208
SENATE BILL 592

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A COMPREHENSIVE EMERGENCY MEDICAL SERVICES PROGRAM IN NORTH CAROLINA TO BE KNOWN AS THE "EMERGENCY MEDICAL SERVICES ACT OF 1973".

The General Assembly of North Carolina enacts:

Section 1. Establishment of emergency medical services program. — (a) There is hereby established a comprehensive emergency medical services program in the Department of Human Resources. All responsibility for this program shall be vested in the Secretary of the Department of Human Resources and other such officers, boards, and commissions specified by law or regulation.

(b) This act is to enable and assist providers of emergency medical services in the delivery of adequate emergency medical services for all the people of North Carolina and the provision of medical care during a disaster.

(c) Emergency medical services referred to in this act include all services rendered in responding to the individual's need for immediate medical care in order to prevent loss of life or further aggravation of physiological or psychological illness or injury. Emergency medical care is further described as first aid by members of the community; public knowledge and easy access into the system; prompt dispatch of well -designed, equipped, and staffed ambulances; effective care by trained attendants at the scene of the emergency and while in transit; communications with the treatment center while at the scene and while in transit; routing and referral to the appropriate treatment facility; immediate definitive care at the emergency treatment facility; and follow-up lifesaving and restorative care.

Sec. 2. Department of Human Resources to establish program. — The State Department of Human Resources shall establish and maintain a program for the improvement and upgrading of emergency medical services throughout the State. The Department shall consolidate all State functions relating to Emergency Medical Services, both regulatory and developmental, under the auspices of this program.

Sec. 3. Powers and duties of Secretary. — The Secretary of the Department of Human Resources has full responsibilities for supervision and direction of the Emergency Medical Services program and, to that end, shall:

(a) After consulting with the Emergency Medical Services Advisory Council and with such local governments as may be involved, seek the establishment of statewide, regional and local Emergency Medical Services operations;

(b) Develop a system for classifying and categorizing hospitals as to kinds and levels of emergency treatment they normally and regularly provide and shall make this information available and known to ambulance service providers, health care facilities and to the general public;

(c) Encourage and assist in the development of appropriately located comprehensive emergency treatment centers;

(d) Encourage and assist in the development of a statewide Emergency Medical Services communications system which will enable transport vehicles to communicate with treatment facilities;

- (e) Establish a State Emergency Medical Services records system;
- (f) Inspect ambulances, issue permits for operation of ambulance vehicles, train and license ambulance personnel and shall be responsible for the enforcement of all other quality control provisions of the Ambulance Act of 1967, Article 26 of Chapter 130 of the General Statutes of North Carolina;
- (g) Designate Emergency Medical Services radio frequencies and coordinate Emergency Medical Services radio communications networks within FCC rules and regulations; and
- (h) Promote the development of an air ambulance support system to supplement ground vehicle operations.

Sec. 4. Emergency Medical Services Advisory Council. — (a) The Secretary of the Department of Human Resources shall appoint an Emergency Medical Services Advisory Council to consult with him in the administration of this act. The Council shall be composed of 17 members representing physicians licensed to practice medicine versed in treatment of trauma and suddenly occurring illnesses, emergency room nurses, hospitals, providers of ambulance service (including rescue squads), local government and the general public.

(b) Members shall hold office for a term of four years beginning July 1, 1973, and quadrennially thereafter, except the terms of the members first taking office shall expire, as designated at the time of appointment, six at the end of the second year, six at the end of the third year, and five at the end of the fourth year. Any person appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

(c) The Council shall meet at least once each quarter and at the call of the Secretary of the Department of Human Resources. The Council shall appoint its chairman annually.

(d) Members of the Council shall receive the amount of per diem provided by G.S. 138-5 and actual travel expenses while engaged in Council business or attending Council meetings; all travel expenses shall be paid in accordance with the provisions of the Executive Budget Act.

Sec. 5. Powers and duties of the Council. — The Emergency Medical Services Advisory Council shall (1) advise the Secretary of the Department of Human Resources on recommendation to the commission or commissions as to designation of multi-county Emergency Medical Services regions, (2) give their advice as to all rules and regulations proposed to be adopted by the commission or commissions, and (3) advise the Secretary on all other matters pertaining to this act.

Sec. 6. Regional demonstration plans. — The Secretary of the Department of Human Resources is authorized to develop and implement, in conjunction with such local sponsors as may agree to participate, regional Emergency Medical Services systems in order to demonstrate the desirability of comprehensive regional Emergency Medical Services systems and to determine the optimum characteristics of such plans. The Secretary may make special grants-in-aid to participants.

Sec. 7. Regional Emergency Medical Services Councils. — The Secretary of the Department of Human Resources may establish Emergency Medical Services Regional Councils to implement and coordinate Emergency Medical Services programs within regions.

Sec. 8. Training programs. — The Department of Human Resources in cooperation with educational institutions shall develop training programs for emergency medical service personnel.

Sec. 9. Rules and regulations. — The Secretary is authorized to establish an appropriate number of multi-county Emergency Medical Services regions.

Sec. 10. Single State agency. — The Department of Human Resources is hereby designated as the single agency for North Carolina for the purposes of all federal Emergency

Medical Services legislation as has or may be hereafter enacted to assist in development of Emergency Medical Services plans and programs.

Sec. 11. Ambulance support; free enterprise. — Nothing in this act affects the power of local governments to finance ambulance operations or to support rescue squads. Nothing in this act shall be construed to allow infringement on the private practice of medicine or the lawful operation of health care facilities.

Sec. 12. Severability. — If any provision of this act or the application thereof to any person or circumstance is declared invalid, such application shall not affect other provisions or application of this act which can be given without the invalid provisions or application, and to this end the provisions of this act are declared to be severable.

Sec. 13. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 17th day of April, 1973.