

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 16.01.02 - Emergency Medical Services (EMS) – Rule Definitions - Proposed Rule (Docket  
No. 16-0102-1901);

IDAPA 16.01.03 - Emergency Medical Services (EMS) – Agency Listing Requirements - Proposed  
Rule (Docket No. 16-0103-1901);

IDAPA 16.01.07 - Emergency Medical Services (EMS) – Personnel Licensing Requirements -  
Proposed Rule (Docket No. 16-0107-1901).

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 10/04/2019. 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 11/04/2019.

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:** September 17, 2019

**SUBJECT:** Department of Health and Welfare

IDAPA 16.01.02 - Emergency Medical Services (EMS) -- Rule Definitions - Proposed Rule (Docket No. 16-0102-1901)

IDAPA 16.01.03 - Emergency Medical Services (EMS) -- Agency Listing Requirements - Proposed Rule (Docket No. 16-0103-1901)

IDAPA 16.01.07 - Emergency Medical Services (EMS) -- Personnel Licensing Requirements - Proposed Rule (Docket No. 16-0107-1901)

#### **Summary and Stated Reasons for the Rule**

These proposed rules: (1) Revise the definition of "emergency medical services" to conform to state law; (2) Provide for certification of an EMS agency as a time-sensitive emergency agency to conform to nationally-recognized best practices; and (3) Make several revisions regarding EMS personnel licensure requirements, including updates that (a) expedite reciprocity licensure for out-of-state providers, and (b) allow for licensure by endorsement for veterans, members of the military, and military spouses, as required by HB 248 (2019).

#### **Negotiated Rulemaking / Fiscal Impact**

Negotiated rulemaking was not conducted for Docket No. 16-0102-1901 (definition of "emergency medical services"), because the change was made to conform to the law. Negotiated rulemaking was conducted for the other two rules.

None of the rules is anticipated to have a negative fiscal impact on the state general fund.

#### **Statutory Authority**

The rules appear to be within the Department's statutory authority.

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

\*\*\* PLEASE NOTE \*\*\*

Kristin Ford, Manager  
Research & Legislation

Paul Headlee, Manager  
Budget & Policy Analysis

April Renfro, Manager  
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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**  
**16.01.02 – EMERGENCY MEDICAL SERVICES (EMS) – RULE DEFINITIONS**  
**DOCKET NO. 16-0102-1901**  
**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 56-1003 and 56-1023, 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 September 18, 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:

The Department is updating the definition of “EMS” in this chapter to align it with the changes made to Section 56-1012, Idaho Code, under House Bill 9, passed by the 2019 Idaho Legislature.

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

There is no anticipated fiscal impact to the state general fund related to this rulemaking.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220, Idaho Code, negotiated rulemaking was not conducted and deemed not feasible since this rulemaking is being done simply to align with changes in statute passed by the 2019 Idaho Legislature.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Wayne Denny at (208) 334-4000.

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 September 25, 2019.

Dated this 31st day of July, 2019.

Tamara Prisock  
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**THE FOLLOWING IS THE PROPOSED TEXT FOR DOCKET NO. 16-0102-1901**  
**(Only Those Sections With Amendments Are Shown.)**

**011. DEFINITIONS AND ABBREVIATIONS C THROUGH E.**

For the purposes of the Emergency Medical Services (EMS) chapters of rules, the following definitions apply:  
(7-1-14)

**01. Call Volume.** The number of requests for service that an agency either anticipated or responded to during a designated period of time. (7-1-14)

**02. Candidate.** Any individual who is requesting an EMS personnel license under Sections 56-1011 through 56-1023, Idaho Code, IDAPA 16.01.07, “Emergency Medical Services (EMS) - Personnel Licensing Requirements.” (7-1-14)

**03. Certificate of Eligibility.** Documentation that an individual is eligible for affiliation with an EMS agency, having satisfied all requirements for an EMS Personnel Licensure except for affiliation, but is not licensed to practice. (7-1-14)

**04. Certification.** A credential issued by a designated certification body for a specified period of time indicating that minimum standards have been met. (7-1-16)

**05. Certified EMS Instructor.** An individual approved by the Department, who has met the requirements in IDAPA 16.01.05, “Emergency Medical Services (EMS) -- Education, Instructor, and Examination Requirements,” to provide EMS education and training. (7-1-16)

**06. CoAEMSP.** Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions. (7-1-16)

**07. Cognitive Exam.** Computer-based exam to demonstrate knowledge learned during an EMS education program. (7-1-16)

**08. Compensated Volunteer.** An individual who performs a service without promise, expectation, or receipt of compensation other than payment of expenses, reasonable benefits or a nominal fee to perform such services. This individual cannot be a part-time or full-time employee of the same organization performing the same services as a volunteer and employee. (7-1-14)

**09. Conflict of Interest.** A situation in which a decision by personnel acting in their official capacity is influenced by or may be a benefit to their personal interests. (7-1-16)

**10. Consolidated Emergency Communications System.** Facilities, equipment, and dispatching services directly related to establishing, maintaining, or enhancing a 911 emergency communications service defined in Section 31-4802, Idaho Code. (7-1-16)

**11. Core Content.** Set of educational goals, explicitly taught (and not taught), focused on making sure that all students involved learn certain material tied to a specific educational topic and defines the entire domain of out-of-hospital practice and identifies the universal body of knowledge and skills for emergency medical services providers who do not function as independent practitioners. (7-1-16)

**12. Course.** The specific portions of an education program that delineate the beginning and the end of an individual's EMS education. A course is also referred to as a “section” on the NREMT website. (7-1-16)

**13. Course Physician.** A physician charged with reviewing and approving both the clinical and didactic content of a course. (7-1-16)

**14. Credentialing.** The local process by which licensed EMS personnel are authorized to provide medical care in the out-of-hospital, hospital, and medical clinic setting, including the determination of a local scope of practice. (7-1-14)

**15. Credentialed EMS Personnel.** Individuals who are authorized to provide medical care by the EMS medical director, hospital supervising physician, or medical clinic supervising physician. (7-1-14)

**16. Critical Care.** The treatment of a patient with continuous care, monitoring, medication, or procedures requiring knowledge or skills not contained within the Paramedic curriculum approved by the State Health Officer. Interventions provided by Paramedics are governed by the scope of practice defined in IDAPA 16.02.02, “Rules of the Idaho Emergency Medical Services (EMS) Physician Commission.” (7-1-14)

**17. Critical Care Agency.** An ambulance or air medical EMS agency that advertises and provides all of the skills and interventions defined as critical care in IDAPA 16.02.02, “Rules of the Idaho Emergency Medical Services (EMS) Physician Commission.” (7-1-14)

**18. Department.** The Idaho Department of Health and Welfare. (7-1-14)

**19. Director.** The Director of the Idaho Department of Health and Welfare or his designee. (7-1-14)

**20. Division.** The Division of Public Health, Idaho Department of Health and Welfare. (7-1-14)

**21. Emergency.** A medical condition, the onset of which is sudden, that manifests itself by symptoms of sufficient severity, including severe pain, that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to result in placing the person’s health in serious jeopardy, or in causing serious impairments of bodily function or serious dysfunction of any bodily organ or part. (7-1-14)

**22. Emergency Medical Care.** The care provided to a person suffering from a medical condition, the onset of which is sudden, that manifests itself by symptoms of sufficient severity, including severe pain, that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to result in placing the person’s health in serious jeopardy, or in causing serious impairments of bodily function or serious dysfunction of any bodily organ or part. (7-1-14)

**23. Emergency Medical Responder (EMR).** An EMR is a person who: (7-1-14)

**a.** Has met the qualifications for licensure in Sections 56-1011 through 56-1023, Idaho Code, and IDAPA 16.01.07, “Emergency Medical Services - Personnel Licensing Requirements”; (7-1-14)

**b.** Is licensed by the Department under Sections 56-1011 through 56-1023, Idaho Code; (7-1-14)

**c.** Carries out the practice of emergency medical care within the scope of practice for EMR determined by the Idaho Emergency Medical Services Physician Commission (EMSPC), under IDAPA 16.02.02, “Rules of the Idaho Emergency Medical Services (EMS) Physician Commission”; and (7-1-14)

**d.** Practices under the supervision of a physician licensed in Idaho. (7-1-14)

**24. Emergency Medical Services (EMS).** Under Section 56-1012(126), Idaho Code, emergency medical services or EMS is aid rendered by an individual or group of individuals who do the following: (4-11-15)( )

**a.** Respond to a perceived need for medical care in order to prevent loss of life, aggravation of physiological or psychological illness, or injury; (4-11-15)

**b.** Are prepared to provide interventions that are within the scope of practice as defined by the Idaho Emergency Medical Services Physician Commission (EMSPC), under IDAPA 16.02.02, “Rules of the Idaho Emergency Medical Services (EMS) Physician Commission”; (4-11-15)

- c. Use an alerting mechanism to initiate a response to requests for medical care; and (4-11-15)
- d. Offer, advertise, or attempt to respond as described in ~~Subsection 56-1012(12), (a) through (c), Idaho Code 011.24.a. through 011.24.c. of this rule.~~ (4-11-15)( )
- ~~e. Aid rendered by a ski patroller, as described in Section 54-1804(1)(h), Idaho Code, is not EMS. (4-11-15)~~
- 25. Emergency Medical Services Advisory Committee (EMSAC).** The statewide advisory board of the Department as described in IDAPA 16.01.01, “Emergency Medical Services (EMS) - Advisory Committee (EMSAC).” EMSAC members are appointed by the Director of the Idaho Department of Health and Welfare to provide counsel to the Department on administering the EMS Act. (7-1-14)
- 26. Emergency Medical Technician (EMT).** An EMT is a person who: (7-1-14)
- a. Has met the qualifications for licensure in Sections 56-1011 through 56-1023, Idaho Code, and IDAPA 16.01.07, “Emergency Medical Services - Personnel Licensing Requirements”; (7-1-14)
- b. Is licensed by the EMS Bureau under Sections 56-1011 through 56-1023, Idaho Code; (7-1-14)
- c. Carries out the practice of emergency medical care within the scope of practice for EMT determined by the Idaho Emergency Medical Services Physician Commission (EMSPC), under IDAPA 16.02.02, “Rules of the Idaho Emergency Medical Services (EMS) Physician Commission”; and (7-1-14)
- d. Practices under the supervision of a physician licensed in Idaho. (7-1-14)
- 27. Emergency Scene.** Any setting outside of a hospital, with the exception of the inter-facility transfer, in which the provision of EMS may take place. (7-1-14)
- 28. EMS Agency.** Any organization licensed by the Department under Sections 56-1011 through 56-1023, Idaho Code, and IDAPA 16.01.03, “Emergency Medical Services (EMS) - Agency Licensing Requirements,” that operates an air medical service, ambulance service, or non-transport service. (7-1-14)
- 29. EMS Bureau.** The Bureau of Emergency Medical Services (EMS) & Preparedness of the Idaho Department of Health and Welfare. (7-1-14)
- 30. EMS Education Program.** The institution or agency holding an EMS education course. (7-1-16)
- 31. EMS Education Program Director.** The individual responsible for an EMS educational program or programs. (7-1-16)
- 32. EMS Education Program Objectives.** The measurable outcome used by the program to determine student competencies. (7-1-16)
- 33. EMS Medical Director.** A physician who supervises the medical activities of licensed personnel affiliated with an EMS agency. (7-1-14)
- 34. EMS Physician Commission (EMSPC).** The Idaho Emergency Medical Services Physician Commission created under Section 56-1013A, Idaho Code, also referred to as “the Commission.” (7-1-14)
- 35. EMS Response.** A response to a request for assistance that would involve the medical evaluation or treatment of a patient, or both. (7-1-17)

## **IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE**

### **16.01.03 – EMERGENCY MEDICAL SERVICES (EMS) – AGENCY LICENSING REQUIREMENTS**

**DOCKET NO. 16-0103-1901**

#### **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 56-1003 and 56-1023, 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 September 18, 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:

The Department is updating this rule chapter to address Time Sensitive Emergency (TSE) designation of EMS agencies. The TSE EMS designation was developed to recognize EMS agencies that have met predetermined criteria for stroke, STEMI (ST-Elevation Myocardial Infarction, commonly known as a “heart attack”), and trauma responses. These criteria were established based on nationally recognized best practices to improve patient outcomes.

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

There is no anticipated fiscal impact to the state general fund 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 May 1, 2019, Idaho Administrative Bulletin, [Volume 19-5, pages 63-64](#).

**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 and to align with what is incorporated under IDAPA 16.02.01, “Rules of the Idaho Time Sensitive Emergency System Council.” 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 Wayne Denny at (208) 334-4000.

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 September 25, 2019.

Dated this 31st day of July, 2019.

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THE FOLLOWING IS THE PROPOSED TEXT FOR DOCKET NO. 16-0103-1901  
(Only Those Sections With Amendments Are Shown.)

004. INCORPORATION BY REFERENCE.

01. Minimum Equipment Standards for Licensed EMS Services. The Board of Health and Welfare has adopted the “Minimum Equipment Standards for Licensed EMS Services,” edition 2016, version 1.0, as its standard for minimum equipment requirements for licensed EMS Agencies and incorporates it by reference. Copies of these standards may be obtained from the Department, as described in Section 005 of these rules, or online at: <http://www.idahoems.org>. ~~(3-29-17)~~ ( )

02. Time Sensitive Emergency System Standards Manual. The Board of Health and Welfare has adopted the “Time Sensitive Emergency System Standards Manual.” Edition 2020-1, as its standard for certifying EMS Agencies as TSE Designated EMS Agencies. Copies of these standards may be obtained from the Department, as described in Section 005 of these rules, or online at: <https://tse.idaho.gov/>. ( )

(BREAK IN CONTINUITY OF SECTIONS)

982. -- ~~989~~. (RESERVED)

990. TIME SENSITIVE EMERGENCY CERTIFICATION.  
The Department’s EMS Bureau will certify an EMS Agency as a TSE Designated EMS Agency when such agency, upon proper application and verification, is found to meet the applicable designation criteria established in the Time Sensitive Emergency System Standards Manual incorporated by reference under Section 004 of these rules. ( )

991. -- 999. (RESERVED)

## IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

### 16.01.07 – EMERGENCY MEDICAL SERVICES (EMS) – PERSONNEL LICENSING REQUIREMENTS

DOCKET NO. 16-0107-1901

#### 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 56-1003 and 56-1023, Idaho Code; also H0248 (2019).

**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 September 18, 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 – The Department is proposing rule changes that do the following:

1. Update the Recognition of EMS Personnel Licensure Interstate CompAct (REPLICA) Section to allow providers from other REPLICA states to obtain reciprocity in Idaho. These changes will expedite the reciprocity licensure process for out-of-state providers.

2. Adjust the timeframe for a candidate to successfully complete all components of the standardized exam from 12 months to 24 months to reflect changes in policy put in place by the vendor for the national exam, the National Registry of Emergency Medical Technicians (NREMT).

3. Add rules to align with the Occupational Licensing Reform Act. The Occupational Licensing Reform Act requires the EMS Bureau to provide rules for EMS personnel licensure by endorsement for the military, veterans, and their spouses. These changes are directed by H0248 (2019).

4. Clarify issues related to reinstatement of lapsed EMS Personnel Licenses.

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

There is no anticipated fiscal impact to the state general fund 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 May 1, 2019, Idaho Administrative Bulletin, [Vol. 19-5, pages 65-66](#).

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Wayne Denny at (208) 334-4000.

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 September 25, 2019.

Dated this 31st day of July, 2019.

Tamara Prisock, DHW - Administrative Rules Unit  
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THE FOLLOWING IS THE PROPOSED TEXT FOR DOCKET NO. 16-0107-1901  
(Only Those Sections With Amendments Are Shown.)

103. RECOGNITION OF EMS PERSONNEL LICENSURE INTERSTATE COMPACT (REPLICA).

01. Licensed EMS Personnel from a REPLICA **Member State**. ~~Licensed EMS personnel~~ An individual who possesses a current, valid, and unrestricted EMS personnel license from a REPLICA member state whose primary affiliation is an Idaho-licensed EMS agency: ( )

a. ~~Must~~ Must apply for Idaho EMS licensure within ninety (90) days of affiliation with an Idaho EMS agency. ~~(3-29-17)~~ ( )

b. May affiliate and respond with the Idaho-licensed EMS agency during the initial ninety (90) day period. ( )

c. Will be issued an Idaho EMS personnel license at the same level of licensure as the REPLICA home state license upon payment of any applicable licensure fee in accordance with Section 111 of these rules. ( )

02. **Out-of-State Primary Affiliation.** If EMS personnel licensed in another REPLICA state ~~and they~~ claim an EMS agency in that state as their primary affiliation, Idaho licensure is not required. ~~(3-29-17)~~ ( )

(BREAK IN CONTINUITY OF SECTIONS)

106. TIME FRAME FOR PERSONNEL LICENSURE AFTER SUCCESSFUL COMPLETION OF EDUCATION COURSE.

An individual who has successfully completed an EMS education course is eligible to attempt the standardized examination for the appropriate level of licensure. (7-1-16)

01. **Complete Standardized Examination.** A candidate must successfully complete all components of the standardized examination ~~in a twelve (12) month period~~ within twenty-four (24) months of completing an EMS training course in order to be eligible for an Idaho EMS personnel license. ~~(7-1-16)~~ ( )

02. **Standardized Examination Not Completed.** If all components of the standardized examination are not successfully completed ~~in a twelve (12) month~~ period within twenty-four (24) months of course completion, the candidate must repeat the initial training course and all components of the standardized examination in order to be eligible for an Idaho EMS personnel license. ~~(7-1-16)~~ ( )

**107. LICENSURE OF MEMBERS OF THE MILITARY, VETERANS, AND SPOUSES.**

A member of the military, a veteran, or a spouse of any such person who possesses a current, valid, and unrestricted EMS personnel license in another state, district, or territory of the United States is eligible for EMS personnel licensure in Idaho as follows: ( )

01. **Licensure in REPLICA Member State.** A member of the military, a veteran, or a spouse of such a person who possesses a REPLICA member state EMS personnel license is eligible for licensure in Idaho under Section 103 of these rules. ( )

02. **Licensure in Non-REPLICA Member State.** A member of the military, a veteran, or a spouse of such a person who possesses an EMS personnel license from a state that is not a REPLICA member state is eligible for licensure by endorsement in Idaho under Section 108 of these rules. ( )

**108. QUALIFICATIONS FOR LICENSURE BY ENDORSEMENT -- MEMBERS OF THE MILITARY, VETERANS, AND SPOUSES.**

Members of the military, veterans, and their spouses may apply to the EMS Bureau for licensure by endorsement provided they meet the following: ( )

**01. Military, Veteran, or Spouse.** Are a member of the military, a veteran, or a spouse of any such person. ( )

**02. Graduation Required.** Have successfully completed an education program that is substantially equivalent to the approved education course recognized by the EMS Bureau under IDAPA 16.01.05, "Emergency Medical Services -- Education, Instructor, and Examination Requirements." ( )

**03. Licensing Examination.** Successfully complete, or have successfully completed, the same standardized examination for the level of licensure on the application required under IDAPA 16.01.05, "Emergency Medical Services (EMS) -- Education, Instructor, and Examination Requirements." ( )

**04. License from Another Jurisdiction.** Possess a current, valid, and unrestricted EMS personnel license, at the same or higher level as the Idaho license being requested, from another state, district, or territory of the United States. The license of any individual subject to official investigation or disciplinary proceedings is not considered current, valid, and unrestricted. ( )

**05. Criminal History and Background Check.** Successfully complete a criminal history and background check in accordance with the provisions in IDAPA 16.05.06, "Criminal History and Background Checks." Denial without the grant of an exemption under the provisions in IDAPA 16.05.06, "Criminal History and Background Checks," will result in denial or revocation of licensure. ( )

**06. Declaration of Previous Applications and Licensures.** Declare each state or jurisdiction in which they have ever applied for, been denied, or held an EMS license or certification. ( )

**07. Authorization for Release of Information.** Provide authorization for the EMS authority in other states or jurisdictions to release the candidate's registration, licensure, and certification information to the Idaho EMS Bureau. ( )

**08. Provide Current Affiliation with EMS Agency.** Declare all organizations in which they are allowed to practice as licensed personnel. A candidate must have a current affiliation with a licensed EMS agency that functions at, or above, the level of licensure being sought by the candidate. ( )

**09. Valid Identification.** Have a valid state driver's license, an Idaho identification card issued by a county driver's license examining station, or an identification card issued by the armed forces of the United States. ( )

**10. Submit Required Licensure Fee.** Submit the applicable initial licensure fee provided in Section 111 of these rules. A candidate for EMR or EMT level of licensure has no fee requirement. ( )

~~107.~~—109. (RESERVED)

**(BREAK IN CONTINUITY OF SECTIONS)**

**131. REINSTATEMENT OF A LAPSED EMS PERSONNEL LICENSE.**

An individual desiring to reinstate a lapsed personnel license must provide documentation that he meets the following requirements: (3-29-12)

**01. Declaration of Previous Applications and Licensures.** A reinstatement candidate must declare each state or jurisdiction in which he has applied for, been denied, or held an EMS license or certification. (3-29-12)

**02. Authorization for Release of Information.** A reinstatement candidate must provide authorization for the EMS authority in other states or jurisdictions to release the candidate’s registration, licensure, and certification information to the Idaho EMS Bureau. (3-29-12)

**03. Provide Current Affiliation with EMS Agency.** A reinstatement candidate must declare all organizations in which they are allowed to practice as licensed personnel. The candidate must have a current affiliation with a licensed EMS agency that functions at, or above, the level of licensure being sought by the candidate. (3-29-12)

**04. Documentation of Continuing Education for Lapsed License Reinstatement.** A candidate for reinstatement of a lapsed license must provide documentation of continuing education consistent with the license holder’s lapsed license. Continuing education requirements are provided in Sections 300 through 325 of these rules. The time frame for meeting the continuing education requirements for reinstatement are as follows: (7-1-16)

**a.** The candidate must meet continuing education requirements under Sections 320 through 325 of these rules for the last valid licensure cycle; and (7-1-16)

**b.** Additional continuing education hours in any combination of categories and venues, proportionate to the amount of time since the expiration date of the lapsed license, as follows: (3-29-12)

i. EMR -- Three-quarters (3/4) of one (1) hour of continuing education per month of lapsed time. (3-29-12)

ii. EMT -- One and one-half (1 ½) hours of continuing education per month of lapsed time. (3-29-12)

iii. AEMT -- Two and one-quarter (2 ¼) hours of continuing education per month of lapsed time. (3-29-12)

iv. Paramedic -- Three (3) hours of continuing education per month of lapsed time. (3-29-12)

**05. Valid Identification for Reinstatement of Lapsed License.** A reinstatement candidate must have a valid state driver’s license, an Idaho identification card which is issued by a county driver’s license examining station, or identification card issued by the Armed Forces of the United States. (3-29-12)

**06. Criminal History and Background Check for Reinstatement of Lapsed License.** A reinstatement candidate must successfully complete a criminal background check under the provisions in IDAPA 16.05.06, “Criminal History and Background Checks.” Denial without the grant of an exemption under IDAPA 16.05.06 will result in denial of reinstatement of licensure. (3-29-12)

**07. ~~Pass Standardized Examination for Reinstatement~~ Competency Certification.** ~~A reinstatement candidate must successfully complete the standardized examination for the lapsed level of licensure required under IDAPA 16.01.05, “Emergency Medical Services (EMS) – Education, Instructor, and Examination Requirements.” A candidate for reinstatement must successfully complete the standardized examination within the time period during which the license was lapsed~~ The Medical Director of the reinstatement candidate’s affiliating EMS agency must certify that he has actively assessed the reinstatement candidate’s competency in both the psychomotor and cognitive domains and found that the reinstatement candidate meets the baseline competency requirements for the level of the lapsed license. (7-1-16)(    )

~~**08. Standardized Exam Attempts For Reinstatement.** A candidate for licensure reinstatement is allowed to attempt to successfully pass the standardized exam as follows: (3-29-12)~~

~~**a.** An EMR candidate is allowed three (3) attempts to pass the exam, after which the initial EMR course must be successfully completed again before another three (3) attempts are allowed. (3-29-12)~~

~~**b.** An EMT candidate is allowed three (3) attempts to pass the exam, after which twenty four (24) hours of remedial education must be successfully completed before another three (3) attempts are allowed. (3-29-12)~~

~~e.~~ *An AEMT candidate is allowed three (3) attempts to pass the exam, after which thirty six (36) hours of remedial education must be successfully completed before another three (3) attempts are allowed. (3-29-12)*

~~d.~~ *A Paramedic candidate is allowed three (3) attempts to pass the exam, after which forty eight (48) hours of remedial education must be successfully completed before another three (3) attempts are allowed. (3-29-12)*

~~098.~~ **Submit Required Licensure Fee for Reinstatement.** A candidate must submit the applicable reinstatement license fee provided in Section 111 of these rules. A candidate for reinstatement of an EMR or EMT level of licensure has no fee requirement. (3-29-12)

~~102.~~ **Expiration Date of a Reinstated License.** The expiration date for a lapsed license that is reinstated is determined as provided in Section 115 of these rules. (3-29-12)