

Dear Senators MARTIN, Souza, Jordan, and
Representatives WOOD, Wagoner, Chew:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of
the Department of Health and Welfare:

IDAPA 16.02.01 - Rules of the Idaho Time Sensitive Emergency System Council - Proposed Rule
(Docket No. 16-0201-1901).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative
Services. The final date to call a meeting on the enclosed rules is no later than 11/21/2019. If a meeting is
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis
from Legislative Services. The final date to hold a meeting on the enclosed rules is 12/20/2019.

The germane joint subcommittee may request a statement of economic impact with respect to a
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has
been held.

To notify Research and Legislation, call 334-4854, or send a written request to the address on the
memorandum attached below.



Eric Milstead
Director

Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Health & Welfare Committee and the House Health & Welfare Committee

FROM: Principal Legislative Drafting Attorney - Elizabeth Bowen

DATE: November 01, 2019

SUBJECT: Department of Health and Welfare

IDAPA 16.02.01 - Rules of the Idaho Time Sensitive Emergency System Council - Proposed Rule (Docket No. 16-0201-1901)

Summary and Stated Reasons for the Rule

This proposed rule incorporates by reference the most recent edition of the Time Sensitive Emergency Standards Manual.

Negotiated Rulemaking / Fiscal Impact

Negotiated rulemaking was conducted, and there is no anticipated negative fiscal impact on the state general fund.

Statutory Authority

This rulemaking appears to be within the Department's statutory authority.

cc: Department of Health and Welfare
Frank Powell and Trinetta Middlebrook

*** PLEASE NOTE ***

Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

16.02.01 – RULES OF THE IDAHO TIME SENSITIVE EMERGENCY SYSTEM COUNCIL

DOCKET NO. 16-0201-1901

NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 56-1024 through 56-1030, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 16, 2019.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

To best protect the public's health and safety, the document incorporated in this chapter, "Time Sensitive Emergency Standards Manual," is being revised and updated. Edition 2020-1 of this Standards Manual will become effective July 1, 2020. The revision to these rules will ensure that the most recent edition of the manual has the force and effect of law.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: N/A

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking:

There is no anticipated fiscal impact to the state general fund or any other funds related to this rulemaking.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules – Negotiated Rulemaking was published in the July 3, 2019, Idaho Administrative Bulletin, Volume 19-7, pages 162-163.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the "Time Sensitive Emergency System Standards Manual," Edition 2020-1, is being incorporated to give it the force and effect of law. This will replace the currently incorporated document, Edition 2019-1. The document is not being published in this chapter of rules due to its length and format, but it is available upon request from Idaho EMS. Once the docket has been finalized and adopted, the manual will be available online at: <https://tse.idaho.gov/>.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Melissa Ball at (208) 334-2124.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 23, 2019.

Dated this 19th day of August, 2019.

Tamara Prisock
DHW – Administrative Rules Unit
450 W. State Street – 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
Phone: (208) 334-5564
Fax: (208) 334-6558
E-mail: dhwrules@dhw.idaho.gov

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 16-0201-1901
(Only Those Sections With Amendments Are Shown.)

004. INCORPORATION BY REFERENCE.

The Time Sensitive Emergency System Standards Manual, Edition 20~~19~~²⁰-1, is incorporated by reference in this chapter of rules. Copies of the manual may be obtained online at <https://tse.idaho.gov/> or from the Bureau of Emergency Medical Services and Preparedness located at 2224 East Old Penitentiary Road, Boise, ID 83712-8249.

~~(7-1-19)~~()

INCORPORATION BY REFERENCE SYNOPSIS

In compliance with Section 67-5223(4), Idaho Code, the following is a synopsis of the differences between the materials previously incorporated by reference in this rule that are currently in full force and effect and newly revised or amended versions of these same materials that are being proposed for incorporation by reference under this rulemaking.

The following agency of the State of Idaho has prepared this synopsis as part of the proposed rulemaking for the chapter cited here under the docket number specified:

DEPARTMENT OF HEALTH AND WELFARE
IDAPA 16.02.01 – RULES OF THE IDAHO TIME SENSITIVE EMERGENCY SYSTEM
COUNCIL
Docket No. 16-0201-1901

(Include a brief description that explains the differences between the version of the materials or documents that are currently incorporated by reference and the materials or documents that are being proposed for adoption in this rulemaking.)

(You may use the following table or write a brief summary of the differences)

Incorporated Document Version/URL	IDAPA Section Number	Current Version of Incorporated Document	Substantive Changes in New Incorporation by Reference Version
<u>TSE System Standards Manual Edition 2019-1</u>	16.02.01.004	Time Sensitive Emergency System Standards Manual, Edition 2019-1 <i>(NOTE: the Standards Manual approved by the 2019 Legislature (edition 2019-1) went into effect on July 1, 2019. Edition 2020-1, if approved by the 2020 Legislature, will go into effect July 1, 2020.)</i>	<p>A summary of the changes to the Time Sensitive Emergency System Standards Manual incorporated by reference in Section 004 of IDAPA 16.02.01, "Rules of the Idaho Time Sensitive Emergency System Council," follows this coversheet.</p> <p>The changes for this incorporated manual have been negotiated throughout the year with stakeholders and were finalized in the November 2019 meeting of the Time Sensitive Emergency System Council. The full text of the updated Standards Manual (<i>Edition 2020-1</i>) is now available.</p> <p>If you have further questions, please contact Melissa Ball, TSE Program Supervisor at (208) 334-2124.</p>

Summary of Changes

Time Sensitive Emergency System

Standards Manual 2019-1 to 2020-1

- Updated the edition year to 2020
- Grammar, punctuation, and clarifying language updated for consistency throughout the document
- Page numbers adjusted due to new criteria being added and deleted
- Standard numbering adjusted due to added and deleted criteria
- Removed the listing of specific accrediting bodies to “an approved national accreditation body” in order to protect against the need to update lists every year
- Combined all levels of the Stroke and STEMI application process to eliminate confusion
- Removed criteria in all trauma sections that was redundant and caused confusion based on feedback from facilities
- Removed criteria in Trauma Level IV requiring burdensome reporting of trauma team arrival times
- Recommended fall prevention based on Idaho trauma registry data
- Clarified what laboratory tests are required for stroke designations
- Updated and removed unnecessary criteria specific to stroke and STEMI performance improvement requirements
- Added a new section “TSE EMS Designations” with specific criteria that allows EMS Agencies to apply for a TSE Designation at their level of licensure. This will be free and voluntary.