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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**

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1 warrants drawn by the secretary of finance and administration
2 pursuant to vouchers signed by the secretary of health or his
3 authorized representative.

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

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 A. design, development, implementation and
25 coordination of communications systems to join the personnel,

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1 facilities and equipment of a given region or system that will
2 allow for medical control of pre-hospital or interfacility
3 care;

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

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

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

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

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

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

24 E. maintenance of a list of approved emergency
25 medical services training programs, the graduates of which

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1 shall be the only New Mexico emergency medical services
2 students eligible to apply for emergency medical technician
3 licensure or certified emergency medical services first
4 responder certification;

5 F. approval of continuing education programs for
6 emergency medical services personnel;

7 G. adoption of [~~regulations~~] rules pertaining to
8 the training and certification of emergency medical
9 dispatchers and their instructors;

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

14 (1) minimum standards for designation or
15 retention of designation as a trauma center or a participating
16 trauma facility;

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

19 (3) establishment for interfacility transfer
20 criteria and transfer agreements;

21 (4) standards for collection of data relating
22 to trauma system operation, patient outcome and trauma
23 prevention; and

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

25 I. adoption of [~~regulations~~] rules, based upon the

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1 recommendations of the air transport advisory committee, for
2 the certification of air ambulance services;

3 J. adoption of [~~regulations~~] rules pertaining to
4 authorization of providers to honor advance directives to
5 withhold or terminate care in certain pre-hospital or
6 interfacility circumstances, as guided by local medical
7 protocols;

8 K. development of guidelines, with consultation
9 from the state fire marshal, pertaining to the operation of
10 medical-rescue services within the emergency medical services
11 system;

12 L. operation of a critical incident stress
13 debriefing program for emergency responders utilizing
14 specifically trained volunteers who shall be considered public
15 employees for the purposes of the Tort Claims Act when called
16 upon to perform a debriefing; [~~and~~]

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

24 N. administration of the cardiac arrest response
25 fund pursuant to the Cardiac Arrest Response Act, making

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1 distributions for the purchase and distribution of and
2 training in the use of automated external defibrillators and
3 semiautomatic external defibrillation devices in all
4 appropriate state and local government buildings, facilities
5 and vehicles. "

6 Section 3. APPROPRIATION.--Ten thousand dollars
7 (\$10,000) is appropriated from the tobacco settlement program
8 fund to the cardiac arrest response fund for expenditure by
9 the department of health in fiscal year 2003 and subsequent
10 fiscal years for the purchase and distribution of and training
11 in the use of automated external defibrillators and
12 semiautomatic defibrillation devices in all appropriate state
13 and local government buildings, facilities and vehicles. Any
14 unexpended or unencumbered balance remaining at the end of a
15 fiscal year shall not revert to the tobacco settlement program
16 fund but shall remain in the cardiac arrest response fund.