

RULES AND REGULATIONS FOR
EMERGENCY MEDICAL SERVICES

CHAPTER 1

GENERAL PROVISIONS

Section 1. Authority. The statutory authority for these rules is W.S. 33-38-103 and W.S. 16-3-102(a).

Section 2. Applicability.

(a) The Department may issue manuals, bulletins, or both, to interpret the provisions of this Chapter. Such manuals and bulletins shall be consistent with and reflect the copy contained in this Chapter. The provisions contained in manuals or bulletins shall be subordinate to the provisions of this Chapter.

(b) The incorporation by reference of any external standard is intended to be the incorporation of that standard as it is on the effective date of this Chapter.

Section 3. Purpose. These rules and regulations promote the health and safety of the people of Wyoming by establishing minimum standards and procedures relating to ambulances, a system for the licensing of ambulance businesses, the training and certification criteria for prehospital emergency medical personnel, land ambulance attendants, emergency medical fire protection service personnel, and by providing for penalties.

Section 4. Definitions. The following definitions shall apply in the interpretation and enforcement of these rules. Where the context in which words are used in these rules indicates that such is the intent, words in the singular number shall include the plural and vice versa. Throughout these rules gender pronouns are used interchangeably except where the context dictates otherwise. The drafters have attempted to utilize each gender pronoun in equal numbers, in random distribution. Words in each gender shall include individuals of the other gender.

(a) “Act” means the Wyoming Emergency Medical Services Act, W.S. 33-38-101 through 33-38-113.

(b) “Advanced Life Support” or “(ALS)” means treatment rendered by highly skilled certified personnel, including procedures such as cardiac monitoring, advanced airway management, intravenous therapy, and the administration of certain medications.

(c) “Affidavit” means written notarized statement of facts made voluntarily under oath.

(d) “Ambulance” means:

(i) Any land motor vehicle maintained, operated or advertised for the medical care and transportation of patients upon any street, highway, or public way;

(ii) Any land motor vehicle owned and operated on a regular basis by the State of Wyoming or any agency, municipality, city, town, county or political subdivision of Wyoming for medical care and transportation of patients upon any street, highway or public way; or

(iii) Any aircraft which is maintained, operated or advertised for the medical care and transportation of patients in this state.

(iv) This definition does not include any land motor vehicle or aircraft owned and operated by the United States.

(e) “Ambulance Administrator” means any person who has responsibility for quality assurance and control of an ambulance service.

(f) “Ambulance Service” means any organizational entity utilizing ambulances and providing authorized care to patients by attendants at the scene of an emergency or transportation.

(g) “Attendant” means a trained and qualified individual responsible for the care of patients in an ambulance but not involved in search and rescue operations.

(h) “Authorization” means discretionary consent given to permit the actions of others.

(i) “Authorized acts” or “scope of practice” means those skills, procedures, and medications that have been approved for use by EMTs by the Division, the Physician Task Force on Prehospital Care, and the Board of Medicine.

(j) “Automated external defibrillator” or “AED” means a device used in cardiac arrest to perform a computer analysis of the patient’s cardiac rhythm and deliver defibrillatory shocks when indicated.

(k) “First Responder” or “FR” means an individual who has successfully completed a training program that is current with the Department of Transportation’s First Responder program or an approved First Responder training program sponsored by the Division. A First Responder shall not practice alone as an ambulance attendant in Wyoming.

(l) “Basic Life Support” or “BLS” means treatment rendered by personnel certified at the FR or basic EMT level, including procedures such as bandaging, splinting, basic first aid, performing defibrillation utilizing an AED, basic airway management, oxygen administration, and performing CPR.

(m) “Board” means the Board of Medicine of the State of Wyoming, established by W.S. 33-28-102. The Board serves as the final authorizing agency for the Division on prehospital training programs and requests for medications and skills used by EMS personnel.

(n) “Committee on Accreditation of Allied Health Education Programs (CAAHEP),” means the nonprofit membership organization that provides programmatic postsecondary accreditation for over twenty health science discipline training programs.

(o) “Certificate” means a certificate granted by the Division authorizing an individual to practice at a First Responder FR, EMT, EMT Intermediate, or Paramedic level in this state.

(p) “Consent” means the granting of permission to treat, by a patient to a healthcare provider.

(q) “Contestant” means the person against whom the Division is proceeding in a disciplinary matter or a person whose request for a contested case has been granted.

(r) “Contested Case” means a proceeding involving the denial, revocation, restriction or suspension of a license or certificate, during legal rights, duties or privileges of a contestant are required by law to be determined by the Division after an opportunity for hearing. The hearing shall be conducted in accordance with the Wyoming Administrative Procedure Act, Wyoming Administrative Procedure Act, Wyoming Statutes Section 16-3-101, et seq. (t) “Continuing medical education recertification requirements” means Division-approved training criteria, the completion of which must be verified to the Division as a condition of having a certificate remain current or renewable.

(s) “Criminal Background Checks” means completion of a Federal Bureau of Investigation (FBI) criminal background check and a State of Wyoming Division of Criminal Investigation (DCI) criminal background check to include fingerprinting as per W.S. 7-19-106.

(t) “Days” means calendar days.

(u) “Division” means the Department of Health, Office of Emergency Medical Services (OEMS).

(v) “Emergency” means a situation where an illness or injury could expose a patient to risk of death or permanent disability and immediate transport and treatment, using the appropriate sirens and warning lights, are deemed necessary.

(w) “Emergency Medical Services” or “EMS” means the agencies personnel, and institutions involved in planning for, providing response to, treatment of, and monitoring emergency medical care for those suffering illness or injury.

(x) “Emergency Medical Services for Children” or “EMS-C” means that portion of the emergency medical services system relating to the training of personnel and the provision of patient care to children suffering illness or injury.

(y) “Emergency Medical Technician” means a person who has graduated from a Division approved training program for Emergency Medical Technicians. EMTs at all levels may be referred to as Medics. The levels of the Emergency Medical Technicians include the following:

(i) “Emergency Medical Technician Basic” or “EMT Basic” means an individual who has successfully completed a training program that meets or exceeds the National EMS Education Standards program or Division approved training program for EMTs and who

continues to meet all the applicable continuing medical education recertification requirements.

(ii) “Emergency Medical Technician Intermediate or “EMT Intermediate” hereinafter referred to as an “EMT Intermediate”, means an individual who has successfully completed a training program that meets or exceeds the a Division approved training program for EMT Intermediate, and who continues to meet all the applicable continuing medical education recertification requirements.

(iii) “Paramedic” means an individual who has successfully completed a training program that meets or exceeds the minimum requirements of the National EMS Education Standards program or an in-state Division approved training program for Paramedics and who continues to meet all the applicable continuing medical education recertification requirements.

(z) “Fraud” means an intentional act of deception or misrepresentation, including any act that constitutes fraud under applicable Federal or state statutes, rules or regulations.

(zz) “Fire protection service” means a paid or volunteer fire department, fire company or other fire suppression entity organized under the laws of this state, any party state or an agency of the government of the United States.

(bb) “Health care professional” means a physician, nurse, certified prehospital provider, or any person who, in accordance with law or a license granted by a state agency, provides health care.

(cc) “Industrial ambulance” means any motor vehicle maintained and operated by an industrial company for the purpose of medical care and transportation of employees or guests who are injured or taken ill on the company premises, or when providing care at the request of or with the authorization of the public or local community emergency medical service.

(dd) “License” means an ambulance business license, issued under W.S. 33-38-104, which has not expired or been revoked or suspended.

(ee) “Monitored Bed Unit” or “MBU” refers to those areas of a facility that focus on those patients who are acutely ill and require skilled nursing care, close observation, monitoring and management. All patients who in the opinion of the attending physician are critically ill, unstable or require intensive monitoring can be admitted to the MBU.

(ff) “Non-emergency ambulance service” means an ambulance service that does not respond to or advertise that it responds to public medical emergencies, and is limited to transportation from scheduled events or convalescent transfers. Convalescent transfer, for the purpose of this definition, shall mean the transportation of patients initially classified on the request for service as non-emergent between medical facilities, physician offices, homes or transportation depots.

(gg) “Notice” or “Notify” means a written statement, delivered by hand or sent by certified mail, return receipt requested, to the latest known address of the concerned person or entity which appears in the records of the Division, in which the Division communicates any action taken by the Division to deny, revoke, restrict, or suspend a license or certification. Such

statement shall include the reasons for and the evidence supporting the action, the right to be represented by a lawyer or other interested person.

(hh) “Patient” means an individual who is sick, injured, or otherwise incapacitated or helpless.

(ii) “Permit” means an ambulance permit issued by the Division authorizing the use of a specified land motor vehicle or aircraft as an ambulance. See Chapter 3 of these rules and regulations.

(jj) “Person” means an individual, firm, partnership, association, corporation or a group of individuals acting together for a common purpose, including the State of Wyoming or any agency, municipality, city, town, county or political subdivision of the State of Wyoming.

(kk) “Physician Assistant” or “PA” means any person who: graduates from a physician assistant education program approved by the commission on accreditation of allied health education programs or its predecessor or successor agency; satisfactorily completes a certification examination administered by the National Commission on the Certification of Physician Assistants or other national physician assistant certifying agency established for such purposes which has been reviewed and approved by the Board, and is currently certified; or who has been approved by the Board to assist in the practice of medicine under the supervision of a physician or group of physicians approved by the board to supervise such assistant.

(ll) “Medical Director” means a Medical Doctor (MD) or Doctor of Osteopathy (DO) licensed in Wyoming who is responsible for the medical supervision of ambulance services, fire protection services, organized first responder units, attendants, and/or non-ambulance EMTs.

(mm) “Prehospital Providers” means personnel who are certified or who are licensed and function at any level in actually delivering prehospital medical care.

(nn) “Program Director” means a physician licensed in this state who supervises basic and/or advanced level EMT/Paramedic training programs.

(oo) “Request for Service” means any response by a licensed ambulance service or Division authorized fire protection service to respond to any request for medical assistance.

(pp) “Search and Rescue” means activities carried out by persons recognized by the county sheriff who are organized, trained, and equipped to provide assistance to patient(s) as part of a rescue operation. Search and rescue activities are primarily limited to locating, providing initial treatment, and removing individuals from imminent danger. Search and rescue activities may, if no ambulance is readily available, include the transportation of an individual to a hospital other than in an ambulance if such transport is in the best medical interest of the patient.

(qq) “Service of process” means the exhibition or delivery of a writ, summons and complaint, criminal summons, notice, order, or other legal document, by an authorized person, to a person or an entity who is thereby officially notified of some legal action or proceeding in which he is involved.

(rr) “Sponsor hospital” means a Wyoming hospital or licensed medical facility that

has formally agreed to work with any EMT Basic, EMT Intermediate or Paramedic program or system.

(ss) “State EMS Advisory Committee” means the eight (8) member, Governor appointed committee established through Executive Order 78-4; reaffirmed through Executive Order 1998-7. [See attached Appendix A and B.]

(tt) “Tactical EMS providers” means state certified Medics who provide medical support to law enforcement or military tactical operations.

(uu) “Task Force on Prehospital Care” or “Task Force” means a subcommittee of the State EMS Advisory Committee consisting of Wyoming licensed physicians who act as medical advisors to the Division and the Board on matters relating to EMS training, skill and medication utilization, proficiency requirements, actions on EMT Intermediate and Paramedic personnel, and EMS agencies.

(vv) “Volunteer ambulance service” means an ambulance service operated and staffed by individuals who donate their time and service without any express or implied promise of remuneration or compensation.

Section 5. Notice.

(a) Any notice which the Division is required by these rules to provide, shall be provided in writing and delivered by hand or sent by certified mail, return receipt requested, to the latest known address of the concerned person or entity which appears in the records of the Division. It shall be the responsibility of each person and entity certified or licensed under these rules to keep the Division informed of its current mailing address.

(b) Any notice which a person or entity is required by these rules to provide to the Division shall be provided in writing and sent by certified mail, return receipt requested, or delivered by hand to the Division at the following address:

Wyoming Department of Health
Office of Emergency Medical Services
2300 Capitol Avenue
Hathaway Building, 4th Floor
Cheyenne, Wyoming 82002

Should the issue arise of whether such notice was received, the return receipt from the U.S. Post Office or a receipt signed and dated by an employee of the Wyoming Department of Health’s Office of Emergency Medical Services shall be presumptive evidence that notice was provided.

Section 6. Violations: Penalties.

(a) No person shall aid or abet in the violation of these rules.

(b) Any person who violates these rules is guilty of a misdemeanor, as provided by Wyo. Stat. 33-38-113. If the Division receives allegations that any individual has violated these rules, it may certify the facts to the Attorney General, who shall take appropriate action.

Section 7. Reporting to the Board. The Division shall notify the Board and the Attorney General's office if it has reason to believe that a person certified by the Division has engaged in the unauthorized practice of medicine.

Section 8. Enjoining or Restraining Unlawful Acts. Whenever any person has engaged or is about to engage in any acts or practices constituting a violation of these regulations, the Division may take appropriate action, as provided by W.S. 33-38-112, through the Attorney General's Office. This may include, but is not necessarily limited to, making an application for injunctive or other relief to the appropriate court.

Section 9. Interpretation. Where the context in which words are used in these rules and regulations indicates that such is the intent, words in the singular number shall include the plural and vice versa. Words in the masculine gender include feminine and neuter genders.

Section 10. Effective Date. These rules and regulations are effective when duly approved by the Governor and filed by the Secretary of State.

