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Overview

This bill establishes an emergency medical services personnel licensure interstate compact in Minnesota, using compact language from the National Registry of Emergency Medical Technicians. The model compact language is referred to as REPLICA: Recognition of EMS Personnel Licensure Interstate CompAct. If Minnesota enacts compact language, it becomes a member state to the compact. As of January 2017, seven states have enacted this compact. The compact will go into effect when ten states enact it. The compact specifies circumstances under which emergency medical services personnel licensed in one state are authorized to practice in another state, under their home state license or privilege to practice. It also specifies the authority of home states and remote states to take adverse action against licenses and privileges to practice, establishes an interstate commission for EMS personnel practice, requires establishment of a coordinated database of licensure information, and establishes enforcement requirements for the compact.

Section

- 1** **Emergency medical services personnel licensure interstate compact.** Adds § 144E.55. Specifies the purposes of the compact.
- 2** **Definitions.** Defines terms: advanced emergency medical technician, adverse action, alternative program, certification, commission, emergency medical technician, home state, license, medical director, member state, privilege to practice, paramedic, remote state, restricted, rule, scope of practice, significant investigatory information, state, and state EMS authority.

Section

- 3 **Home state licensure.** Specifies circumstances under which an individual's home state license authorizes that individual to practice in another state. Authorizes a member state to require an individual to obtain a license in that state to practice.
- 4 **Compact privilege to practice.** Requires states that are members of the compact to recognize the privilege to practice of an individual licensed in another member state, and establishes requirements for those individuals. Subjects an individual practicing in a remote state to the remote state's laws, and specifies consequences if an individual's license is restricted, suspended, or revoked.
- 5 **Conditions of practice in a remote state.** Allows an individual to practice in a remote state under a privilege to practice, in limited circumstances specified in the section.
- 6 **Relationship to emergency management assistance compact.** Specifies that if a state of emergency or disaster is declared, the Emergency Management Assistance Compact applies and prevails over this compact, if the two compacts conflict.
- 7 **Veterans, service members separating from active duty military, and their spouses.** Specifies how member states must consider a valid NREMT certification held by a veteran, service member separating from active duty, and their spouses for purposes of licensure qualifications; requires expedited processing of applications for licensure; and specifies that these individuals remain subject to disciplinary action according to section 8.
- 8 **Adverse actions.** States that an individual's home state has exclusive authority to impose adverse action on the license issued by the home state. Prohibits an individual whose home state license is restricted or suspended from being able to practice in a remote state, until the privilege to practice is restored. Authorizes a remote state to take adverse action against an individual's privilege to practice in specified circumstances.
- 9 **Additional powers invested in a member state's EMS authority.** Authorizes a member state's EMS authority to issue subpoenas for hearings and investigations and issue cease and desist orders.
- 10 **Establishment of the Interstate Commission for EMS Personnel Practice.** Provides that the compact establishes an Interstate Commission for EMS Personnel Practice. Provides for membership in the commission by member states, voting requirements, and requirements for public and nonpublic commission meetings. Authorizes the commission to establish bylaws and rules to govern its conduct and duties, and specifies powers of the commission. Provides for commission financing, and provides qualified immunity to commission officers, executive, and employees.
- 11 **Coordinated database.** Requires the commission to develop and maintain a coordinated database and reporting system for licensure, adverse actions, and investigatory information on all licensed individuals in member states. Requires member states to submit a uniform data set to the coordinated database, and specifies information that must be submitted. Requires the database administrator to notify all member states of adverse action or investigatory information on an individual in a member state. Allows member states to designate data submitted by that state as data that may not be shared with the public, without the contributing state's consent. Requires expungement of data from the database if the laws of the contributing state require the data to be expunged.

Section

- 12 Rulemaking.** Establishes procedures for rulemaking by the commission. Provides that if a majority of the state legislatures for member states reject a rule, the rule will not be in effect in any member state. Establishes emergency rulemaking procedures.
- 13 Oversight, dispute resolution, and enforcement.** Requires the executive, legislative, and judicial branches to enforce the compact and rules. Requires courts to take judicial notice of the compact and rules. If the commission finds a member state has defaulted in its obligations under the compact, specifies steps the commission must take and consequences for the member state, including termination of membership in the compact. Directs the commission to try to resolve disputes between states, upon request by a member state.
- 14 Date of implementation of the Interstate Commission for EMS Personnel Practice and associated rules, withdrawal, and amendment.** Provides that the compact goes into effect when enacted into law by the tenth member state, and provides that initially the commission is only granted the powers of assembly and rulemaking. Provides that any state that joins the compact after rules are adopted, is subject to those rules. Allows a member state to withdraw from the compact by repealing the compact statute. Allows the compact to be amended by the member states, and provides that the compact does not invalidate another EMS personnel licensure agreement or cooperative arrangement between a member state and a nonmember state, as long as the agreement does not conflict with the compact.
- 15 Construction and severability.** Requires the compact to be liberally construed. Provides that if the compact is invalidated in one member state, it remains in effect in other member states. Provides the compact does not supersede state laws or rules relating to licensure of EMS agencies.