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HOUSE BILL 191

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

Edward C. Sandoval

AN ACT

RELATING TO EMERGENCY MEDICAL SERVICES; CREATING THE CARDIAC  
ARREST RESPONSE FUND; AMENDING AND ENACTING SECTIONS OF THE  
NMSA 1978; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Cardiac Arrest Response  
Act is enacted to read:

"NEW MATERIAL] CARDIAC ARREST RESPONSE FUND CREATED.--

A. The "cardiac arrest response fund" is created  
in the state treasury. All fees collected pursuant to the  
Cardiac Arrest Response Act shall be deposited in the fund.  
Money appropriated to the fund or accruing to it through  
gifts, grants, fees or bequests shall be deposited in the  
fund. Money in the fund shall not revert at the end of any  
fiscal year. Disbursements from the fund shall be made upon  
warrants drawn by the secretary of finance and administration

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1 pursuant to vouchers signed by the secretary of health or his  
2 authorized representative.

3 B. The injury prevention and emergency medical  
4 services bureau of the department shall administer the fund  
5 and money in the fund is appropriated to the department to  
6 carry out the purposes of the fund. The bureau shall  
7 distribute the fund pursuant to recommendations of the  
8 statewide emergency medical services advisory committee.  
9 Money from the fund shall be used for the purchase and  
10 distribution of and training in the use of automated external  
11 defibrillators and semiautomatic defibrillation devices in all  
12 appropriate state and local government buildings, facilities  
13 and vehicles. No more than ten percent of the fund may be  
14 used by the department for administrative costs, public  
15 education and program promotion."  
16

17 Section 2. Section 24-10B-4 NMSA 1978 (being Laws 1983,  
18 Chapter 190, Section 4, as amended) is amended to read:

19 "24-10B-4. BUREAU--DUTIES.--The bureau is designated as  
20 the lead agency for the emergency medical services system and  
21 shall establish and maintain a program for regional planning  
22 and development, improvement, expansion and direction of  
23 emergency medical services throughout the state, including:  
24

25 A. design, development, implementation and  
coordination of communications systems to join the personnel,  
facilities and equipment of a given region or system that will  
allow for medical control of pre-hospital or interfacility

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1 care;

2 B. provision of technical assistance to the public  
3 regulation commission for further development and  
4 implementation of standards for certification of ambulance  
5 services, vehicles and equipment;

6 C. development of requirements for the collection  
7 of data and statistics to evaluate the availability, operation  
8 and quality of providers in the state;

9 D. adoption of [~~regulations~~] rules for medical  
10 direction of a provider or emergency medical services system  
11 upon the recommendation of the medical direction committee,  
12 including:

13 (1) development of model guidelines for  
14 medical direction of all components of an emergency medical  
15 services system;

16 (2) a process for notifying the bureau of the  
17 withdrawal of medical control by a physician from a provider;  
18 and

19 (3) specific requirements for medical  
20 direction of intermediate and advanced life support personnel  
21 and basic life support personnel with special skills approval;

22 E. maintenance of a list of approved emergency  
23 medical services training programs, the graduates of which  
24 shall be the only New Mexico emergency medical services  
25 students eligible to apply for emergency medical technician  
licensure or certified emergency medical services first

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1 responder certification;

2 F. approval of continuing education programs for  
3 emergency medical services personnel;

4 G. adoption of [~~regulations~~] rules pertaining to  
5 the training and certification of emergency medical  
6 dispatchers and their instructors;

7 H. adoption of [~~regulations~~] rules, based upon the  
8 recommendations of the trauma advisory committee, for  
9 implementation and monitoring of a statewide, comprehensive  
10 trauma care system, including:

11 (1) minimum standards for designation or  
12 retention of designation as a trauma center or a participating  
13 trauma facility;

14 (2) pre-hospital care management guidelines  
15 for the triage and transportation of traumatized persons;

16 (3) establishment for interfacility transfer  
17 criteria and transfer agreements;

18 (4) standards for collection of data relating  
19 to trauma system operation, patient outcome and trauma  
20 prevention; and

21 (5) creation of a state trauma care plan;

22 I. adoption of [~~regulations~~] rules, based upon the  
23 recommendations of the air transport advisory committee, for  
24 the certification of air ambulance services;

25 J. adoption of [~~regulations~~] rules pertaining to  
authorization of providers to honor advance directives to

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1 withhold or terminate care in certain pre-hospital or  
2 interfacility circumstances, as guided by local medical  
3 protocols;

4 K. development of guidelines, with consultation  
5 from the state fire marshal, pertaining to the operation of  
6 medical-rescue services within the emergency medical services  
7 system;

8 L. operation of a critical incident stress  
9 debriefing program for emergency responders utilizing  
10 specifically trained volunteers who shall be considered public  
11 employees for the purposes of the Tort Claims Act when called  
12 upon to perform a debriefing; ~~and~~

13 M. adoption of rules to establish a cardiac arrest  
14 targeted response program pursuant to the Cardiac Arrest  
15 Response Act, including registration of automated external  
16 defibrillator programs, maintenance of equipment, data  
17 collection, approval of automated external defibrillator  
18 training programs and a schedule of automated external  
19 defibrillator program registration fees; and

20 N. administration of the cardiac arrest response  
21 fund pursuant to the Cardiac Arrest Response Act, making  
22 distributions for the purchase and distribution of and  
23 training in the use of automated external defibrillators and  
24 semiautomatic external defibrillation devices in all  
25 appropriate state and local government buildings, facilities  
and vehicles."

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Section 3. APPROPRIATION.--Ten thousand dollars (\$10,000) is appropriated from the tobacco settlement program fund to the cardiac arrest response fund for expenditure by the department of health in fiscal year 2003 and subsequent fiscal years for the purchase and distribution of and training in the use of automated external defibrillators and semiautomatic defibrillation devices in all appropriate state and local government buildings, facilities and vehicles. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the tobacco settlement program fund but shall remain in the cardiac arrest response fund.