

Secretary of State

STATEMENT OF NEED AND JUSTIFICATION

A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Department of Human Services, Public Health Division

333

Agency and Division

Administrative Rules Chapter Number

In the Matter of: Amending OAR 333-265-0025 and OAR 333-265-0040 relating to the certification of First Responders.

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

Temporary Extension to First Responder Certification Expiration

Statutory Authority: ORS 682.017, 682.028, 682.208, & 682.216

Other Authority:

Stats. Implemented: ORS 682.017, 682.028, 682.208, & 682.216

Need for the Temporary Rule(s):

The Department of Human Services (DHS), Public Health Division recently filed permanent administrative rules, chapter 333, division 265 relating to Emergency Medical Technicians and First Responders. OAR 333-265-0025 transfers the responsibility of certifying First Responders from other training agencies to the Division. Due to the extended time period required to gain approval of the rules, First Responder certification for the current period (which will expire on June 30, 2008) will expire before there is time for the Division to identify and process applications for new certificates. Failure to process information prior to expiration of certification will mean that several thousand First Responders will be in violation of OAR 333-265-0025(1) which prohibits these individuals from continuing employment without certification. Working without a valid certification will leave them and agencies they work for exposed to possible litigation.

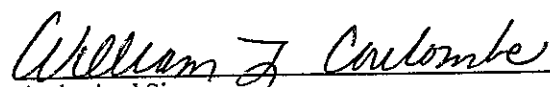
Documents Relied Upon, and where they are available:

Oregon Revised Statutes (Chapter 682) – [<http://www.leg.state.or.us/ors/682.html>]

Oregon Administrative Rules (333-265) – [http://arcweb.sos.state.or.us/rules/OARs_300/OAR_333/333_265.html]


Justification of Temporary Rule(s):

The Department finds that failure to act promptly will result in serious prejudice to the public interest, the Department, and First Responders. These rules need to be adopted promptly so that the Public Health Division has adequate time to process applications and certify First Responders so they are not prohibited from continuing their employment or creating risk to themselves or their employer.


Authorized Signer

William J. Coulombe, Deputy Public Health Director

Printed name


Date

**OREGON ADMINISTRATIVE RULES
DEPARTMENT OF HUMAN SERVICES, PUBLIC HEALTH DIVISION
CHAPTER 333**

DIVISION 265

EMERGENCY MEDICAL TECHNICIANS & FIRST RESPONDERS

333-265-0000

Definitions

- (1) "Ambulance Service" means any person, governmental unit, corporation, partnership, sole proprietorship, or other entity that operates ambulances and holds itself out as providing pre-hospital care or medical transportation to sick, injured or disabled persons.
- (2) "Business day" is any day, Monday through Friday, from 8:00 a.m. to 5:00 p.m., except legal state holidays.
- (3) "Certified First Responder" means a person who has successfully completed a First Responder training course approved by the Division and:
 - (a) Has been examined and certified as a First Responder by an authorized representative of the Division to perform basic emergency and non-emergency care procedures; or
 - (b) Has been otherwise designated as a First Responder by an authorized representative of the Division to perform basic emergency and non-emergency care procedures.
- (4) "Certifying officer" is a person who is responsible for conducting an Emergency Medical Technician (EMT) practical examination in a manner consistent with the standards of the National Registry for EMTs and the Division.
- (5) "Clinical Education (Clinical)" means those hours of the curriculum that synthesize cognitive and psychomotor skills and are performed under a preceptor. .
- (6) "Continuing Education" means education required as a condition of certification under ORS 682 to maintain the skills necessary for the provision of competent pre-hospital care. Continuing education does not include attending EMS related business meetings, EMS Exhibits or Trade Shows.
- (7) "Didactic Instruction" means the delivery of primarily cognitive material through lecture, video, discussion, and simulation by program faculty.
- (8) "Direct Visual Supervision" means that a person qualified to supervise is at the patient's side to monitor the EMT in training.
- (9) "Division" means the Public Health Division, Emergency Medical Services and Trauma Systems Program, within the Department of Human Services.
- (10) "Emergency Care" means the performance of acts or procedures under emergency conditions in the observation, care and counsel of the ill, injured or disabled; in the administration of care or medications as prescribed by a licensed physician, insofar as any of these acts is based upon knowledge and application of the principles of biological, physical and social science as required by a completed course utilizing an approved curriculum in pre-hospital emergency care. However, "emergency care" does not include acts of medical diagnosis or prescription of therapeutic or corrective measures.
- (11) "EMS" means Emergency Medical Services.
- (12) "EMS Medical Director" has the same meaning as "Supervising Physician" in ORS 682.025.

(13) "Emergency Medical Services (EMS) Agency" means any person, partnership, corporation, governmental agency or unit, sole proprietorship or other entity that utilizes emergency medical technicians or certified First Responders to provide pre-hospital emergency or non-emergency care. An emergency medical services agency may be either an ambulance service or a nontransporting service.

(14) "Emergency Medical Technician (EMT)" means a person who has received formal training in pre-hospital and emergency care and is state-certified to attend to any ill, injured or disabled person. Police officers, fire fighters, funeral home employees and other personnel serving in a dual capacity, one of which meets the definition of "emergency medical technician" are "emergency medical technicians" within the meaning of ORS chapter 682.

(15) "EMT-Basic" means a person who completes an EMT-Basic course as prescribed by these rules and is certified by the Division.

(16) "EMT-Intermediate" means a person who completes an EMT-Intermediate course as prescribed by these rules and is certified by the Division.

(17) "EMT-Paramedic" means a person who completes an EMT-Paramedic course as prescribed by these rules and is certified by the Division.

(18) "Exam Evaluator" is a person who attends an EMT practical examination and who objectively observes and records each student's performance consistent with the standards of the National Registry of EMTs.

(19) "Indorsement" means the manner in which a person may obtain Oregon EMT certification when that person is certified in another state and certified with the National Registry of EMTs.

(20) "In Good Standing" means a person who is currently certified or licensed, who does not have any restrictions placed on his or her certificate or license, or who is not on probation with the certifying or licensing agency for any reason.

(21) "Non-Emergency Care" means the performance of acts or procedures on a patient who is not expected to die, become permanently disabled or suffer permanent harm within the next 24-hours, including but not limited to observation, care and counsel of a patient and the administration of medications prescribed by a physician licensed under ORS chapter 677, insofar as any of those acts are based upon knowledge and application of the principles of biological, physical and social science and are performed in accordance with scope of practice rules adopted by the Oregon Medical Board in the course of providing pre-hospital care as defined by this rule.

(22) "Online Medical Supervision" means real-time direct communication by a physician who is providing direction to an EMT or certified First Responder during a patient encounter.

(23) "Patient" means an ill, injured or disabled person treated by a certified First Responder or EMT who may be transported in an ambulance.

(24) "Person" means any individual, corporation, association, firm, partnership, joint stock company, group of individuals acting together for a common purpose, or organization of any kind and includes any receiver, trustee, assignee, or other similar representatives thereof.

(25) "Pre-hospital Care" means that care rendered by a certified First Responder or EMT as an incident of the operation of an ambulance as defined by ORS chapter 682 and that care rendered by a certified First Responder or EMT as an incident of other public or

private safety duties, and includes, but is not limited to "emergency care" as defined by ORS chapter 682.

(26) "Preceptor" means a person approved by an accredited teaching institution and appointed by the EMS Agency, who supervises and evaluates the performance of an EMT student during the clinical, skills lab, and field internship phases of an EMT course. A preceptor must be a physician, physician assistant, registered nurse, or certified EMT in good standing at or above level for which the student is in training.

(27) "Psychomotor Skills (Skills)" means those patient care skills listed in the Division's Skill Performance Reference Guide, 2007 and adopted by reference.

(28) "Scope of Practice" means the maximum level of emergency or non-emergency care that an EMT may provide that is set forth by the rules adopted by the Oregon Medical Board.

(29) "Skills Lab" means those hours of the curriculum that provides the student with the opportunity to develop the skills for the level of training obtained.

(30) "Standing Orders" means the written protocols that an Emergency Medical Technician or certified First Responder follows to treat patients when direct contact with a physician is not maintained.

(31) "Successful completion" means having attended 85 percent of the didactic and skills instruction hours (or makeup sessions) and 100 percent of the clinical and field internship hours, and completing all required clinical and internship skills and procedures.

(32) "Teaching Institution" means a two-year community college or four-year degree granting college or a licensed vocational school that is accredited by the Office of Professional Technical Education, Office of Community College Services/Oregon Department of Education.

(33) "Trauma Assessment and Management" means EMT continuing education subjects that include, but are not limited to: assessment of the trauma patient; amputation injuries; chest injuries; facial injuries; fractures/dislocations; head/neck injuries; internal injuries; multi-systems injuries; soft tissue injuries; and the control of bleeding and shock.

(34) "Unprofessional Conduct" means conduct unbecoming a person certified in pre-hospital emergency and non-emergency care, or is detrimental to the best interest of the public and includes conduct as defined in ORS 682.025(19).

(a) Unprofessional conduct includes, but is not limited to:

(A) Knowing or willfully violating patient privacy or confidentiality by releasing information to persons not directly involved in the care or treatment of the patient;

(B) Illegal drug use on or off duty;

(C) Alcohol use within eight hours of going on duty or while on duty or in an on-call status;

(D) Violation of direct verbal orders from a physician who is responsible for the care of a patient;

(E) Violation of orders given by an on-line medical resource physician, whether delivered by radio or telephone;

(F) Violation of standing orders without cause and documentation;

(G) Use of invasive medical procedures in violation of generally accepted standards of the medical community;

(H) Any action that constitutes a violation of any statute, municipal code, or administrative rule that endangers the public, or other public safety officials, or other

EMTs, patients, or the general public (including improper operation of an emergency medical vehicle);

(I) Instructing, causing or contributing to another individual violating a statute or administrative rule, including an EMT acting in a supervisory capacity;

(J) Participation in the issuance of false continuing education documents or collaboration therein, including issuing continuing education verification to one who did not legitimately attend an educational event;

(K) Signing-in to an educational event for a person not actually present;

(L) Knowingly assisting or permitting another certified First Responder or EMT to exceed his or her lawful scope of practice;

(M) Unlawful use of emergency vehicle lights and sirens;

(N) Providing false or misleading information to the Division, to the State EMS Committee, to the Subcommittee on EMT Certification and Discipline, to an EMS teaching institution or clinical/field internship agency;

(O) Responding to scenes in which the certified First Responder or EMT is not properly dispatched ("call-jumping"), whether in a private auto, ambulance, or other vehicle, in contravention of local protocols, procedures, or ordinances, or interfering with the safe and effective operation of an EMS system;

(P) Cheating on any examination used to measure EMS related knowledge or skills;

(Q) Assisting another person in obtaining an unfair advantage on the First Responder or EMT examinations;

(R) Defrauding the Division;

(S) Knowingly providing emergency medical care aboard an unlicensed ambulance;

(T) Violation of the terms of a written agreement with the Division or an order issued by the Division;

(U) Engaging in any sexual activities, including sexual harassment, that constitutes a crime in Oregon and that may endanger the public or a person providing emergency medical care;

(V) Arriving for duty impaired or in a condition whereby the certified First Responder or EMT is likely to become impaired through fatigue, illness, or any other cause, as to make it unsafe for the employee to begin to operate an ambulance or provide patient care;

(W) Failure to cooperate with the Division in an investigation, including failure to comply with a request for records, or a psychological, physical, psychiatric, alcohol or chemical dependency assessment; or

(X) Any violation of these rules or any law, administrative rule, or regulation governing ambulances, or certified First Responders or EMTs, or emergency medical service systems.

(b) This section does not create any new substantive violations. It is included solely to inform EMS agencies and certified First Responders or EMTs as to the conduct that the Division regards as already proscribed by the statutory definition of unprofessional conduct.

(35) "Volunteer" means a person who is not compensated for their time to staff an ambulance or rescue service, but who may receive reimbursement for personal expenses incurred.

Stat. Auth.: ORS 682.017

Stats. Implemented: ORS 682.017 through ORS 682.991

333-265-0010

Application for Approval of EMT Courses

- (1) The Division is responsible for approving EMT courses.
- (2) An EMT course must be offered by a teaching institution accredited by the Oregon Department of Education or the Oregon State Board of Higher Education and must meet the standards established by the Oregon Department of Education in OAR chapter 581, division 49.
- (3) Notwithstanding section (2) of this rule, the Division may allow a hospital to conduct an EMT-Basic course if there is no training available at a teaching institution in a rural part of the state. A hospital that wishes to conduct an EMT-Basic course in a rural area must send a request to the Division in writing explaining why there is a need and why there is no training available in its area. The Division will inform the hospital in writing whether it has permission to conduct the EMT-Basic course.
- (4) EMT courses must meet the requirements prescribed by the Division in OAR 333-265-0014.
- (5) EMT courses must be taught by instructors that meet the requirements of OAR 333-265-0020.
- (6) A teaching institution described in section (2) of this rule or a hospital approved by the Division under section (3) of this rule must submit an application to the Division on a form prescribed by the Division that includes all the information necessary to determine whether the course meets the Division's standards. The form must be received by the Division at least 30 business days prior to the first day of class.
- (7) The Division will return an application that is incomplete to the applicant.
- (8) The Division will inform an applicant in writing whether the application has been denied or approved.
- (9) No teaching institution shall conduct an EMT course until the Division has approved the course.
- (10) The Division may deny or revoke the approval to conduct an EMT course in accordance with ORS 183.310 through 183.550 for failure to comply with OAR chapter 333, division 265.

Stat. Auth.: ORS 682.017 & ORS 682.208

Stats. Implemented: ORS 682.017, ORS 682.208 & ORS 682.216

333-265-0012

Requirements for Conducting First Responder Courses

- (1) An ambulance service, emergency medical services, or any other entity in Oregon may conduct First Responder courses that meet the requirements of OAR 333-265-0014.
- (2) An entity that wants to conduct a First Responder course must submit an application to the Division on a form prescribed by the Division that includes all the information necessary to determine whether the course meets the Division's standards.

Stat. Auth.: ORS 682.017 & ORS 682.208

Stats. Implemented: ORS 682.017, ORS 682.208, ORS 682.216

333-265-0014

EMT and First Responder Course Requirements

- (1) A First Responder course must include:
 - (a) The Emergency Medical Services, First Responder Training Course, U.S. Dept. of Transportation, National Highway Traffic Safety Administration, 1995, incorporated by reference;
 - (b) Didactic and skills instruction of a least 46 hours; and
 - (c) Include a practical and cognitive examination
- (2) An EMT-Basic Course must include:
 - (a) The EMT-Basic National Standard Curriculum, U.S. Dept. of Transportation, National Highway Traffic Safety Administration, 1994, incorporated by reference;
 - (b) Didactic and skills instruction of at least 140 hours; and
 - (c) Clinical education of at least eight hours in a hospital or acute care department or other appropriate clinical or acute care medical facility where the skills within an EMT-Basic scope of practice are performed under the supervision of a preceptor.
- (3) An EMT-Intermediate course must include:
 - (a) The EMT-Intermediate curriculum, 2006, incorporated by reference;
 - (b) Didactic and skills instruction of at least 144 hours; and
 - (c) Clinical education of at least eight hours and 20 patient contacts in a hospital emergency department or medical clinic where the skills within an EMT-Intermediate scope of practice are performed under the supervision of a preceptor.
- (4) An EMT-Paramedic course must include:
 - (a) The EMT-Paramedic National Standard Curriculum, U.S. Department of Transportation, National Highway Traffic Safety Administration, 1999, incorporated by reference;
 - (b) Didactic and skills instruction;
 - (c) Clinical education in hospital clinical areas where the skills within an EMT-Paramedic scope of practice are performed under the supervision of a preceptor; and
 - (d) A field internship that is described in OAR 333-265-0016.
- (5) All First Responder and EMT courses must include instructions on the statutes for the State of Oregon and the regulations governing the EMT system, medical-legal issues, roles and responsibilities of certified First Responders and EMTs, and EMS professional ethics.
- (6) The Division may deny or revoke course approval in accordance with the provisions of ORS 183.310 through 185.550 for failure to comply with the requirements of this section.

Stat. Auth.: ORS 682.017 & ORS 682.208

Stats. Implemented; ORS 682.017, ORS 682.208, ORS 682.216

333-265-0016

Paramedic Field Internships

- (1) A field internship is required as part of an EMT-Paramedic course.
- (2) A field internship must provide a student the opportunity to demonstrate the integration of all didactic, psychomotor skills, and clinical education necessary to perform the duties of an entry-level paramedic.
- (3) The student must successfully demonstrate a skill in the classroom lab or hospital clinical setting before that skill is performed and evaluated in a field internship.

(4) During a field internship a student must participate in providing care in at least 40 EMS calls with no less than 10 each in cardiac, respiratory, general medical, and trauma emergencies, and with at least 30 of the calls being advanced life support ambulance calls. All EMS calls shall be under the direct visual supervision of a preceptor. In order for a call to be accepted, the preceptor must document and verify satisfactory student performance, including application of specific assessment and treatment skills required of a certified EMT-Paramedic.

(5) For purposes of this section, “EMS call” means a pre-hospital emergency medical services response requiring patient care at the advanced life support level and “ambulance call” means an advanced life support pre-hospital emergency medical services response which includes dispatch, scene response, patient care while riding in the patient compartment of an ambulance, and participating in specific assessment and treatment skills required of a certified EMT-Paramedic.

Stat. Auth.: ORS 682.017 & ORS 682.208

Stats. Implemented: ORS 682.017, ORS 682.208, ORS 682.216

333-265-0018

Course Director Qualifications for First Responder Courses

(1) An ambulance service, emergency medical services agency, or entity that has contracted with the Division to conduct a First Responder course must have a qualified Course Director.

(2) A First Responder Course Director must:

(a) Have appropriate training and experience to fulfill the role and have the credentials that demonstrate such training and experience;

(b) Be currently certified in Oregon as an EMT-Basic or higher with three years of pre-hospital care experience and in good standing with the Division, or an EMS medical director or his or her designee;

(c) Be currently certified by the American Heart Association, American Red Cross, or a similar organization approved by the Division as a CPR instructor; and

(d) Have successfully completed one of the following:

(A) The National Association of EMS Educator Course, developed by the U.S. Department of Transportation, 2002;

(B) The National Fire Protection Association (NFPA) Fire Instructor I or Fire Service Instructor I and II programs developed by the Department of Public Safety and Standards and Training (DPSST);

(C) Have at least 40 hours of the Instructor Development Program offered by the DPSST; or

(D) A minimum of three college credits in adult educational theory and practice or vocational educational theory and practice from an accredited institution of higher learning.

(e) Have participated in a course director program offered by the Division; and

(f) Agree to participate in the course director program updates offered by the Division.

Stat. Auth.: ORS 682.017 & ORS 682.208

Stats. Implemented: ORS 682.017, ORS 682.208, ORS 682.216

333-265-0020

Approved EMT Course Director

(1) An Oregon teaching institution conducting EMT-Basic, EMT-Intermediate or EMT-Paramedic courses must have program faculty consisting of a designated program director, course medical director, and course directors and may have guest instructors.

The number of persons carrying out the responsibilities of conducting an EMT course may vary from program to program. One person, if qualified, may serve in multiple roles.

(2) A course EMS Medical Director must meet the qualifications of a supervising physician as defined in OAR 847-035-0020.

(3) A course director for a specific course must:

(a) Be an EMS Medical Director; or

(b) Hold at least the level of certification as the course being taught and be in good standing with the Division, and have at least three years of experience at that certification level or higher, and:

(A) Have a certificate that is current from the American Heart Association, American Red Cross, or a similar organization approved by the Division as a CPR instructor;

(B) Have successfully completed one of the following:

(i) The National Association of EMS Educator Course, developed by the U.S. Department of Transportation, 2002;

(ii) The National Fire Protection Association (NFPA) Fire Instructor I or Fire Service Instructor I and II programs developed by the Department of Public Safety and Standards and Training (DPSST);

(iii) At least 40 hours of the Instructor Development Program offered by the DPSST; or

(iv) A minimum of three college credits in adult educational theory and practice or vocational educational theory and practice from an accredited institution of higher learning;

(C) Participated in the Course Director Program offered by the Division; and

(D) Participated in the Course Director Program updates offered by the Division.

(4) In addition to the Course Director requirements in section (3) of this rule, an EMT-Paramedic Course Director must:

(a) Be an EMS Medical Director and hold a current:

(A) American Board of Emergency Medicine Certificate; or

(B) Advance Cardiac Life Support (ACLS) Instructor certificate and Advance Trauma Life Support certificate or equivalent as approved by the Division; or

(b) Be a certified Paramedic in good standing with the Division with at least three years of experience at the certification level and:

(A) Possess at least an associate's degree of applied science from an accredited institution of higher learning;

(B) Hold an Advance Cardiac Life Support (ACLS) Instructor certificate from the American Heart Association or equivalent that has been approved by the Division; and

(C) Hold a Basic Trauma Life Support (BTLS) Instructor certificate or equivalent that has been approved by the Division, or a Pre-hospital Trauma Life Support (PHTLS) Instructor certificate or equivalent that has been approved by the Division.

(5) A guest instructor must:

(a) Be qualified and have the expertise in the specific course subject; and

(b) Follow the course curriculum and meet the course objectives for that specific subject.

Stat. Auth.: ORS 682.017

Stats. Implemented: ORS 682.017

333-265-0022

Program Administrator and Faculty Responsibilities

(1) A Program Administrator is responsible for course planning, the organizing and administration of courses, periodic review of courses, program evaluation, and continued development and effectiveness of courses.

(2) A course EMS Medical Director shall:

(a) Provide medical direction for the didactic, clinical and field internship portions of an EMT course; and

(b) Act as the ultimate medical authority regarding course content, procedures and protocols.

(3) A Course Director for a specific course:

(a) Is responsible for course planning and organizing, including scheduling lectures, coordinating and arranging clinical rotations, and field internships;

(b) Is the primary instructor, who conducts at least 50 percent of the didactic sessions, unless this requirement is waived by the Division in advance;

(c) Must ensure, if guest instructors are used, that the guest instructor presents lessons that address all objectives identified in the course curriculum for the topic being presented;

(d) Must ensure that:

(A) On the first day of class each student completes a registration form prescribed by the Division;

(B) Each student is informed that failure to complete a registration form will make them ineligible to take the certification exam; and

(C) The completed registration forms are collected and submitted to the Division within 21 days of the first day of class.

(e) Must have written documentation showing whether a student has successfully completed the course as defined in OAR 333-265-0014.

Stat. Auth.: ORS 682.017

Stats. Implemented: ORS 682.017

333-265-0023

First Responder and EMT Examinations

(1) In order to be a certified First Responder, a student must:

(a) Successfully complete the approved courses, including completion of all clinical and internship requirements, if applicable, and pass a practical and cognitive examination; and

(b) Submit a completed application for certification and the appropriate fee to the Division in accordance with OAR 333-265-0025.

(2) In order to be a certified EMT, a student must take and pass a cognitive and practical certification examination. Prior to taking either examination, a student must:

(a) Successfully complete the approved courses, including completion of all required clinical and internship requirements; and

- (b) Submit a completed application for certification and the appropriate fee to the Division in accordance with OAR 333-265-0025.
- (3) EMT-Basic and EMT-Intermediate applications for certification must be received by the Division three weeks prior to the date of the practical examination.
- (4) An EMT-Paramedic application for certification must be received by the Division four weeks prior to the date of the practical examinations.
- (5) The First Responder cognitive and practical examinations will be administered by an entity approved by the Division to conduct First Responder courses. An approved entity must use a Division approved cognitive and practical exam. The National Registry of Emergency Medical Technicians cognitive examination for First Responders may also be used.
- (6) The EMT-Basic and EMT-Intermediate practical examinations will be hosted by a teaching institution that offers EMT-Basic and EMT-Intermediate courses.
- (7) The EMT-Paramedic practical examination is a National Registry of EMTs examination offered at various times during the year by the Division. An EMT-Paramedic student may take the EMT-Paramedic practical in any state that it is offered.
- (8) EMT-Basic and EMT-Paramedic students must complete the cognitive examination offered by the National Registry of EMTs. The fee for this exam must be paid directly to the National Registry of EMTs.
- (9) EMT-Intermediate students must complete a cognitive examination offered by the Division.
- (10) The Division or the National Registry of EMTs shall establish the passing scores of all cognitive and practical certification examinations.
- (a) A student who fails not more than two skill stations of the EMT-Basic practical examination, not more than three skill stations of the EMT-Intermediate practical examination, or not more than five skill stations of the EMT-Paramedic practical examination may retest those skill stations failed on the same day with no additional charge by the Division. If a skill station is failed a second time, the student must submit a re-examination fee and be scheduled for another examination to retest any skill station failed.
- (b) A student who fails more than two skill stations of the EMT-Basic practical examination, more than three skill stations of EMT-Intermediate practical examination, or more than five skill stations of the EMT-Paramedic practical examination must submit a re-examination fee and be scheduled for another complete practical examination.
- (c) If a student fails either the cognitive or practical examination three times, that person must successfully complete a Division approved refresher course for that specific certification level to become eligible to re-enter the certification process. Following successful completion of a refresher course, a student must re-take and pass both the cognitive and practical examination within three additional attempts.
- (11) A student must pass both the cognitive and practical examinations within 24 months after the completion of the required courses.
- (12) The passing results of the cognitive and practical certification examinations for each level of certification will remain valid for a 12-month period from the date the examination was successfully completed. A student not successfully completing the failed portion of an examination within that 12-month period shall be required to repeat the entire cognitive and practical examinations.

(13) A student who fails the cognitive and practical examination six times or does not complete the examination process within 24 months of the completion date of the initial required courses, must successfully complete the entire EMT course for that certification level and reapply for certification.

(14) The entity providing a cognitive examination must have a policy for the accommodation of a person with a documented learning disability.

(15) No accommodation shall be provided for a practical certification examination.

(16) EMT-Basic and EMT-Intermediate practical examinations must be attended by a Division approved:

(a) Certifying Officer that:

(A) Is certified in Oregon as at least at an EMT-Basic for EMT-Basic exams and as at least an EMT-Intermediate for EMT-Intermediate level exams and in good standing with the Division; and

(B) Has completed training offered by the Division explaining the role and responsibilities of a Certifying Officer.

(b) Exam Evaluator that:

(A) Is currently certified at a level equal to or higher than the level of certification for which a student is being tested and is in good standing with the Division; and

(B) Has completed training offered by the Division explaining the role and responsibilities of an Exam Evaluator.

Stat. Auth.: ORS 682.017, ORS 682.208, & ORS 682.216

Stats. Implemented: ORS 682.017, ORS 682.208 & ORS 682.216

333-265-0025

Application Process to Obtain a First Responder or EMT Certificate

(1) For any person to act as a First Responder or an EMT a certificate must be obtained from the Division.

(2) A First Responder must comply with the requirements in section (3) of this rule, except that a First Responder must be at least 16 years of age and is not required to meet the education requirements in subsection (3)(d).

(3) An applicant for an EMT-Basic, Intermediate, or Paramedic certificate must:

(a) Complete and sign an application form prescribed by the Division certifying that the information in the application is correct and truthful;

(b) Meet the requirements of ORS 682.208 and these rules;

(c) Be at least 18 years of age;

(d) Be a high school graduate or equivalent, and for EMT-Paramedic certification, have an associate's degree in applied science or higher as approved by the State Board of Education and offered by Oregon's two-year community colleges or four-year colleges;

(e) Have successfully completed all course requirements for the level of certification being applied for;

(f) Consent to a criminal background check through the Law Enforcement Data System (LEDS), including a nationwide criminal record check by fingerprint identification under the authority of ORS 181.534 and ORS 181.537 if the results of the LEDS check shows that the applicant is a "multi-state offender";

(g) Provide an authorization for the release of information, as necessary, from any persons or entities, including but not limited to educational institutions, employers,

hospitals, treatment facilities, institutions, organizations, governmental or law enforcement agencies in order for the Division to complete the review of the application; and

(h) Submit a fee as set out in OAR 333-265-0030.

(4) A person must be certified at least at the Oregon EMT-Basic level or must have a current certificate from the National Registry of EMTs before being eligible to enroll in an EMT-Intermediate or EMT-Paramedic course and apply for and take any certification examinations.

(5) Any fee for a criminal background check through LEDS or a nationwide criminal background check shall be the responsibility of the applicant.

(6) An applicant for an initial certification as an EMT or First Responder who completed training in a program outside Oregon and has never been certified in another state, must meet all requirements established for someone completing training in an Oregon training program, and must have passed the National Registry for EMT's cognitive examination and practical skills examination for the level that they are seeking certification and make application within 24 months from the date they completed their training program.

(7) The Division shall return any application that is incomplete or is not accompanied by the appropriate fee.

(8) On or after August 1, 2008, all First Responders certified prior to July 31, 2008 who wish to continue to be certified as a First Responder must apply to the Division for certification by submitting:

(a) An application for certification as described in sections (1) through (5) of this rule;

(b) Documentation of initial certification and continuing education requirements for the preceding certification period; and

(c) Documentation of a current and valid American Heart Association Healthcare Provider CPR certification or equivalent.

Stat. Auth.: ORS 682.017, ORS 682.028 & ORS 682.208

Stats. Implemented: ORS 682.017, ORS 682.028 & ORS 682.208

333-265-0030

Fees for the Certification and Recertification of a First Responder or EMT

(1) The initial application fee for:

(a) First Responder - \$30;

(2) The initial application and same-day practical examination fees for EMTs:

(a) EMT-Basic - \$70;

(b) EMT-Intermediate - \$75; and

(c) EMT-Paramedic - \$200.

(3) Cognitive re-examination fees for EMT- Intermediate- \$50.

(4) Practical re-examination fees:

(a) EMT-Basic - \$30;

(b) EMT-Intermediate - \$50; and

(c) EMT-Paramedic - \$70.

(5) Provisional certification fee is \$25 in addition to the fee listed in sections (1) and (2) of this rule.

(6) Indorsement certification fees:

(a) First Responder - \$30;

- (b) EMT-Basic - \$70;
- (c) EMT-Intermediate -\$75; and
- (d) EMT-Paramedic - \$200.
- (7) Recertification fees:
 - (a) Certified First Responder - \$15;
 - (b) EMT-Basic - \$40;
 - (c) EMT-Intermediate - \$65; and
 - (d) EMT-Paramedic - \$120.
- (8) As authorized by ORS 682.216, a recertification application postmarked after May 31 of the recertification year must include a \$20 late fee in addition to the recertification fee.
- (9) An EMS agency or rescue service which utilizes volunteers to provide a majority of its services may request that the Division waive the First Responder or EMT recertification fee for its volunteers by applying for a waiver on forms prescribed by the Division that includes:
 - (a) A statement certifying that the ambulance or rescue service is unable to maintain an adequate number of volunteer First Responders or EMTs due to the required First Responder or EMT recertification fees; and
 - (b) A copy of a signed agreement between the volunteer service and the volunteer First Responder or EMT is attached to the First Responder's or EMT's application for recertification specifying that the First Responder or EMT:
 - (A) Is not employed as a First Responder or EMT elsewhere;
 - (B) Will be affiliated with the volunteer service for the entire upcoming certification period;
 - (C) Will be scheduled monthly to staff the ambulance or rescue service; and
 - (D) Will immediately pay the Division the required current First Responder or EMT recertification fee if the First Responder or EMT is not scheduled monthly or is no longer affiliated with a volunteer ambulance or rescue service and wants to remain certified as a First Responder or EMT.
- (10) An Oregon-certified First Responder or EMT wishing to obtain a duplicate First Responder or EMT certificate, must submit a written request to the Division in the form required by the Division and pay a fee in the amount of \$10.
- (11) All fees established in this section are nonrefundable except that the Division may waive a subsequent examination fee for a person who fails to appear for an examination due to circumstances that are beyond the control of the applicant.
- (12) These fees are effective for any application submitted on or after the effective date of these rules.

Stat. Auth.: ORS 682.017, ORS 682.212, ORS 682.216 Stats. Implemented: ORS 682.017, ORS 682.212, ORS 682.216

333-265-0040

Certification as a First Responder or EMT

- (1) The Division will review an application for certification as a First Responder or EMT and will conduct a criminal background check.
- (2) If there are no issues that arise during the review of the application and the applicant meets all the requirements of ORS chapter 682 and these rules, the Division will grant the applicant a certificate.

(3) If there are criminal history or personal history issues that call into question the ability of the applicant to perform the duties of a certified First Responder or EMT in accordance with ORS chapter 682 or these rules, the Division may deny the applicant on the basis of the information provided in the application, or conduct an additional investigation that may include:

- (a) Requesting additional information from the applicant;
- (b) Conducting a phone or in-person interview;
- (c) Requesting that the applicant undergo a psychological, physical, alcohol or chemical dependency assessment; or
- (d) Any combination of the actions listed in subsections (3)(a), (3)(b), or (3)(c).

(4) Following an investigation the Division may:

- (a) Deny the application;
- (b) Grant the application but place the applicant on probation;
- (c) Grant the application but place practice restrictions on the applicant; or
- (d) Grant the application if the criminal or personal history issues were resolved through the investigation to the Division's satisfaction.

(5) Final actions taken by the Division in denying an applicant, placing an applicant on probation, or by placing restrictions on the applicant's practice shall be done in accordance with ORS chapter 183.

(6) Nothing in this section precludes the Division from taking an action authorized in ORS chapter 682.

(7) The certificates of First Responders expire on June 30 of even-numbered years, except for the year 2008 when a First Responder certificate will expire on September 30, 2008.

(8) The certificates of EMT-Basics, EMT-Intermediates and EMT-Paramedics expire on June 30 of odd-numbered years.

Stat. Auth.: ORS 682.017, ORS 682.208, ORS 682.216

Stats. Implemented: ORS 682.017, ORS 682.208, ORS 682.216

333-265-0050

First Responder and EMT Certification by Indorsement

(1) A person certified with another state as a First Responder, EMT-Basic, EMT-Intermediate, or EMT-Paramedic and registered with the National Registry of EMT's as a First Responder, EMT-Basic, EMT-Intermediate I-99, or EMT-Paramedic may apply to the Division for a certificate by indorsement..

(2) A person applying for Oregon First Responder or EMT certification by indorsement must:

- (a) Complete and sign an application form prescribed by the Division accompanied by a nonrefundable fee;
- (b) Submit documentation of the First Responder or EMT training which meets or exceeds the requirements for Oregon First Responder or EMT certification at the level of certification for which the person is applying;
- (c) Be in good standing with the applicant's current certifying agency and with the National Registry of EMTs, if applicable; and
- (d) Consent to a criminal background check in accordance with OAR 333-265-0025(3).

- (3) Notwithstanding the training and other educational requirements in these rules, the Division shall certify an applicant who:
- (a) If applying for EMT-Paramedic certification, has an associate's degree of applied science or higher from an accredited educational institution;
 - (b) Meets the physical and mental qualification required to be a First Responder or EMT in Oregon; and
 - (c) Does not have any criminal history or personal history issues that would prevent certification under ORS chapter 682 or these rules.
- (4) An applicant applying for Oregon EMT-Paramedic certification that is currently certified in one or more states prior to July 1, 1999, and has been continuously certified in the state(s) does not need to meet the educational requirements in section (3) of this rule.
- (5) The Division shall be the sole agency authorized to determine equivalency of course work presented from an out of state accredited educational institution.
- (6) The Division shall return any application that is incomplete, or can not be verified.
- Stat. Auth.: ORS 682.017 & ORS 682.216
Stats. Implemented: ORS 682.017 & ORS 682.216

333-265-0060

EMT Provisional Certification

- (1) As authorized by ORS 682.216, the Division may issue a one-time provisional EMT-Paramedic certification to an out-of-state certified EMT-Paramedic who meets the requirements in OAR 333-265-0050, except for the educational requirements in OAR 333-265-0050(3)(a); and
- (a) Is in the process of obtaining an associate's degree in applied science or higher from an accredited institution of higher education.
- (2) An applicant must submit:
- (a) A letter of recommendation from the applicant's most recent Medical Director;
 - (b) A letter from an Oregon EMS agency specifying that the person shall be immediately employed or has a conditional offer of employment, whether in a paid or volunteer capacity; and
 - (c) A letter from the applicant's prospective EMS Medical Director stating that the EMS Medical Director will serve as his or her EMS Medical Director while being provisionally certified.
- (3) The Division shall return any application that is incomplete, can not be verified, or is not accompanied by the appropriate fee. The fee will be forfeited if an application is returned as incomplete.
- (4) An EMT-Paramedic with a provisional certification issued under these rules shall submit quarterly reports to the Division describing the certificate holder's progress in meeting the requirements in section (1) of this rule.
- (5) An EMT-Paramedic provisional certification shall be revoked immediately if the person:
- (a) Ceases active involvement in emergency medical services;
 - (b) Has his or her EMT scope of practice revoked or restricted by his or her EMS Medical Director; or
 - (c) Does not submit written documentation of the successful completion of any of the educational requirements set out in section (1) of this rule.

Stat. Auth.: ORS 682.017 & ORS 682.216
Stats. Implemented: ORS 682.017 & ORS 682.216

333-265-0070

Certification as an EMT of Any Person in Adjoining States

- (1) Any person who provides pre-hospital emergency or non-emergency care in Oregon must be certified as an Oregon First Responder or EMT and function under a Division-approved EMS Medical Director.
- (2) Oregon First Responder or EMT certification is not required when:
 - (a) Specifically exempted by ORS 682.035;
 - (b) An out-of-state certified EMT is transporting a patient through the state;
 - (c) An out-of-state certified EMT is caring for and transporting a patient from an Oregon medical facility to an out-of-state medical facility or other out-of-state location;
 - (d) An out-of-state certified EMT is caring for and transporting a patient originating from outside of Oregon to a medical facility or other location in Oregon; or
 - (e) A disaster or public health emergency has been declared under ORS chapter 401 or ORS chapter 433 and licensing provisions have been waived by the Governor.

Stat. Auth.: ORS 682.017 & ORS 682.204
Stats. Implemented: ORS 682.017 & ORS 682.204

333-265-0080

Reportable Events; Investigations and Discipline of Certificate Holders

- (1) Using a form prescribed by the Division, a certificate holder must notify the Division of the actions or events listed in section (2) of this rule. Failure to comply with the reporting requirements of this rule may result in disciplinary action against the certificate holder.
- (2) Within 14 calendar days a certificate holder must notify the Division of:
 - (a) A disciplinary restriction placed on a scope of practice of the certificate holder by the EMS Medical Director;
 - (b) A legal action being filed against the certificate holder alleging medical malpractice or misconduct;
 - (c) A citation, arrest, formal charge, or conviction for driving under the influence, a drug related offense, sexual, violent, or property offense, or other offense against a person;
 - (d) Being admitted to a diversion program for DUII;
 - (e) Restriction or loss of driving privileges;
 - (f) Admission to a drug or alcohol treatment program;
 - (g) Admission to a mental health treatment facility;
 - (h) A physical disability that affects the ability of the certificate holder to meet the Functional Job Analysis, Appendix A of the 1994 EMT-Basic, National Standard Curriculum, incorporated by reference, and the certificate holder continues to respond to calls and is providing patient care; or
 - (i) A change in mental health which may affect a certificate holder's ability to perform as a certified First Responder or EMT.
- (3) The Division may conduct an investigation of a certificate holder following notification of any of the actions or events in section (2) of this rule, or because the Division has reason to believe the certificate holder:

- (a) Has used or been addicted to drugs within the past 10 years;
 - (b) Has been addicted to alcohol within the past 10 years;
 - (c) Has been convicted of theft, fraud, or any other crime of dishonesty, within the past five years;
 - (d) Has been involved in any judicial proceeding in which the certified First Responder or EMT is accused of a sexual or violent crime;
 - (e) Has been diagnosed with or may have had, within the last five years, a mental illness;
- or
- (f) Has violated any provision in ORS 682.208 or 682.220(2).
- (4) The fact that an investigation is conducted by the Division does not imply that disciplinary action will be taken.
- (5) During an investigation the Division may do any of the following:
- (a) Request additional information from the certificate holder;
 - (b) Conduct a phone or in-person interview; or
 - (c) Request that the certificate holder undergo a psychological, physical, psychiatric, alcohol or chemical dependency assessment.
- (6) Upon completion of an investigation the Division may do any of the following:
- (a) Close the investigation and take no action;
 - (b) Issue a letter of reprimand or instruction;
 - (c) Place the certificate holder on probation;
 - (d) Place a practice restriction on the certificate holder;
 - (e) Suspend the certificate holder;
 - (f) Revoke the certificate of the certificate holder;
 - (g) Enter into a stipulated agreement with the certificate holder to impose discipline; or
 - (h) Take such other disciplinary action as the Division, in its discretion, finds proper, including assessment of a civil penalty not to exceed \$5,000.
- (7) Any disciplinary action taken by the Division will be done in accordance with ORS chapter 183.
- (8) The Division may assess the costs of a disciplinary proceeding against a certificate holder. Costs may include, but are not limited to charges for:
- (a) Costs incurred by the Division in conducting the investigation;
 - (b) Costs of an examination performed pursuant to ORS 682.222(2)(k); and
 - (c) Attorney fees.
- (9) Voluntary Surrender:
- (a) A certificate holder may voluntarily surrender their certificate if a written request from the certificate holder is submitted to the Division specifying the reason for the surrender of the certificate and the Division agrees to accept the voluntary surrender.
 - (b) The Division may condition its acceptance of a voluntary surrender on the certificate holder agreeing not to reapply for certification, or agreeing not to reapply for a specified period of time.
- (10) If the Division finds that a person who voluntarily surrendered their First Responder or EMT certification had committed an act that would have resulted in the denial, suspension, or revocation of their certificate or being placed on probation while they were certified, that person may not be eligible to reinstate their certification or apply for certification at a later date.

(11) If a person's certificate is revoked they may not reapply for certification for at least two years from the date of the final order revoking the certificate.

Stat. Auth.: ORS 682.017, ORS 682.220, ORS 682.224

Stats. Implemented: ORS 682.017, ORS 682.220, ORS 682.224

333-265-0090

Reverting to a Lower Level of EMT Certification

(1) An EMT may revert to a lower level of certification at any time during a certification period if the EMT:

(a) Submits a written request to the Division specifying the reason for the change in the certification level;

(b) Submits an application for recertification for the lower level of certification sought with the appropriate fee;

(c) Surrenders his or her current EMT certificate to the Division;

(d) Is in good standing with the Division;

(e) Adequately documents appropriate continuing education hours and courses for the certification level the individual would revert to; and

(f) Receives written approval from the Division for a change in certification level.

(2) If an EMT requests reinstatement of the higher level of certification within one year of reverting to a lower level of certification the EMT must complete the requirements specified in OAR 333-265-0100(3)(c).

(3) If an EMT requests reinstatement of the higher level of certification the EMT must complete the requirements specified in OAR 333-265-0100.

Stat. Auth.: ORS 682.017 & ORS 682.216

Stats. Implemented: ORS 682.017 & ORS 682.216

333-265-0100

Expiration, Recertification and Reinstatement of EMT Certification

(1) An applicant for recertification must:

(a) Complete and sign an application form prescribed by the Division certifying that the information in the application is correct and truthful;

(b) Meet the requirements of ORS chapter 682 and these rules;

(c) Consent to a criminal background check in accordance with OAR 333-265-0025(3);

(d) Provide an authorization for the release of information to the Division, as necessary, from any persons or entities, including but not limited to employers, educational institutions, hospitals, treatment facilities, institutions, organizations, governmental or law enforcement agencies in order for the Division to make a complete review of the application.

(e) Complete the continuing education requirements in OAR 333-265-0110; and

(f) Submit a fee set out in OAR 333-265-0030.

(2) A recertification certificate shall be valid for no more than 24 months.

(3) To reinstate an expired Oregon First Responder, EMT-Basic, EMT-Intermediate, or EMT-Paramedic certificate that has been expired for less than one year, a certificate holder must:

(a) Submit a completed application for recertification;

(b) Submit the appropriate recertification fee; and

(c) Provide evidence of completion of continuing education requirements as specified in Appendix 1, incorporated by reference, and courses completed during the previous certification period and up to the time the application for recertification was submitted, as specified in this rule.

(4) To reinstate an Oregon First Responder, EMT-Basic, EMT-Intermediate, or EMT Paramedic certificate that has been expired for more than one year, but less than two years, a certificate holder must submit a completed application for certification with the appropriate fee and successfully complete a Division approved reinstatement program described in these rules.

(a) Reinstatement program for a certified First Responder:

(A) Obtain an American Heart Association "Health Care Provider," or American Red Cross "Basic Life Support for the Professional Rescuer," or other Division approved equivalent CPR course completion document;

(B) Complete the First Responder refresher course approved by the Division;

(C) Pass the First Responder cognitive and practical examinations within three attempts, including a same-day re-examination; and

(D) Complete the above listed program requirements within six months of applying for reinstatement.

(b) Reinstatement program for an EMT-Basic:

(A) Obtain an American Heart Association "Health Care Provider," or American Red Cross "Basic Life Support for the Professional Rescuer," or other Division-approved equivalent CPR course completion document;

(B) Complete the EMT-Basic Refresher Training Program, U.S. Department of Transportation, National Highway Traffic Safety Administration, 1995, incorporated by reference;

(C) Pass the EMT-Basic cognitive and practical examinations within three attempts, including a same-day re-examination; and

(D) Complete the above listed program requirements within six months of applying for reinstatement.

(c) Reinstatement program for an EMT-Intermediate:

(A) Obtain an American Heart Association "Health Care Provider," or American Red Cross "Basic Life Support for the Professional Rescuer," or other Division approved equivalent CPR course completion document;

(B) Complete a Division approved EMT-Intermediate refresher course consisting of at least:

(i) 14 hours of didactic instruction;

(ii) Eight hours of clinical experience in a hospital emergency department in which patient assessment, eliciting a concise and focused medical history, oxygenation and ventilatory management, intravenous therapy, and medication preparation and administration are evaluated; and

(iii) Demonstration of five supervised and documented successful pharyngeal esophageal airway device placements (mannequin permitted) and five supervised and documented successful intravenous line placements (mannequin permitted).

(C) Pass the EMT-Intermediate cognitive and practical examination within three attempts, including the same day re-examination; and

- (D) Complete the above listed program requirements within one year of applying for reinstatement.
- (d) Reinstatement program for an EMT-Paramedic:
- (A) Complete an Advanced Cardiac Life Support (ACLS) course, provider or instructor course;
- (B) Complete a Basic Trauma Life Support (BTLS) course, or Pre-Hospital Trauma Life Support (PHTLS) course, provider or instructor course;
- (C) Complete an Advanced Pediatric Life Support (APLS), Pediatric Advanced Life Support (PALS), Pediatric Education for Pre-hospital Professionals (PEPP), or Neonatal Advance Life Support (NALS) course, provider or instructor course;
- (D) Complete the U.S. Department of Transportation, National Highway Traffic Safety Administration 2001 EMT-Paramedic: National Standard Curriculum Refresher Training Program, incorporated by reference;
- (E) Pass the EMT-Paramedic cognitive and practical examinations within three attempts, including the same-day re-examination;
- (F) Complete the above listed program requirements within two years of applying for reinstatement; and
- (G) Document completion of a DOT EMT-Paramedic Training Program taken after January 1, 1977.
- Stat. Auth.: ORS 682.017 & ORS 682.216
 Stats. Implemented: ORS 682.017 & ORS 682.216

333-265-0110

Certified First Responder and EMT Continuing Education Requirements for Recertification

- (1) In order to retain certification after July 1, 2008 a certified First Responder is required to:
- (a) Complete 12 hours of continuing education as specified in Appendix 1, incorporated by reference; or
- (b) Complete all requirements of the National Registry of Emergency Medical Technicians for First Responder re-registration.
- (2) In order to retain certification after July 1, 2009 an EMT-Basic is required to:
- (a) Complete 24 hours of continuing education as specified in Appendix 1, incorporated by reference; or
- (b) Complete all requirements of the National Registry of EMT-Basic re-registration.
- (3) In order to retain certification after July 1, 2009 an EMT-Intermediate is required to:
- (a) Complete a course with published standards and guidelines for cardiopulmonary resuscitation and emergency cardiac care where the EMT has demonstrated knowledge and skills in the performance of subcutaneous (SQ) injections, automated external defibrillator (AED) operation, one and two person rescuer cardiopulmonary resuscitation (adult, child, and infant) and relief of foreign body airway obstruction; and
- (b) Obtain at least 36 hours of continuing education as specified in Appendix 1, incorporated by reference.
- (4) In order to retain certification after July 1, 2009 an EMT-Paramedic is required to:
- (a) Complete all requirements of the National Registry of EMT-Paramedic re-registration; or

- (b) Obtain at least 48 hours of continuing education as specified in Appendix 1, incorporated by reference.
- (5) Continuing education credit shall be granted for:
- (a) Attending training seminars, educational conferences, and continuing education classes within the certificate holder's scope of practice; and
 - (b) Attending approved courses for the same or higher level of certification.
- (6) Up to 50 percent of the hours of continuing education credits for each subject listed in section 1 of Appendix 1 may be obtained by:
- (a) Watching a video, CD-ROM, or other visual media;
 - (b) Being an EMT practical certification exam evaluator, if the certificate holder is qualified as such;
 - (c) Reading EMT journals or articles; and
 - (d) Teaching any of the topics listed in Appendix 1, if the certificate holder is qualified to teach the subject.
- (7) In addition to the hours of continuing education required in this rule, a certificate holder must, as specified in section 2 of Appendix 1, incorporated by reference, demonstrate skills proficiency through a hands-on competency examination supervised by the EMS Medical Director or his or her designee. An EMS Medical Director may require successful performance in a minimum number of clinical skills in these areas on either human subjects or mannequins (e.g. venipunctures, endotracheal intubations, etc.).
- (8) An EMS Medical Director may require additional continuing education requirements and skill competency as needed because of changes in the scope of practice or local protocols.
- (9) When a certificate holder obtains an initial certificate and there is:
- (a) Less than six months until recertification, no continuing education credits are required to obtain recertification;
 - (b) More than six months but less than one year until recertification, the certificate holder must complete 50 percent of the continuing education credits in each category; or
 - (c) More than one year until recertification, the certificate holder must complete all continuing education credits.
- (10) Continuing education credits are granted on an hour-for-hour basis.
- (11) It shall be the responsibility of each certificate holder to ensure the hours obtained meet the Division's recertification requirements.
- (12) A certificate holder must submit proof, in a manner prescribed in OAR 333-265-0140 that the continuing education requirements have been met.
- (13) Continuing education programs, journals and articles that may count towards continuing education requirements must be approved by the EMS Medical Director or the Division.
- (14) The continuing education requirements in this rule apply to:
- (a) Certified First Responders applying for recertification on or after July 1, 2008; and
 - (b) EMT-Basics, Intermediates, and Paramedics applying for recertification on or after July 1, 2009.

Stat. Auth.: ORS 682.017 & ORS 682.216

Stats. Implemented: ORS 682.017 & ORS 682.216

333-265-0140

Maintaining Certified First Responder and EMT Continuing Education Records

(1) A certificate holder is responsible for retaining records that show successful completion of all required continuing education for the two previous certification periods.

(2) The Division will accept as proof of successful completion:

(a) A class roster that contains:

(A) The name of the teaching institution or EMS agency;

(B) The date of the class;

(C) The class topic;

(D) The length of the class;

(E) The full name of the certificate holder attending the class;

(F) The full name of the instructor; and

(G) A signed statement as follows: "I certify by my signature that I attended and participated in the complete class described on this roster. I understand that if any information on this roster is false, I may be subject to discipline under ORS 682.220 as well as such criminal penalties as may be provided by law."

(b) A computer-generated printout history of the certificate holder's continuing education record that contains:

(A) The full name of the certificate holder;

(B) The name of the teaching institution or EMS agency conducting the classes;

(C) The dates of the classes;

(D) The class topics;

(E) The length of each class;

(F) The full name of each instructor; and

(G) A signed statement as follows: "I certify by my signature that I attended and participated in all the classes described on this printout. I understand that if any information on this printout is false, I may be subject to discipline under ORS 682.220 as well as such criminal penalties as may be provided by law."; or

(c) A certificate of course completion for one or more topics that contains:

(A) The name of the teaching institution or EMS agency conducting the course;

(B) The date(s) of the course;

(C) The course topic(s);

(D) The length of the course; and

(E) The full name of the certificate holder attending the course.

(d) If the certificate does not list each course topic, then a copy of the program listing each course topic and length of each course topic must be attached to the certificate.

Stat. Auth.: ORS 682.017 & ORS 682.216

Stats. Implemented: ORS 682.017 & ORS 682.216

333-265-0150

Certified First Responder and EMT Continuing Education Records Audit

(1) The Division may conduct an audit of a certificate holder's continuing education records:

(a) The Division shall notify the certificate holder by certified mail that he or she is being audited and provide him or her with the necessary audit forms and the date the completed forms are to be returned to the Division; and

(b) Upon the return of the completed audit forms to the Division, the Division shall begin the process of verifying the continuing education records.

(2) If, in the course of an audit of continuing education records, the Division learns that, contrary to the sworn statement in the application for recertification or in the official audit form, the certificate holder has not completed all necessary continuing education requirements, the Division may:

(a) Discipline the certificate holder as set out in OAR 333-265-0080;

(b) Assess a monetary penalty in the amount of \$10 per each hour of deficient continuing education; or

(c) Require the certificate holder to demonstrate their knowledge and psychomotor skills by taking and passing a cognitive and practical examination conducted by the Division.

(3) The actions taken by the Division in section (2) of this rule will be done in accordance with ORS chapter 183.

Stat. Auth.: ORS 682.017, ORS 682.216, ORS 682.220, ORS 682.224

Stats. Implemented: ORS 682.017, ORS 682.216, ORS 682.220, ORS 682.224

333-265-0160

Certificate Holder's Responsibility to Notify the Division of Changes

(1) A certificate holder must keep the Division apprised of and report the following changes within 14 calendar days of a change in:

(a) EMS Medical Director, unless the certificate holder is affiliated with an EMS agency that is on file with the Division.

(b) Legal name;

(c) Home address or a main contact phone number; or

(d) EMS affiliation.

Stat. Auth.: ORS 682.017, ORS 682.208, ORS 682.220, ORS 682.224

Stats. Implemented: ORS 682.017, ORS 682.208, ORS 682.220, ORS 682.224

333-265-0170

Displaying First Responder and EMT Certification Level

(1) A certified First Responder or an EMT providing patient care must display his or her level of certification on the outmost garment of his or her usual work uniform.

(2) A certified First Responder or EMT-certification levels need not be displayed on emergency work apparel not normally worn during the provision of pre-hospital patient care, such as haz-mat suits, anti-contamination or radiation suits, firefighting apparel, etc.

(3) A certified First Responder or EMT responding from home or other off-duty locations shall make a reasonable effort to display his or her certification level. Baseball-type hats, T-shirts, safety vests, etc. are accepted for this purpose.

Stat. Auth.: ORS 682.017, ORS 682.204, ORS 682.220, ORS 682.265

Stats. Implemented: ORS 682.017, ORS 682.204, ORS 682.220, ORS 682.225

333-265-0180

EMT-Intermediate Bridge Course

(1) In January 2006, the Oregon Medical Board adopted a new, increased scope of practice for EMT-Intermediates. In order for an EMT-Intermediate certified prior to this

change to deliver patient care consistent with the new scope of practice, the Division developed an EMT-Intermediate Bridge Course, 2006, incorporated by reference.

(2) An EMT-Intermediate certified prior to January 1, 2006, shall complete the EMT-Intermediate Bridge Course by June 30, 2008.

(3) An EMT-Intermediate who does not wish to complete the Bridge Course may voluntarily revert to an EMT-Basic at any time prior to June 30, 2008, as specified in OAR 333-265-0090.

(4) The Division may administratively revert any EMT-Intermediate to an EMT-Basic level for failing to complete the Division approved Bridge Course by June 30, 2008. An EMT-Intermediate who is administratively reverted shall surrender his or her certificate to the Division and will be issued an EMT-Basic certification.

(5) The EMT-Intermediate who voluntarily reverts to or is administratively reverted to an EMT-Basic for failure to complete a Division approved Bridge Course shall not be eligible for reinstatement at the EMT-Intermediate level under OAR 333-265-0090(2) and (3) and will be required to reapply for certification under OAR 333-265-0025.

(6) An EMT-Intermediate may request a waiver from this rule from the Division if the EMT can show that there were exceptional circumstances, beyond the EMT's control, that prevented the EMT from completing the Bridge Course. If the Division, in its discretion, grants a waiver under this section, the EMT will be permitted a reasonable amount of time to complete the course and may have a practice restriction placed on the EMT's certification.

Stat. Auth.: ORS 682.017 & ORS 682.245

Stats. Implemented: ORS 682.017 & ORS 682.245

333-265-0190

Effective Date of Rules

Except as otherwise provided in these rules, the amendments to OAR chapter 333, division 265 are effective on the date these rules are filed and apply to any pending applications, request for approval, open investigations, or disciplinary actions in which no final action has been taken.

Stat. Auth.; ORS 682.017

Stats. Implemented: ORS 682.017

APPENDIX 1

Oregon Certified First Responder and EMT Minimum Continuing Education Requirements

Section 1 – Continuing Education Topics	Two-Year Certification Period				Notes/Comments
	FR	EMT-B	EMT-I	EMT-P	
Trauma Emergencies	2	3	5	6	
Medical Emergencies	2	3	6	8	
Pediatric and Obstetric Emergencies	1	3	6	8	
Airway, Breathing, and Cardiology	2	4	6	9	
Miscellaneous EMS Topics (Related topics)	1	3	1	1	
Educational Topics Approved by the Medical Director	4	8	12	16	EMS or Public Health topics which are approved by the Medical Director
Total Hours for the Certification Period	12	24	36	48	
Section 2 – Clinical Skills Competency	At Least Once During Certification				Notes/Comments
Current CPR Certification	Yes	Yes	Yes	Yes	AHA Healthcare Provider or equivalent
Airway Management & Adjuncts	Yes	Yes	Yes	Yes	Proficiency within Scope of Practice
Cardiac Arrest Management	Yes	Yes	Yes	Yes	Proficiency within Scope of Practice
Splinting & Immobilization	Yes	Yes	Yes	Yes	
Vascular Access	No	No	Yes	Yes	
Chest Decompression & Cricothyroidotomy	No	No	No	Yes	