

SESSION OF 2019

**CONFERENCE COMMITTEE REPORT BRIEF  
SENATE BILL NO. 53**

As Agreed to May 2, 2019

**Brief\***

SB 53 would create and amend law related to emergency medical services and licensure by the Emergency Medical Services Board (Board).

***Inactive Certificate***

The bill would create the designation of inactive certificate, authorizing the Board to issue an inactive certificate to persons currently certified by the Board who make a written application on a Board form and pay the corresponding fee.

The bill would authorize the Board to issue such inactive certificates only to persons who are not directly providing emergency medical services (EMS) in the state and are not holding themselves out to the public as providing EMS. The bill would further state possession of an inactive certificate would not allow the holder to engage in the practice of EMS.

The bill would provide inactive certificates could be renewed pursuant to Board procedure and each certificate holder would be subject to continuing laws regarding EMS, but would not be required to complete any continuing education requirements set by the Board.

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\*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kldr>

The bill would allow inactive certificate holders to apply for an active certificate by filing a written application on a form prepared by the Board and paying the corresponding fee. The Board would have the authority to require additional testing, training, or education as deemed necessary to establish the inactive certificate holder's ability to engage in the provision of EMS with reasonable skill and safety.

### ***Board Meetings***

The bill would reduce the number of required Board meetings from six to four each year.

### ***Emergency Medical Service Providers***

The bill would add a definition for "emergency medical service provider," which would mean an emergency responder, advanced emergency medical technician, emergency medical technician, or paramedic certified by the Board.

The bill would also establish certain background check procedures for EMS provider certification applicants. The Board would be allowed to require applicants to submit fingerprints and to submit to a state and national criminal history record check. The Board would be allowed to submit such fingerprints to the Kansas Bureau of Investigation (KBI) and the Federal Bureau of Investigation for state and national criminal history record checks. The bill would authorize the Board to use information obtained from fingerprinting and background checks to verify the identity of the applicant and to determine the qualifications and fitness of the applicant to be issued or to maintain a certificate.

The bill would require local and state law enforcement to assist in taking fingerprints of applicants and the KBI to release to the Board all records of an applicant's adult convictions, non-convictions, or adjudications from any state.

*Emergency Medical Services Criminal History and Fingerprinting Fund*

The bill would authorize the Board to charge a fee equal to the cost of fingerprinting and state and federal background checks. The Board would be required to remit such funds to the State Treasurer.

The bill would create the Emergency Medical Services Criminal History and Fingerprinting Fund (Fund), administered by the Board, into which the State Treasurer would be directed to deposit the remitted funds.

The bill would require all moneys credited to the Fund to be used only to pay the KBI for processing of fingerprints and criminal background checks. The Fund would be administered by the Board.

Any expenditures from the Fund would be made in accordance with appropriation acts upon warrants of the Director of Accounts and Reports issued pursuant to vouchers approved by the Board chairperson.

***Technical and Conforming Changes***

The bill would remove definitions for certain certification levels no longer certified by the Board as well as corresponding statutory provisions related to those certification levels and would make conforming technical changes to other statutory provisions.

***Effective Date***

The bill would be in effect upon publication in the *Kansas Register*.

## **Conference Committee Action**

The Conference Committee agreed to remove the provisions of SB 53 and insert the provisions of SB 99 as amended by the House Committee on Federal and State Affairs.

## **Background**

[*Note:* The provisions of SB 53 as introduced, designating the official wine grapes of Kansas, were included in the Conference Committee report for SB 70 and became effective on May 2, 2019. Background information for SB 99 follows.]

## **SB 99**

SB 99 was introduced by the Senate Committee on Federal and State Affairs at the request of the Board.

In the Senate Committee hearing, proponent testimony was provided by the Board and the Kansas EMS Association. Neutral testimony was provided by the Kansas Medical Association. No opponent testimony was provided.

The Senate Committee amended the title of the bill and made additional technical language revisions. [*Note:* The Conference Committee retained the amendments.]

In the House Committee on Federal and State Affairs hearing, proponent testimony was provided by the Board. Written-only proponent testimony was provided by the Kansas EMS Association. No other testimony was provided.

The House Committee amended the bill to make it effective upon publication in the *Kansas Register*. [*Note:* The Conference Committee retained this amendment.]

According to the fiscal note prepared by the Division of Budget on SB 99, as introduced, the Board indicates enactment of SB 99 would result in \$50,000 in additional revenue and expenditures during FY 2020.

The KBI indicates enactment of SB 99 would result in \$50,000 in additional revenue from payments by the Board, which would be used to maintain the Automated Fingerprint Identification System and related information technology expenditures.

The Division of Budget also notes the additional revenues and expenditures resulting from enactment of SB 99 would be considered “on-budget” for the Board and “off-budget” for the KBI. Any fiscal effect associated with enactment of SB 99 is not reflected in *The FY 2020 Governor’s Budget Report*.

advanced emergency medical technician; background check; emergency medical services; Emergency Medical Services Board; Emergency Medical Services Criminal History and Fingerprint Fund; emergency medical services provider; emergency medical technician; emergency responder; fingerprint; paramedic

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