

Proposed

**STATE OF KANSAS
BOARD OF EMERGENCY MEDICAL SERVICES
NOTICE OF HEARING ON PROPOSED ADMINISTRATIVE REGULATIONS**

A public hearing will be conducted on Tuesday, August 27, 2024 at 10:00 a.m. in Room 509 of the Landon State Office Building, 900 S.W. Jackson, Topeka, Kansas to consider the adoption of proposed administrative regulations of the Board of Emergency Medical Services on a permanent basis as well as the revocation of two administrative regulations. The hearing will also be held via GoToMeeting conferencing. Remote access information will be provided upon request to any person wishing to observe, participate in, or listen to the hearing. Request for access must be submitted prior to Thursday, August 22, 2024 at 4:30 p.m. via email to joseph.house@ks.gov.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed amendments to the regulations. All interested parties may submit written comments prior to the hearing to the Board of Emergency Medical Services, Landon State Office Building, 900 S.W. Jackson, Room 1031, Topeka, Kansas 66612 or by email to joseph.house@ks.gov. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed amendments to the regulations during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentations to five minutes.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting

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Suzette Smith at 785-296-7296 (or TTY 1-800-766-3777). Handicapped parking is located in front of and to the north of the Landon State Office Building.

K.A.R. 109-3-2 and K.A.R. 109-6-1 are proposed to be revoked.

K.A.R. 109-6-2 and K.A.R. 109-7-1 are being amended to implement a change requiring certification renewal applications to be submitted at least 30 days prior to expiration and to adjust the fees accordingly to implement a late fee for those after the deadline, but prior to the certificate's expiration.

K.A.R. 109-8-1, K.A.R. 109-8-2, and K.A.R. 109-15-2 are being amended to reflect the sunseting of psychomotor skills examinations at the AEMT and Paramedic levels.

K.A.R. 109-15-2 and K.A.R. 109-15-3 are being amended to reflect the \$10 increase in obtaining a criminal history record check.

K.A.R. 109-11-1a, K.A.R. 109-11-3a, K.A.R. 109-11-4a, and K.A.R. 109-11-6a are being amended to reduce the amount of time from submitting approval for an initial course of instruction until the 1st day of instruction from 30 days to 15 days.

K.A.R. 109-17-4 is being amended to require sponsoring organizations to submit a training report no later than 30 days after offering the training.

The only anticipated economic impact in the adoption and revocation of these regulations is the additional \$10 per initial applicant for obtaining a criminal history record check. The number of persons requiring this record check varies annually but has historically been less than 1,500 individuals annually.

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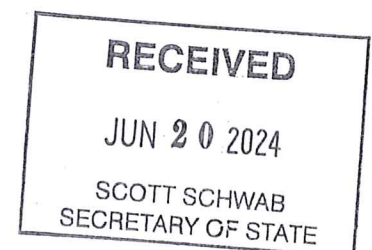
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Copies of the complete regulations and the complete economic impact statement may be obtained from the Board of Emergency Medical Services at the contact information above or can be accessed at www.ksbems.org.

Joseph House

Executive Director



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109-3-2. (Authorized by K.S.A. 65-6110 and 65-6111; implementing K.S.A. 65-6110 and 65-6121; effective March 5, 2004; revoked P-_____.)

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109-6-1. (Authorized by K.S.A. 2008 Supp. 65-6111; implementing K.S.A. 2008 Supp. 65-6129; effective, T-88-24, July 15, 1987; amended May 1, 1988; amended Jan. 22, 1990; amended Nov. 1, 1996; amended Feb. 12, 2010; revoked P-_____.)

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109-6-2. Renewal of EMS provider certificate. (a) Each EMS provider certificate shall expire on December 31 of the second complete calendar year following the date of issuance.

(b) An EMS provider may renew that person's certificate for each biennial period upon submission of a sufficient application for renewal as specified in subsection (d).

(c) Each application for certification renewal shall be submitted through the online license management system between August 1 and December 1 during the calendar year the certificate expires.

(d) Each application for renewal shall be deemed sufficient when all of the following conditions are met:

(1) The applicant provides in full the information requested and no additional information is required by the board to complete the processing of the application.

(2) The applicant submits a renewal fee in the applicable amount specified in K.A.R. 109-7-1.

(3) The applicant has completed the requirements in K.A.R. 109-5-1, K.A.R. 109-5-1a, K.A.R. 109-5-1b, K.A.R. 109-5-1c, and K.A.R. 109-5-1d that are applicable to the application being submitted.

(e) The date of receipt of the renewal application shall mean the electronic time stamp indicating when the renewal application is submitted in the license management system. (Authorized by K.S.A. 2022 2023 Supp. 65-6111; implementing K.S.A. 2022 2023 Supp. 65-6129 and ~~65-6129b~~; effective Nov. 1, 1996; amended Oct. 31, 1997; amended Nov. 12, 1999; amended, T-109-8-8-00, Aug. 8, 2000; amended Nov. 13,

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2000; amended Feb. 12, 2010; amended Dec. 29, 2017; amended Dec. 31, 2021;
amended Nov. 24, 2023; amended P-_____.)

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109-7-1. Schedule of fees. (a) EMS provider and ambulance service application fees shall be nonrefundable.

(b) Emergency medical responder fees:

(1) Application for certification fee\$15.00

(2) certification renewal application fee if received on or before certificate expiration December 120.00

(3) certification ~~reinstatement~~ renewal application fee if received ~~within 31~~ calendar days after December 1 and before certificate expiration40.00

(4) certification reinstatement application fee if received ~~on or after the 32nd~~ calendar day after certificate expiration80.00

(c) Paramedic fees:

(1) Application for certification fee65.00

(2) certification renewal application fee if received on or before certificate expiration December 150.00

(3) certification ~~reinstatement~~ renewal application fee if received ~~within 31~~ calendar days after December 1 and before certificate expiration100.00

(4) certification reinstatement application fee if received ~~on or after the 32nd~~ calendar day after certificate expiration200.00

(d) EMT and AEMT fees:

(1) Application for certification fee50.00

(2) certification renewal application fee if received on or before certificate expiration December 130.00

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(3) certification ~~reinstatement~~ renewal application fee if received ~~within 31~~
~~calendar days after December 1 and before~~ certificate expiration60.00

(4) certification reinstatement application fee if received ~~on or after the 32nd~~
~~calendar day after certificate expiration~~120.00

(e) Inactive certificate fees:

(1) Application for inactive certificate10.00

(2) inactive certificate renewal fee25.00

(3) application fee for reinstatement of inactive certificate20.00

(f) Ambulance service fees:

(1) Service permit application fee100.00

(2) service permit renewal fee if received on or before permit expiration ...100.00

(3) service permit renewal fee if received after permit expiration200.00

(4) vehicle license application fee40.00

(5) Temporary license for an ambulance10.00

(g) Each application for certification shall include payment of the prescribed
application for certification fee to the board.

(h) Payment of fees may be made by either of the following:

(1) An individual using a personal, certified, or cashier's check, a money order, a
credit card, or a debit card; or

(2) an ambulance service, fire department, or municipality using warrants,
payment vouchers, purchase orders, credit cards, or debit cards.

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(i) Payment submitted to the board for application for certification fee, reinstatement fee, or renewal fee for more than one EMS provider shall not be accepted, unless the fee amount is correct. (Authorized by K.S.A. 2022 2023 Supp. 65-6110, and K.S.A. 2022 2023 Supp. 65-6111, ~~K.S.A. 2022 Supp. 65-6127~~, ~~and K.S.A. 2022 Supp. 65-6129~~; implementing K.S.A. 2022 2023 Supp. 65-6111, K.S.A. 2022 2023 Supp. 65-6127, K.S.A. 65-6128, ~~and~~ K.S.A. 2022 2023 Supp. 65-6129, and K.S.A. 2023 Supp. 65-6129d; effective July 1, 1990; amended Feb. 3, 1992; amended Nov. 1, 1996; amended, T-109-8-8-00, Aug. 8, 2000; amended Nov. 13, 2000; amended Oct. 31, 2003; amended March 9, 2012; amended April 29, 2016; amended Dec. 29, 2017; amended Dec. 31, 2021; amended Nov. 24, 2023; amended P-_____.)

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109-8-1. Examination. (a) The cognitive certification examination for emergency medical responders, emergency medical technicians, advanced emergency medical technicians, and paramedics shall be the national registry of emergency medical technicians' cognitive examination.

(b) Each emergency medical responder or emergency medical technician applicant shall be required to successfully complete the national registry of emergency medical technicians' cognitive examination and shall be required to demonstrate competency in psychomotor skills as evaluated by the psychomotor skills examination prescribed by the board.

(c) Each advanced emergency medical technician or paramedic applicant shall be required to successfully complete the national registry of emergency medical technicians' cognitive examination and psychomotor skills evaluation.

(d) Any emergency medical responder or emergency medical technician applicant who is tested in psychomotor skills and who fails ~~any psychomotor skill station~~ may retest ~~each failed station~~ a maximum of three times.

(e) Each emergency medical responder, emergency medical technician, advanced emergency medical technician, and paramedic applicant shall be required to successfully complete ~~both the cognitive examination and the psychomotor skills examination~~ all applicable examinations no later than 24 months after the last date of that individual's initial course of instruction. Each ~~individual specified in this subsection~~ emergency medical responder and emergency medical technician applicant shall be required to successfully complete both the cognitive examination and the prescribed psychomotor skills examination within a 12-month period.

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(f) Any psychomotor skills examination for certification may be modified by the board as a pilot project to evaluate proposed changes to the psychomotor skills examination. (Authorized by K.S.A. 2022 2023 Supp. 65-6110 and 65-6111; implementing K.S.A. 2022 2023 Supp. 65-6111, and K.S.A. 2022 2023 Supp. 65-6129; effective, T-109-1-19-89, Jan. 19, 1989; effective July 17, 1989; amended Aug. 27, 1990; amended Feb. 3, 1992; amended Dec. 19, 1994; amended Jan. 5, 1996; amended Nov. 8, 1996; amended May 16, 1997; amended, T-109-2-7-11, Feb. 7, 2011; amended June 3, 2011; amended Jan. 4, 2016; amended Dec. 29, 2017; amended March 1, 2019; amended November 24, 2023; amended P-_____.)

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109-8-2. Scheduling examinations for certification. (a) Each provider of initial courses of instruction for attendants EMS providers shall ensure the provision of certification examinations for those students successfully completing the course.

(b) This subsection shall apply to the cognitive knowledge examination.

(1) For emergency medical responder, emergency medical technician, advanced emergency medical technician, and paramedic, the following requirements shall apply:

(A) Each candidate shall register with the national registry of emergency medical technicians.

(B) Each candidate shall schedule examinations with the computer-adaptive testing vendor specified by the national registry of emergency medical technicians.

(2) Each sponsoring organization shall validate each candidate's successful course completion.

~~(c) The following scheduling requirements shall apply to the psychomotor skills examination:~~ This subsection shall apply to the psychomotor skills examination.

(1) Each sponsoring organization shall schedule the examination for emergency medical responder and emergency medical technician with the board at least 60 days in advance of the desired examination date.

(2) Each sponsoring organization shall ~~schedule the examination for advanced emergency medical technician and paramedic with the national registry of emergency medical technicians by performing the following:~~

~~(A) Negotiating a contractual agreement with a national registry representative to serve as facilitator;~~

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~~(B) completing the examination host approval process and submitting the request for new examination with the national registry of emergency medical technicians;~~

~~(C) negotiating contractual agreements with examiners, as prescribed by the national registry representative, who have attained board approval following a review to ensure current certification, have no disciplinary actions taken or pending against their Kansas emergency medical services certification or certifications, and have held the current certification level for at least two years;~~

~~(D) negotiating contractual agreements with currently certified attendant assistants in numbers prescribed by the national registry representative;~~

~~(E) ensuring availability of a sufficient number of rooms to be used for examination stations, national registry representative room, candidate waiting area, and other facilities as prescribed by the national registry representative; and~~

~~(F) providing sufficient quantities of equipment and supplies as prescribed by the national registry representative validate each candidate's successful course completion.~~

(d) Each candidate not successfully completing the examinations during the initial examination attempts shall schedule reexamination as follows:

(1) Cognitive knowledge examination reexaminations. For emergency medical responder, emergency medical technician, advanced emergency medical technician, and paramedic, the candidate shall schedule the examination with the national registry of emergency medical technicians.

(2) Psychomotor skills examination reexaminations.

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(A) For emergency medical responder and emergency medical technician, the candidate shall schedule the examination ~~by completing the board approved application for the examination with a sponsoring organization of an approved examination site.~~

(B) ~~For the psychomotor skills examination for advanced emergency medical technician or paramedic, the candidate shall schedule the examination with the national registry of emergency medical technicians.~~ (Authorized by K.S.A. 2023 Supp. 65-6111; and implementing K.S.A. 2023 Supp 65-6111 and K.S.A. 2023 Supp. 65-6129; effective March 2, 2012; amended Dec. 29, 2017; amended March 1, 2019; amended

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109-11-1a. Emergency medical responder (EMR) course approval. (a) EMR initial courses of instruction pursuant to K.S.A. 65-6144, and amendments thereto, may be approved by the executive director and shall be conducted only by sponsoring organizations.

(b) Each sponsoring organization requesting approval to conduct an EMR initial course of instruction shall submit a complete application at least ~~30~~ 15 calendar days before the first scheduled course session.

(c) Each complete application shall include the following:

(1) Name of the primary instructor;

(2) name of each ambulance service and medical facility utilized for field or clinical training; and

(3) a course schedule that identifies the following:

(A) The date and time of each class session;

(B) the title of the subject matter of each class session;

(C) the qualified instructor for each class session; and

(D) the number of psychomotor skills laboratory hours for each class session.

(d) Each approved EMR initial course shall meet or exceed each of the educational standards specified in K.A.R. 109-10-1a.

(e) Any approved course may be monitored by the executive director.

(f) Course approval may be withdrawn by the board if the sponsoring organization fails to comply with or violates any regulation or statute that governs sponsoring organizations. (Authorized by K.S.A. ~~2020~~ 2023 Supp. 65-6110, K.S.A. ~~2020~~

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2023 Supp. 65-6111; implementing K.S.A. ~~2020~~ 2023 Supp. 65-6110, K.S.A. ~~2020~~ 2023
Supp. 65-6111, K.S.A. ~~2020~~ 2023 Supp. 65-6129, and K.S.A. 65-6144; effective, T-109-
2-7-11, Feb. 7, 2011; effective June 3, 2011; amended Dec. 29, 2017; amended Jan.
24, 2020; amended Dec. 31, 2021; amended P-_____.)

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109-11-3a. Emergency medical technician (EMT) course approval. (a) EMT initial courses of instruction pursuant to K.S.A. 65-6121, and amendments thereto, may be approved by the executive director and shall be conducted only by sponsoring organizations.

(b) Each sponsoring organization requesting approval to conduct an EMT initial course of instruction shall submit a complete application at least ~~30~~ 15 calendar days before the first scheduled course session.

(c) Each complete application shall include the following:

(1) Name of the primary instructor;

(2) name of each ambulance service and medical facility utilized for field or clinical training; and

(3) a course schedule that identifies the following:

(A) The date and time of each class session;

(B) the title of the subject matter of each class session;

(C) the qualified instructor for each class session; and

(D) the number of psychomotor skills laboratory hours for each class session.

(d) In the absence of participatory field or clinical training, contrived experiences may be substituted. As used in this regulation, "contrived experience" shall mean a simulated ambulance call and shall include dispatch communications; responding to the scene; assessment and management of the scene and the patient or patients; communications with medical control; ongoing assessment, care and transportation of

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the patient or patients; the transfer of the patient or patients to the staff of the receiving facility; completion of records; and preparation of the ambulance for return to service.

(e) Each approved EMT initial course shall meet or exceed each of the educational standards specified in K.A.R. 109-10-1b.

(f) Any approved course may be monitored by the executive director.

(g) Course approval may be withdrawn by the board if the sponsoring organization fails to comply with or violates any regulation or statute that governs sponsoring organizations. (Authorized by K.S.A. 2020 2023 Supp. 65-6110 and K.S.A. 2020 2023 Supp. 65-6111; implementing K.S.A. 2020 2023 Supp. 65-6110, K.S.A. 2020 2023 Supp. 65-6111, and K.S.A. 65-6121, and K.S.A. 2023 Supp. 65-6129; effective, T-109-2-7-11, Feb. 7, 2011; effective June 3, 2011; amended May 1, 2015; amended Dec. 31, 2021; amended P-_____.)

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109-11-4a. Advanced emergency medical technician (AEMT) course

approval. (a) AEMT initial courses of instruction pursuant to K.S.A. 65-6120, and amendments thereto, may be approved by the executive director and shall be conducted only by sponsoring organizations.

(b) Each sponsoring organization requesting approval to conduct an AEMT initial course of instruction shall submit a complete application at least ~~30~~ 15 calendar days before the first scheduled course session.

(c) Each complete application shall include the following:

- (1) Name of the primary instructor;
- (2) name of each ambulance service and medical facility utilized for field or clinical training; and
- (3) a course schedule that identifies the following:
 - (A) The date and time of each class session;
 - (B) the title of the subject matter of each class session;
 - (C) the qualified instructor for each class session; and
 - (D) the number of psychomotor skills laboratory hours for each class session.
- (d) Each approved AEMT initial course shall meet or exceed each of the educational standards specified in K.A.R. 109-10-1c.

(e) Any approved course may be monitored by the executive director.

(f) Course approval may be withdrawn by the board if the sponsoring organization fails to comply with or violates any regulation or statute that governs sponsoring organizations. (Authorized by K.S.A. ~~2020~~ 2023 Supp. 65-6110 and K.S.A.

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109-11-6a. Paramedic course approval. (a) Paramedic initial courses of instruction pursuant to ~~K.S.A. 65-6110~~, and amendments thereto, may be approved by the executive director and shall be conducted only by sponsoring organizations that are accredited postsecondary educational institutions.

(b) Each sponsoring organization requesting approval to conduct a paramedic initial course of instruction shall submit a complete application at least ~~30~~ 15 calendar days before the first scheduled class session.

(c) Each complete application shall include the following:

(1) Name of the primary instructor;

(2) name of each ambulance service and medical facility utilized for field internship or clinical training; and

(3) a course schedule that identifies the following:

(A) The date and time of each class session;

(B) the title of the subject matter of each class session;

(C) the qualified instructor for each class session; and

(D) the number of psychomotor skills laboratory hours for each class session.

(d) Each approved paramedic course shall meet or exceed each of the educational standards specified in K.A.R. 109-10-1d.

(e) Any approved course may be monitored by the executive director.

(f) Course approval may be withdrawn by the board if the sponsoring organization fails to comply with or violates any regulation or statute that governs sponsoring organizations. (Authorized by K.S.A. ~~2020~~ 2023 Supp. 65-6110 and K.S.A.

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2023 Supp. 65-6111, and K.S.A. 2020 2023 Supp. ~~65-6129a~~ 65-6129; effective, T-109-
2-7-11; Feb. 7, 2011; effective June 3, 2011; amended May 1, 2015; amended March 1,
2019; amended Dec. 31, 2021; amended P-_____.)

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109-15-2. Recognition of non-Kansas credentials. (a) Any individual who is currently or was previously licensed or certified as an EMS provider in another jurisdiction may apply for Kansas certification through recognition of non-Kansas credentials by submitting the following:

(1) A completed application for recognition of non-Kansas credentials on a form provided by the board;

(2) application for certification fee for the level of certification sought, as specified in K.A.R. 109-7-1;

(3) documentation from another state or jurisdiction verifying one of the following:

(A) That the applicant is currently licensed or certified for the level of certification sought and is in good standing; or

(B) that the applicant was previously licensed or certified for the level of certification being sought and was in good standing at the time of expiration of that credential;

(4) documentation from another state or jurisdiction verifying that the applicant has successfully completed coursework that is substantially equivalent to the curriculum prescribed by the board for the level of certification sought, in accordance with subsection (b);

(5) documentation from another state or jurisdiction verifying that the applicant has successfully completed an examination prescribed by the board for the level of certification sought, in accordance with subsection (b); and

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(6) a fingerprint card and criminal history record check fee of ~~\$50~~ \$60 for the board to successfully perform a state and national criminal history record check.

(b) Any applicant may validate successful completion of coursework in another state or jurisdiction that is substantially equivalent to the curriculum prescribed by the board for the level of certification sought by submitting one of the following:

(1) Documentation that the applicant is currently registered with the national registry of emergency medical technicians at the level for which certification is sought; or

(2) documentation that the applicant has successfully completed the following within four years before the date of application:

(A) The national registry of emergency medical technicians' cognitive assessment or examination for the level of certification being sought; and

(B) the psychomotor skills assessment or examination prescribed by the ~~national registry of emergency medical technicians or by the~~ board for the level of certification being sought.

(c) Information obtained from the state and national criminal history record check may be used to verify the identity of each applicant and to assist in determining the qualifications and fitness of the applicant seeking issuance of an EMS provider certificate.

(d) The results from each applicant's criminal history record check shall be received by the board before the issuance of Kansas certification. (Authorized by and implementing K.S.A. ~~2020~~ 2023 Supp. 65-6111 and K.S.A. ~~2020~~ 2023 Supp. 65-6129;

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effective May 15, 2009; amended Sept. 2, 2011; amended Jan. 17, 2014; amended
Dec. 31, 2021; amended P-_____.)

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109-15-3. EMS provider certification. (a) Any individual who successfully completed an approved initial course of instruction may apply for Kansas EMS provider certification.

(b) An application for certification shall not be considered complete unless all requested information has been provided and the applicable application for certification fee, as specified in K.A.R. 109-7-1, has been submitted.

(c) Each applicant shall have 15 days to correct all identified deficiencies and submit a complete application. If the applicant fails to correct the deficiencies and submit a complete application within 15 days, the application may be considered by the board as withdrawn. All fees shall be nonrefundable.

(d) Each applicant shall be at least 17 years of age and meet the following requirements before the date of application:

(1) Have successfully completed an approved initial course of instruction at the level of certification being sought and within the previous 24 months;

(2) have passed both the cognitive and psychomotor examinations for the level of certification being sought after the date of the last class of the approved initial course of instruction completed and as specified in K.A.R. 109-8-1;

(3) if the level of certification being sought is AEMT, currently hold EMS provider certification as an EMT;

(4) if the level of certification being sought is paramedic, currently hold EMS provider certification as an EMT or AEMT; and

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(5) if the applicant has not previously held an EMS provider certificate in Kansas, have submitted a fingerprint card and criminal history record check fee of ~~\$50~~ \$60 for the board to successfully perform a state and national criminal history record check.

(e) Information obtained from the state and national criminal history record check may be used to verify the identity of each applicant and to assist in determining the qualifications and fitness of the applicant seeking issuance of an EMS provider certificate.

(f) The results from each applicant's criminal history record check shall be received by the board before the issuance of an initial EMS provider certificate.

(Authorized by and implementing K.S.A. ~~2020~~ 2023 Supp. 65-6111 and K.S.A. ~~2020~~ 2023 Supp. 65-6129; effective Dec. 31, 2021; amended P-_____.)

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109-17-4. Sponsoring organization; continuing education. (a) Any sponsoring organization may provide prior-approved continuing education as a long-term provider or a single-program provider through in-person instruction or distance learning, or a combination of both.

(b) Each sponsoring organization providing prior-approved continuing education shall submit a training report ~~on a form provided by the board~~ through the online license management system within 30 days of the last date of class.

(c) The training report shall include the following:

- (1) The date or dates, title, and location of the class;
- (2) a list of all qualified instructors used in the class;
- (3) the name and certification number of each attendee; and
- (4) the amount of continuing education awarded to each attendee.

(d) Each sponsoring organization shall maintain the following course records for each prior-approved continuing education class for at least three years from the last date of class:

- (1) Course educational objectives;
- (2) completed course attendance sheet;
- (3) a completed copy of each student's evaluation of the class and each instructor; and
- (4) a copy of the submitted training report.

(e) Each completed course attendance sheet shall have the name and signature of each attendee of the prior-approved continuing education class.

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(f) Each sponsoring organization providing prior-approved continuing education as a long-term provider shall develop and maintain a long-term continuing education program management plan.

(g) Each sponsoring organization shall provide any continuing education documentation requested by the executive director within 30 days of the request.

(h) Violation of any provision of this regulation may subject the sponsoring organization to a civil fine and may result in a suspension of sponsoring organization approval. (Authorized by K.S.A. 2020 2023 Supp. 65-6110; implementing K.S.A. 2020 2023 Supp. 65-6111; effective Dec. 31, 2021; amended P-_____.)

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Proposed

Kansas Administrative Regulations Economic Impact Statement (EIS)

Emergency Medical Services Board
Agency

Joseph House; Executive Director 785-296-7409
Agency Contact Contact Phone Number

K.A.R. 109-3-2; K.A.R. 109-6-1; K.A.R. 109-6-2; K.A.R. 109-7-1; K.A.R. 109-8-1; K.A.R. 109-8-2;
K.A.R. 109-11-1a; K.A.R. 109-11-3a; K.A.R. 109-11-4a; K.A.R. 109-11-6a; K.A.R. 109-15-2; K.A.R.
109-15-3; and K.A.R. 109-17-4.

K.A.R. Number(s)

☒ Permanent ☐ Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

- ☐ Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.
- ☒ No If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024 (as calculated in Section III, F)?
- ☐ Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration, the Attorney General, AND the Division of the Budget. The regulation(s) and the EIS will require Budget approval.
- ☒ No If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

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Revised 05/03/2022

Section I

Brief description of the proposed rule(s) and regulation(s).

The proposed changes are to implement the following policy changes:

- 1) K.A.R. 109-3-2 and K.A.R. 109-6-1 are being revoked as both are no longer applicable;
- 2) K.A.R. 109-6-2 and K.A.R. 109-7-1 are being amended to implement a change requiring certification renewal applications to be submitted at least 30 days prior to expiration and to adjust the fees accordingly (implementing a late fee for those after the deadline, but prior to the certificate's expiration);
- 3) K.A.R. 109-8-1, K.A.R. 109-8-2, and K.A.R. 109-15-2 are being amended to reflect the sunset of psychomotor skills examinations at the AEMT and Paramedic levels;
- 4) K.A.R. 109-15-2 and K.A.R. 109-15-3 are being amended to reflect the \$10 increase in obtaining a criminal history record check;
- 5) K.A.R. 109-11-1a, K.A.R. 109-11-3a; K.A.R. 109-11-4a; and K.A.R. 109-11-6a are being amended to implement a change reducing the amount of time from submitting for an initial course of instruction and the 1st day it can be offered – from 30 days to 15 days; and
- 6) K.A.R. 109-17-4 is being amended to set a deadline upon when a sponsoring organization must submit a training report for EMS continuing education they have offered – no later than 30 days from conclusion of the course.

Section II

Statement by the agency if the rule(s) and regulation(s) exceed the requirements of applicable federal law, and a statement if the approach chosen to address the policy issue(s) is different from that utilized by agencies of contiguous states or the federal government. *(If the approach is different or exceeds federal law, then include a statement of why the proposed Kansas rule and regulation is different.)*

These policy issues are due to leveraging systems employed for the increased efficiency of regulation undertaken by the state of Kansas and from a national sunset of psychomotor skills examinations for the AEMT and Paramedic levels. There is no applicable federal law for any of these issues.

Section III

Agency analysis specifically addressing the following:

- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

This proposed change will neither enhance nor restrict business activities and growth.

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- B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

There are no anticipated implementation and/or compliance costs due to the proposed regulation. However, individuals choosing to not meet the regulatory deadline for renewal will be subject to an increased application for renewal fee due to the time constraint placed upon the agency to completely review all aspects of the application and accompanying documentation prior to the certificate expiring. There may be an overall cost reduction from not requiring a psychomotor skills examination at the AEMT and Paramedic levels as sponsoring organizations currently contract with outside entities and individuals to perform this function.

Individuals seeking EMS provider certification in Kansas for the 1st time will be subjected to a \$10 increase related to the criminal history record check process. This agency acts as a pass through of these moneys and the fee setting entity, the KBI, is implementing this \$10 increase per check on July 1, 2024.

- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);

Sponsoring organizations, entities approved to provide EMS education, would be the subject of many of these amended permanent regulations.

- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

The \$10 increase for criminal history record check fees allows the Board to maintain compliance and continue participation with the EMS Compact. These checks benefit the public to maintain the high degree of trust warranted of an EMS provider. All other costs associated with the proposed changes are negligible and the benefits are increased efficiency in allowing sponsoring organizations to leverage the state's electronic systems.

- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

None of these changes should impact business and/or economic development within the State.

- F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or members of the public.

Note: Do not account for any actual or estimated cost savings that may be realized.

Costs to Affected Businesses – \$0

Costs to Local Governmental Units – \$0

Costs to Members of the Public – \$0

Total Annual Costs – \$0

(sum of above amounts)

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Give a detailed statement of the data and methodology used in estimating the above cost estimate.

There is no cost for implementation by the agency. All systems exist to implement the changes and remain within the agency's current revenue and expenditures. The \$10 criminal history record check increase is a pass-through. Although we receive the fee for this check, it is to cover the cost of the check incurred by the agency.

- ☐ Yes If the total implementation and compliance costs exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024, and prior to the submission or resubmission of the proposed rule(s)
- ☐ No and regulation(s), did the agency hold a public hearing to find that the estimated costs
- ☒ Not have been accurately determined and are necessary for achieving legislative intent? If
- Applicable applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

If applicable, click here to enter public hearing information.

Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

None anticipated, our revenue and expenditures are external of the state general fund.

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

No estimate is possible. There are costs associated with sunseting examinations, but quantifying is not possible due to the external factors that vary from year to year (frequency of exams, consolidation of programs, etc.). The general public is not impacted by these proposed rules.

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

The proposed revision to this regulation neither increases nor decreases revenues of cities, counties, or school districts. The proposed revision to this regulation does not impose new functions or responsibilities upon cities, counties, or school districts.

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- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

Discussions on these changes have been ongoing over the past 18 months and many are reflective of industry requests. Annual meetings are conducted asking for changes in regulation. Each of these changes was discussed or presented in the 2023 annual meeting. These were also discussed and/or presented during public meetings of the Board of EMS in 2023 (August, October, and December), and in 2024 (February). The public has been asked to opine upon the policies and the public is allowed to comment upon these items as requested. All comments were taken into consideration prior to the Board's decision to amend the regulations.

Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

- ☐ Yes If yes, complete the remainder of Section IV.
☒ No If no, skip the remainder of Section IV.

- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the persons who would bear the costs.

Click here to enter agency response.

- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other persons who would bear the costs.

Click here to enter agency response.

- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons who would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).

Click here to enter agency response.

- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

Click here to enter agency response.

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