

HOUSE No. 199

Accompanying the eleventh recommendation of the Department of Public Health (House, No. 188). Social Welfare.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-One.

AN ACT TO ENSURE HIGH QUALITY AMBULANCE EMERGENCY MEDICAL CARE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. General Law, chapter 111, section 8B is hereby
2 amended by striking out section 8B in its entirety and substi-
3 tuting the following in place thereof: —

4 *Section 8B. (1)* The Department shall issue for a term of
5 one year, and shall renew for like term a license to any person
6 whom it finds is responsible and suitable to establish or main-
7 tain an ambulance service and meets such requirements as it
8 has established by regulation for the maintenance of an ambu-
9 lance service. The Department shall issue to each licensee for a
10 term of one year, and shall renew for like terms, a certificate
11 of inspection for each of his ambulances, which it finds upon
12 inspection is in compliance with such requirements as it has
13 established by regulations. No license or certificate of in-
14 spection shall be transferable. Notwithstanding its term a certi-
15 ficate of inspection shall terminate upon change of the owner-
16 ship of the ambulance for which it is issued.

17 No original license shall be issued to establish or maintain
18 an ambulance service, and no ambulance shall be certified
19 unless there is a determination by the Department that there is
20 need for such a service or ambulance at the designated area or
21 location.

22 The Department may revoke or refuse to renew a license
23 for violation of any applicable requirement established here-
24 under or for operation of an ambulance without a certificate of
25 inspection. The Department may suspend, revoke, or refuse to
26 renew a certificate of inspection for violation of any applicable
27 requirement established hereunder. Whenever the Department
28 proposes to revoke or refuse to renew a license or has suspend-
29 ed, revoked, or refused to renew a certificate of inspection, it
30 shall award the licensee concerned an opportunity for a hearing
31 in conformity with Section 10, 11, and 12, of Chapter 30 A.

32 The fee for the issue or renewal of each license to a person to
33 establish or maintain an ambulance service shall be fifty dollars
34 except there shall be no fee for volunteer or governmental
35 ambulance services.

36 (2) Effective July 1, 1972, no person shall operate an
37 ambulance, or be an attendant thereon, unless such person has
38 successfully completed a forty hour course in emergency medi-
39 cal care approved pursuant to this section, and unless such
40 person has received annually at least ten hours of instruction in
41 emergency medical care in a course or courses approved pur-
42 suant to this section.

43 (3) There shall be established a board known as the
44 Emergency Care Advisory Board, consisting of the Registrar of
45 Motor Vehicles, or his designate, the Commissioner of Public
46 Welfare, or his designate, the Commissioner of Public Safety, or
47 his designate, and fourteen members appointed by the Com-
48 missioner of Public Health, one of whom shall be a designate
49 of the Massachusetts Medical Society, one of whom shall be a
50 designate of the Massachusetts Chapter of the American College
51 of Surgeons, one of whom shall be a designate of the American
52 Academy of Orthopedic Surgeons, one of whom shall be a
53 designate of the Massachusetts Ambulance Association, one of
54 whom shall be a designate of the Massachusetts Heart Associ-
55 ation, one of whom shall be a designate of the American Red
56 Cross, one of whom shall be a designate of the Massachusetts
57 Society of Anesthesiologists, one of whom shall be a designate
58 of the Massachusetts Police Chiefs Association, one of whom
59 shall be a designate of the Massachusetts Fire Chiefs Associa-
60 tion, and one of whom shall be a designate of the Metropolitan

61 District Commission, one of whom shall be a designate of the
62 volunteer ambulance associations, one of whom shall be an
63 attorney and two of whom shall be appointed at large. Of the
64 members first appointed, five shall be appointed for a term of
65 one year, five shall be appointed for a term of two years, and
66 four shall be appointed for a term of three years. Thereafter,
67 the Commissioner shall appoint members to succeed those
68 appointed members whose terms expire to serve for terms of
69 three years. Each appointed member shall serve until his succes-
70 sor is appointed and has qualified. No member shall be ap-
71 pointed to serve more than two consecutive three year terms.
72 The members of the board shall serve without compensation
73 but shall be reimbursed for their expenses actually and neces-
74 sarily incurred in the discharge of their duties. The chairman of
75 the advisory board shall be elected annually from among its
76 members.

77 The board shall, in its general advisory capacity, assist in
78 coordinating the efforts of all public agencies and private or-
79 ganizations and individuals within the Commonwealth con-
80 cerned with the rendering of emergency medical care. The
81 board shall advise the Department of Public Health on the
82 development of conditions for approval of courses of instruc-
83 tion for ambulance operators and attendants and on the devel-
84 opment of requirements for the establishment and maintenance
85 of ambulance services. The board shall make an annual report
86 to the commissioner of Public Health.

87 (4) The Department shall, with the advice of the Emer-
88 gency Care Advisory Board, and after a public hearing, pro-
89 mulgate regulations for licensure of ambulance services for the
90 certification of ambulances and for approval of courses of
91 instruction for ambulance operators and attendants. Such regul-
92 ations for the licensure of ambulance services and the certifica-
93 tion of ambulances shall include requirements for safety,
94 sanitation, equipment, medical supplies, and the keeping of
95 records and reports. Employees and agents of the Department
96 may visit and inspect at any time any ambulance and the
97 premises where the ambulance is garaged or maintained.

98 (5) Whoever advertises, announces, establishes, or main-
99 tains, or is involved in establishing or maintaining an ambulance

100 service without a license or whoever, operates or aids, abets, or
101 causes the operation of an ambulance without a certificate of
102 inspection, or whoever violates or aids, abets, or causes the
103 violation of any provision of section 8B, shall be punished by
104 a fine of not more than five hundred dollars. A separate and
105 distinct offense shall be deemed to have been committed on
106 every day during which any violation continues after written
107 notice thereof by the Department to the person in charge of
108 the ambulance. The Commissioner shall report to the Attorney
109 General any violation of this section.

110 (6) For the purpose of this section, the following de-
111 finitions shall apply:

112 "Ambulance" is defined as any aircraft, boat, motor vehicle
113 or any other means of transportation, however named, whether
114 privately or publicly owned, which is intended to be used for,
115 and is maintained or operated for, the transportation of
116 patients, including dual purpose police or fire vehicles.

117 "Dual purpose police or fire vehicle" means a vehicle, oper-
118 ated by police or fire department, which is used for trans-
119 porting patients even though it is also used for other police or
120 fire purposes.

1 SECTION 2. General Laws, chapter 90, section 7F, is here-
2 by repealed effective June 30, 1972.