

**ARTICLE 33-36
EMERGENCY MEDICAL SERVICES PERSONNEL**

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**CHAPTER 33-36-01
EMERGENCY MEDICAL SERVICES PERSONNEL
TRAINING, TESTING, CERTIFICATION, AND LICENSURE**

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33-36-01-01. Definitions.

Words defined in North Dakota Century Code chapter 23-27 have the same meaning in this chapter.

1. "Accrediting agency" means the commission on accreditation on allied health education programs or its equivalent.
2. "Cardiopulmonary resuscitation", initial and refresher, means the American heart association health care provider standards or its equivalent which includes the following skills: adult one-person and two-person cardiopulmonary resuscitation, adult obstructed airway, child one-person and two-person cardiopulmonary resuscitation, child obstructed airway, infant one-person and two-person cardiopulmonary resuscitation, infant obstructed airway, and automated external defibrillator.

3. "~~Certification s~~Scope of practice enhancement ~~programs~~courses" means those certification programs which add additional skills to the scope of practice at a specified provider level ~~or refresh existing skills obtained from the primary certification programs.~~
4. "Continuing education coordinator" means an individual who is licensed to conduct limited courses including continuing education courses, ~~refresher courses,~~ and scope enhancement courses.
5. "Department" means the state department of health.
6. "Emergency medical services instructor" means an individual who is licensed to conduct ~~EMS~~the full scope of courses including continuing education courses, ~~refresher courses,~~ and scope enhancement courses, as well as initial primary education courses that include emergency medical responder, emergency medical technician, ~~emergency medical technician-intermediate/85,~~ advanced emergency medical technician-intermediate/99, advanced emergency medical technician, and paramedic.
7. "Equivalent" means training of equal or greater value which accomplishes the same results as determined by the department.
8. "Field internship preceptor" means a qualified person designated by an emergency medical services instructor to supervise a student during field internship training.
9. "National registry" means the national registry of emergency medical technicians located in Columbus, Ohio.
10. "On-call" means that an individual is expected to be available for emergency response when called by radio or pager and report after notification.
11. "Prehospital emergency medical services personnel" are those persons certified or licensed under the programs defined in this chapter.
12. "Primary certification programs" means those certification programs which integrate a broad base of skills necessary to perform within a level of the emergency medical services system as determined by the department.

History: Effective April 1, 1992; amended effective August 1, 2003; January 1, 2006; January 1, 2008; July 1, 2010.

General Authority: NDCC 23-27-04.3

Law Implemented: NDCC 23-27-04.3

33-36-01-02. Emergency medical services training courses.

The department shall establish training, testing, and certification requirements for the following emergency medical services courses:

1. Primary certification courses:
 - a. Emergency medical responder;
 - b. Emergency medical technician;
 - ~~c. Emergency medical technician-intermediate/85;~~
 - ~~d. Emergency medical technician-intermediate/99;~~
 - ~~ec.~~ Advanced emergency medical technician;
 - ~~f. Advanced first-aid ambulance attendant;~~
 - d. Paramedic;
 - e. Community paramedic; and
 - ~~g. Emergency vehicle operations;~~
 - h. Emergency medical dispatch; ~~and~~
 - ~~i. Automobile extrication.~~

2. ~~Certification s~~Scope of practice enhancement courses:

3. Education and training certification courses:
 - ~~a. Intravenous maintenance;~~
 - ~~b. Automobile extrication instructor;~~
 - ~~ac.~~ Emergency medical services instructor;
 - ~~d. Epinephrine administration;~~
 - ~~e. Dextrose administration;~~
 - ~~f. Bronchodilator/nebulizer administration;~~
 - ~~g. Limited advanced airway insertion;~~
 - ~~h. Emergency vehicle operations instructor; and~~

~~b.~~ Continuing education coordinator

~~c.~~ Emergency medical dispatch instructor

~~3.~~ Certification refresher courses:

~~a.~~ Emergency medical responder-refresher;

~~b.~~ Emergency medical technician-basic refresher;

~~c.~~ Emergency medical technician-intermediate/85 refresher;

~~d.~~ Emergency medical technician-intermediate/99 refresher;

~~e.~~ Advanced emergency medical technician refresher; and

~~f.~~ Paramedic refresher.

History: Effective April 1, 1992; amended effective October 1, 1992; August 1, 1994; August 1, 2003; August 1, 2004; January 1, 2006; January 1, 2008; July 1, 2010.

General Authority: NDCC 23-27-04.3

Law Implemented: NDCC 23-27-04.3

33-36-01-03. Training, testing, certification, and licensure standards for ~~primary certification courses~~ emergency medical services personnel.

The department shall authorize the conduct of courses, the testing of students, and the certification or licensure of personnel when application has been made on forms requested from and provided by the department prior to conducting the course and in the manner specified by the department contingent on the following requirements:

1. Emergency medical responder:

a. ~~Curriculum. The course curriculum must be that issued by the United States department of transportation, national highway traffic safety administration, in the edition specified by the department. The course must be taught in compliance with standards approved by the department. Competency in the required knowledge and skills must be verified by a North Dakota licensed emergency medical services instructor coordinator or North Dakota licensed emergency medical services training institution.~~

b. Textbooks. The department shall approve textbooks.

c. Course coordinator. The course coordinator must be licensed by the department as an emergency medical services instructor and must be currently certified as an emergency medical responder or its equivalent.

d. Course instructors. The primary course instructor must be licensed by the department as an emergency medical services instructor and must be currently licensed as an emergency medical responder or its equivalent. The primary instructor must teach at least fifty percent of the didactic portion of the course. Secondary instructors must be currently licensed as an emergency medical responder or its equivalent.

ed. An emergency medical responder student may practice all of the skills defined in the core scope of practice for emergency medical responder while in the classroom and during field internship while under direct supervision of an instructor or field internship preceptor and if registered with the department as an emergency medical responder student.

fe. Testing. The student must correctly answer at least seventy percent of the questions on a summative written examination specified by the department or the national registry cognitive knowledge examination and pass all stations of a practical examination conducted by the course coordinator. The practical examination must consist of no less than one medical, one cardiopulmonary resuscitation, and one trauma station.

gf. Initial ~~certification~~licensure. ~~The department shall issue initial certification to~~ Persons sixteen years of age and older who meet the physical requirements described in the functional job analysis for emergency medical responder as published by the national highway traffic safety administration, ~~and are over the age of sixteen~~ who have completed an authorized course and ~~passed~~successfully completed the testing process, or are certified as an emergency medical responder by the national registry are eligible for licensure. Upon completion and approval of a license application, eligible applicants may be licensed by the department for a two-year period. Persons passing the testing process between January first and June thirtieth shall be certified until June thirtieth of the second year, or ninety days past their national registry expiration date if they are nationally registered. Persons passing the testing process between July first and December thirty-first shall be certified until June thirtieth of the third year, or ninety days past their national registry expiration date if they are nationally registered.

hg. ~~Relicensure~~Recertification. ~~The department shall recertify for a two-year period expiring on June thirtieth, or ninety days past their national registry expiration date if they are nationally registered, to those p~~ Persons that meet the physical requirements described in the functional job analysis for an emergency medical responder as published by the national highway traffic safety administration and who have completed the education requirements for emergency medical responders as outlined by the department are eligible for relicensure. Upon completion and approval of a license application, eligible applicants may be relicensed by the department for a two-year period expiring on June thirtieth, or ninety days past their national registry expiration date if applicable. ~~met one of the following requirements:~~

~~(1) Completion of an approved North Dakota emergency medical responder refresher course.~~

~~(2) Completion of a twenty-four hour emergency medical technician refresher course.~~

i. Lapsed licensure. The department may reinstate licensure to an emergency medical responder whose license has lapsed for less than a two-year period upon successful completion of relicensure requirements. The license will expire two-years from the original lapsed license expiration. An emergency medical responder license that has lapsed for more than a two-year period is ineligible for relicensure.

2. Emergency medical technician:

a. ~~Curriculum. The course curriculum must be that issued by the United States department of transportation, national highway traffic safety administration, in the edition specified by the department. The course must be taught in compliance with standards approved by the department as set forth in department policy. Competency in the required knowledge and skills must be verified by a North Dakota licensed emergency medical services training institution prior to course completion.~~

b. Textbooks. The department shall approve textbooks.

c. Course coordinator. The course coordinator must be licensed by the department as an emergency medical services instructor and must be currently licensed as an emergency medical technician or its equivalent.

d. Course instructors. The primary course instructor must be licensed by the department as an emergency medical services instructor and must be currently licensed as an emergency medical technician or its equivalent. The primary instructor must teach at least fifty percent of the ~~didactic~~ lecture portion of the course. Secondary instructors must be currently licensed as an emergency medical technician or its equivalent.

e. An emergency medical technician student may practice all of the skills defined in the core scope of practice for emergency medical technician while in the classroom and during field internship while under direct supervision of an instructor or the field internship preceptor and if registered with the department as an emergency medical technician student.

f. Testing. Students must pass the national registry cognitive knowledge examination and a practical examination specified by the department which meets the national registry's standards or its equivalent in order to be eligible for licensure. The content of the practical examination must be determined by the department, and the department shall establish policies regarding retesting of failed written and practical examinations.

g. ~~Emergency medical technician initial licensure. The department shall issue initial licensure as an emergency medical technician to persons~~ A person eighteen years of age or older that meets the physical requirements described in the functional job analysis for emergency medical technician as published by the national highway traffic safety administration ~~and are over the age of sixteen~~ who has ~~ve~~ completed an authorized course and successfully completed ~~passed~~ the testing process and obtained certification from the national registry is eligible to apply for licensure. Upon completion and approval of a license application, eligible applicants may be licensed by the department. State licensure will expire ninety days after the national registry expiration date. ~~or those who have requested reciprocity from another state with equivalent training. Persons passing the testing process between January first and June thirtieth shall be licensed until June thirtieth of the second year. Persons passing the testing process between July first and December thirty-first shall be licensed until June thirtieth of the third year.~~

h. Relicensure of emergency medical technicians. A person that meets the physical requirements described in the functional job analysis for emergency medical technician as published by the national highway traffic safety administration and maintains certification from the national registry is eligible for relicensure. Upon completion and approval of a license application, eligible applicants may be relicensed by the department. State licensure will expire ninety days after the national registry expiration date. ~~The department shall relicense for a two-year period expiring June thirtieth those persons that meet the physical requirements described in the functional job analysis for emergency medical technician as published by the national highway traffic safety administration and who have met the following requirements:~~

~~(1) Completion of a twenty-four hour emergency medical technician basic refresher course which includes a cardiopulmonary resuscitation health care provider refresher, answering correctly at least seventy percent of the questions on a written examination specified by the department and passing a local practical examination meeting the department's requirements; and~~

~~(2) Completion of forty-eight hours of continuing education as approved by the department or the national registry; or~~

~~(3) If currently licensed as an emergency medical technician, successful completion of the practical examination for emergency medical technician as established by the department. The practical examination must be administered by a licensed emergency medical services training institution in accordance with section 33-36-02-10 or by the department.~~

3. State emergency medical technician:

a. The course must be taught in compliance with the standards approved by the department as published in the 'North Dakota Department of Health EMS

Instructor / Coordinator Handbook'. Competency in the required knowledge and skills must be verified by a North Dakota licensed emergency medical services instructor coordinator or North Dakota licensed emergency medical services training institution prior to course completion.

- b. Textbooks. The department shall approve textbooks.
- c. Course coordinator. The course coordinator must be licensed by the department as an emergency medical services instructor and must be currently licensed as an emergency medical technician or its equivalent.
- d. Course Instructors. The primary course instructor must be licensed by the department as an emergency medical services instructor and must be currently licensed as an emergency medical technician or its equivalent. The primary instructor must teach at least fifty percent of the didactic portion of the course. Secondary instructors must be currently licensed as an emergency medical technician or its equivalent.
- e. An emergency medical technician student may practice all the skills defined in the core scope of practice for emergency medical technician while in the classroom and during field internship while under direct supervision of an instructor or the field internship preceptor and if registered with the department as an emergency medical technician student.
- f. Testing. Students must pass the national registry cognitive knowledge assessment examination and a practical examination specified by the department which meets the national registry's standards or its equivalent in order to be eligible for licensure. The content of the practical examination must be determined by the department and the department shall establish policies regarding retesting of failed written and practical examinations.
- g. State emergency medical technician initial licensure. Persons that meet the physical requirements described in the functional job analysis for emergency medical technician as published by the national highway traffic safety administration, are between the ages of sixteen and eighteen years of age and have completed all certification requirements as established by the department are eligible for licensure. Upon completion and approval of a license application, eligible applicants may be licensed by the department for a two-year period. Persons passing the testing process between January first and June thirtieth shall be licensed until June thirtieth of the second year. Persons passing the testing process between July first and December thirty-first shall be licensed until June thirtieth of the third year.
- h. State emergency medical technicians licensed after July 1, 2018 must become certified by the national registry of emergency medical technicians upon turning eighteen years of age following the education requirements for recertification at the emergency medical technician level as outlined by the department.

i. Recertification/relicensure of state emergency medical technicians licensed before July 1, 2018. Persons licensed as a state emergency medical technician prior to July 1, 2018 who meet the physical requirements described in the functional job analysis for emergency medical technician as published by the national highway traffic safety administration and have completed the education requirements for recertification at the emergency medical technician level as described by the department will be eligible for recertification/relicensure. Upon completion of a license application and continuing education report, eligible applicants may be recertified/relicensed for a two-year period expiring June thirtieth.

~~3. Emergency medical technician-intermediate/85:~~

~~a. Student prerequisite certification. Students must be licensed as an emergency medical technician or its equivalent prior to testing.~~

~~b. Curriculum. The course curriculum must be that issued by the United States department of transportation, national highway traffic safety administration, in the edition specified by the department.~~

~~c. Textbooks. The department shall approve textbooks.~~

~~d. Course coordinator. The course coordinator must be licensed by the department as an emergency medical services instructor and must be currently licensed as an emergency medical technician-intermediate/85 or its equivalent.~~

~~e. Course instructors. The primary course instructor must be licensed by the department as an emergency medical services instructor and must be currently licensed as an emergency medical technician-intermediate/85 or its equivalent. The primary instructor must teach at least fifty percent of the lecture portion of the course. Secondary instructors must be currently licensed as an emergency medical technician-intermediate/85 or its equivalent.~~

~~f. An emergency medical technician-intermediate/85 student may practice all of the skills defined in the core scope of practice for emergency medical technician-intermediate/85 while in the classroom and during field internship while under direct supervision of an instructor or field internship preceptor and if registered with the department as an emergency medical technician-intermediate/85 student.~~

~~g. Testing. Students must pass the cognitive knowledge and practical examinations as provided by the national registry and approved by the department in order to be eligible for licensure.~~

~~h. Emergency medical technician-intermediate/85 initial licensure. A person eighteen years of age or older that meets the physical requirements~~

~~described in the functional job analysis for emergency medical technician as published by the national highway traffic safety administration and who has completed an authorized course and passed the testing process shall obtain certification from the national registry. Persons obtaining national registry certification and in compliance with chapter 50-03-03 will be licensed by the department expiring ninety days after their national registry expiration date.~~

~~i. Relicensure of emergency medical technician-intermediate/85. Emergency medical technician-intermediate/85 must be recertified by the national registry recertification policies and meet the physical requirements described in the functional job analysis for emergency medical technician as published by the national highway traffic safety administration. Persons recertified by the national registry and in compliance with chapter 50-03-03 will be relicensed by the department for a two-year period expiring ninety days after their national registry expiration date.~~

~~i. Transition to new licensure level. When the national registry discontinues certifying personnel at the emergency medical technician-intermediate/85 level, personnel currently licensed as an emergency medical technician-intermediate/85 must transition to a new licensure level. To remain licensed as an emergency medical services provider, each person must do one of the following options:~~

~~(1) Complete a state-authorized transition course for emergency medical technician-intermediate/85 to advanced emergency medical technician and license as an advanced emergency medical technician as described in subsection 4.~~

~~(2) Complete a state-authorized transition course for emergency medical technician-intermediate/85 to advanced emergency medical technician, as well as completing all of the certification requirements of the national registry for advanced emergency medical technician and license as an advanced emergency medical technician as described in subsection 4.~~

~~(3) Complete the national registry requirements for emergency medical technician and license as an emergency medical technician as described in subsection 2.~~

4. Advanced emergency medical technician:

a. Student prerequisite ~~certification~~. A student must be certified or licensed as an emergency medical technician or its equivalent prior to testing, or the course must be comprehensive including the competencies required of the emergency medical technician in addition to the advanced emergency medical technician.

b. The course must be taught in compliance with standards approved by the department as set forth in department policy. Competency in the required

knowledge and skills must be verified by a North Dakota licensed emergency medical services instructor coordinator or North Dakota licensed emergency medical services training institution prior to course completion. Curriculum. The course curriculum shall be that issued by the United States department of transportation, national highway traffic safety administration, in the addition specified by the department.

- c. Textbooks. The department shall approve textbooks.
- d. Course coordinator. The course coordinator must be licensed by the department as an emergency medical services instructor, and must be currently licensed as an advanced emergency medical technician or its equivalent and approved by the department.
- e. Course instructors. The primary course instructor must be licensed by the department as an emergency medical services instructor and must be currently licensed as an advanced emergency medical technician or its equivalent. The primary instructor must teach at least fifty percent of the lecture didactic portion of the course. Secondary instructors must be currently licensed as an advanced emergency medical technician or its equivalent.
- f. An advanced emergency medical technician student may practice all of the skills defined in the core scope of practice for advanced emergency medical technician while in the classroom and during field internship while under direct supervision of an instructor or field internship preceptor and if registered with the department as an advanced emergency medical technician student.
- g. Testing. Students must pass the cognitive knowledge and practical examinations as provided by the national registry and approved by the department in order to be eligible for licensure.
- h. Advanced emergency medical technician initial licensure. Except as otherwise provided under subdivision j of subsection 3, aA person eighteen years of age or older that meets the physical requirements described in the functional job analysis for emergency medical technician as published by the national highway traffic safety administration and who has completed an authorized course, and passed successfully completed the testing process and shall obtained certification from the national registry is eligible to apply for licensure. Upon completion and approval of a license application, eligible applicants may be licensed by the department. Persons applying for licensure must be affiliated with a North Dakota certified or licensed emergency medical service operation and/or obtain medical direction from a North Dakota licensed physician. Persons obtaining national registry certification and in compliance with chapter 50-03-03 will be licensed by the department expiring ninety days after their national registry expiration date. State licensure will expire ninety days after the national registry expiration date.

i. Relicensure of advanced emergency medical technician. A person that meets the physical requirements described in the functional job analysis for emergency medical technician as published by the national highway traffic safety administration and maintains certification from the national registry is eligible for relicensure. Upon completion and approval of a license application eligible applicants may be relicensed by the department. Persons applying for relicensure must be affiliated with a North Dakota certified or licensed emergency medical service operation and/or obtain medical direction from a North Dakota licensed physician. State licensure will expire ninety days after the national registry expiration date. ~~Except as otherwise provided under subdivision j of subsection 3 an advanced emergency medical technician must be recertified by the national registry recertification policies and meet the physical requirements described in the functional job analysis for emergency medical technician as published by the national highway traffic safety administration. persons recertified by the national registry and in compliance with chapter 50-03-03 will be relicensed by the department for a two-year period expiring ninety days after their national registry expiration date.~~

~~j. Transitioning from emergency medical technician intermediate/85. Notwithstanding subdivision h and j of subsection 3, an emergency medical technician intermediate/85 licensee may be licensed or relicensed as an advanced emergency medical technician without obtaining national registry certification if the requirements in subsection 3 have been met as well as maintaining compliance with chapter 50-03-03.~~

5. Emergency medical technician-intermediate/99:

~~a. Student prerequisite certification or license. A student must be licensed as an emergency medical technician or its equivalent prior to testing. On January 1, 2013 emergency medical technician-intermediate/99 initial courses are no longer conducted in the state of North Dakota.~~

~~b. Curriculum. The course curriculum shall be that issued by the United States department of transportation, national highway traffic safety administration, in the addition specified by the department.~~

~~c. Textbooks. The department shall approve textbooks.~~

~~d. Course coordinator. The course coordinator must be licensed by the department as an emergency medical services instructor and must be currently licensed as an emergency medical technician-intermediate/99 or its equivalent.~~

~~e. Course instructors. The primary course instructor must be licensed by the department as an emergency medical services instructor and must be currently licensed as an emergency medical technician-intermediate/99 or its equivalent. The primary instructor must teach at least fifty percent of the lecture portion of the course. Secondary instructors must be currently licensed as an emergency medical technician-intermediate/99 or its equivalent.~~

~~f. An emergency medical technician-intermediate/99 student may practice all of the skills defined in the core scope of practice for emergency medical technician-intermediate/99 while in the classroom and during field internship while under direct supervision of an instructor or field internship preceptor and if registered with the department as an emergency medical technician-intermediate/99 student.~~

~~g. Testing. Students must pass the cognitive knowledge and practical examinations as provided by the national registry and approved by the department in order to be eligible for licensure.~~

~~h**b**. Emergency medical technician-intermediate/99 initial licensure. A person eighteen years of age or older that meets the physical requirements described in the functional job analysis for emergency medical technician as published by the national highway traffic safety administration and who has completed an authorized course and passed the testing process shall obtain certification from the national registry. Persons obtaining national registry certification and in compliance with chapter 50-03-03 will be licensed by the department expiring ninety days after their national registry expiration date. The department shall issue a license to a person that meets the physical requirements described in the functional job analysis for emergency medical technician and holds a national registry certification. The license expiration date will be ninety days after their national registry expiration date or by the sunset date of March 31, 2019. Persons applying for licensure must complete a licensure application as defined by the department and must be affiliated with a North Dakota certified or licensed emergency medical service operation and/or obtain medical direction from a North Dakota licensed physician.~~

~~i**c**. Relicensure of emergency medical technician-intermediate/99. An emergency medical technician-intermediate/99 must be recertified by the national registry recertification policies and meet the physical requirements described in the functional job analysis for emergency medical technician as published by the national highway traffic safety administration. Persons recertified by the national registry and in compliance with chapter 50-03-03 will be relicensed by the department for a two-year period expiring ninety days after their national registry expiration date. A person that meets the physical requirements described in the functional job analysis for emergency medical technician as published by the national highway traffic administration and maintains certification from the national registry is eligible for relicensure. Upon completion and approval of a license application eligible applicants may be relicensed by the department. State licensure will expire ninety days after the national registry expiration date or by the sunset date of March 31, 2019.~~

~~d. Transition to new licensure level. Upon discontinuation of the emergency medical technician intermediate/99 level by the national registry of emergency medical technicians, personnel licensed at this level must transition to a new~~

licensure level by the process established by the department and the national registry of emergency medical technicians.

6. Paramedic:

- a. Student prerequisite certification. Students must be eighteen years of age and be certified or licensed as an emergency medical technician or its equivalent prior to testing.
- b. Curriculum. ~~The course curriculum must be that issued by the United States department of transportation, national highway traffic safety administration, in the edition specified by the department.~~ The course must be taught in compliance with standards approved by the department and set forth by an emergency medical services accrediting agency approved by the department. Students must successfully complete education from a state approved paramedic education program that is accredited or seeking accreditation by an emergency medical services accrediting agency approved by the department.
- c. Textbooks. The department shall approve textbooks.
- d. ~~Course coordinator~~Program director. The program director must:~~The course coordinator must be licensed by the department as an emergency medical services instructor and must be currently licensed as a paramedic or its equivalent. Course coordinators that are not affiliated with a licensed training institution must have their paramedic course accredited by an accrediting agency by January 1, 2012.~~
 - (1) Possess a minimum of a Bachelor's degree from a regionally accredited institution of higher education,
 - (2) Be licensed by the department as a paramedic as well as an emergency medical services instructor.
- e. Course instructors.~~The primary course instructor must be licensed by the department as an emergency medical services instructor and must be currently licensed as a paramedic or its equivalent. The primary instructor must teach at least fifty percent of the lecture portion of the course. Secondary instructors must be currently licensed as a paramedic or its equivalent.~~ Instructors must be knowledgeable in course content, effective in teaching their assigned subjects, and capable through academic preparation, training and experience to teach the courses or topics to which they are assigned.
- f. A paramedic student may practice all of the skills defined in the core scope of practice for paramedic while in the classroom and during field internship while under direct supervision of an instructor or clinical/field internship preceptor and if registered with the department as a paramedic student.

~~g. Field internship. Courses must provide field internship experience based on the curriculum requirements for patient contacts with a paramedic preceptor.~~

hg. Testing. A student must pass the cognitive knowledge and practical examinations as provided by the national registry and approved by the department in order to be eligible for licensure.

ih. Paramedic initial licensure. A person eighteen years of age or older that meets the physical requirements described in the functional job analysis for emergency medical technician as published by the national highway traffic safety administration, ~~and~~ who has completed an authorized course, ~~and~~ passed successfully completed the testing process, ~~and shall obtained~~ certification from the national registry is eligible to apply for licensure. Upon completion and approval of a license application, eligible applicants may be licensed by the department. Persons applying for licensure must be affiliated with a North Dakota certified or licensed emergency medical service operation and/or obtain medical direction from a North Dakota licensed physician. Persons obtaining national registry certification and in compliance with chapter 50-03-03 will be licensed by the department expiring State licensure will expire ninety days after their national registry expiration date.

ji. Relicensure of paramedic. ~~A paramedic must be recertified by the national registry recertification policies and meet the physical requirements described in the functional job analysis for emergency medical technician as published by the national highway traffic safety administration. A person that meets the physical requirements described in the functional job analysis for emergency medical technician as published by the national highway traffic safety administration and maintains certification from the national registry is eligible for relicensure. Upon completion and approval of a license application eligible applicants may be relicensed by the department. Persons recertified by the national registry and in compliance with chapter 50-03-03 will be relicensed by the department for a two-year period expiring~~ Persons applying for relicensure must be affiliated with a North Dakota certified or licensed emergency medical service operation and/or obtain medical direction from a North Dakota licensed physician. State licensure will expire ninety days after their national registry expiration date.

7. Advanced first aid ambulance attendant:

a. Advanced first aid ambulance attendant initial certification/licensure. ~~The department shall issue initial certification to persons currently certified in American national red cross advanced first aid and who demonstrate a minimum of two years experience with a North Dakota licensed ambulance service as evidenced by North Dakota ambulance service license application personnel rosters. Advanced first aid ambulance attendant certification/licensure is no longer granted in North Dakota.~~

- b. ~~Recertification/relicensure~~ of advanced first aid ambulance attendants. ~~The department shall recertify for a three-year period, expiring on June thirtieth, those persons~~ who meet the physical requirements described in the functional job analysis for emergency medical technician as published by the national highway traffic safety administration and have completed the education requirements for recertification at the emergency medical technician level as described by the department will be eligible for recertification/relicensure. Upon completion of a license application and continuing education report, eligible applicants may be recertified/relicensed for a two-year period expiring June thirtieth. ~~a twenty-four hour emergency medical technician basic refresher course, which includes a cardiopulmonary resuscitation refresher, answering correctly at least seventy percent of the questions on a written examination specified by the department and passing a local practical examination meeting the department's requirements.~~

~~8. Emergency vehicle operations:~~

- a. ~~Curriculum. The course curriculum must be that issued by the United States department of transportation, national highway traffic safety administration, in the edition specified by the department.~~
- b. ~~Course coordinator. The course coordinator must be certified by the department as an emergency vehicle operation instructor.~~
- c. ~~Testing. The students must correctly answer at least seventy percent of the questions on a written examination and pass a practical examination specified by the department.~~
- d. ~~Certification. The department shall issue a certification to persons who have completed an authorized course and passed the testing process. Persons passing the testing process between January first and June thirtieth must be certified until June thirtieth of the second year. Persons passing the testing process between July first and December thirty-first must be certified until June thirtieth of the third year.~~

~~98. Emergency medical dispatch:~~

- a. Curriculum. The course curriculum must be ~~that issued by the United States department of transportation, national highway traffic safety administration, in the edition specified~~ approved by the department and utilize the most current nationally recognized emergency care guidelines. The instructor shall incorporate telecommunicator prearrival instructions for time critical conditions up to and including, but not limited to out of hospital cardiac arrest, hemorrhage, stroke, airway obstruction and breathing problems.
- b. Course coordinator. The course coordinator must be approved by the department as an emergency medical dispatch instructor.

- c. Student prerequisite. EMD students must be minimally certified with CPR and first aid training as verified by the EMD instructor. EMS provider licensure level of emergency medical responder or above fulfills this prerequisite.
- ed. Testing. The student must correctly answer at least seventy percent of the questions on a written examination specified by the department.
- de. Certification. The department mayshall issue an emergency medical dispatch certification to persons who have completed an authorized EMD course and successfully completed ~~passed the~~ testing process. Persons passing the testing process between January first and June thirtieth must be certified until June thirtieth of the second year. Persons passing the testing process between July first and December thirty-first must be certified until June thirtieth of the third year.
- f. Recertification of emergency medical dispatcher. The department may recertify for a two-year period any person successfully completing a state approved dispatch refresher course and maintaining a minimum of CPR and first aid certifications as verified by the dispatch course instructor. EMS provider licensure level of emergency medical responder or above fulfils the CPR and first aid requirement.

10. ~~Automobile extrication:~~

- a. ~~Curriculum. The course curriculum must be approved by the department.~~
- b. ~~Course coordinator. The course coordinator must be certified by the department as an automobile extrication instructor.~~
- c. ~~Testing. The student must correctly answer at least seventy percent of the questions on a written examination specified by the department.~~
- d. ~~Certification. The department shall issue a certification to persons who have completed an authorized course and passed the testing process. Persons passing the testing process between January first and June thirtieth must be certified until June thirtieth of the second year. Persons passing the testing process between July first and December thirty-first must be certified until June thirtieth of the third year.~~

9. Community Paramedic:

- a. Student prerequisite certification. Students must be licensed as a paramedic with at least two years of field experience as well as holding current cardio pulmonary resuscitation and advanced cardiac life support certifications prior to the start of the course.
- b. Curriculum. The course curriculum must be approved by the department.

- c. Textbooks. The department shall approve textbooks.
- d. Course coordinator. Course coordinators must be approved by the department.
- e. Course instructors. Course instructors must be approved by the department.
- f. A community paramedic student may practice all the skills defined in the core scope of practice for paramedic while in the classroom and during clinical rotations while under direct supervision of an instructor or field internship preceptor.
- g. Testing. A student must successfully complete a testing process determined by the department.
- h. Community paramedic initial licensure. Persons that successfully complete a state approved community paramedic training course, pass the testing process, and submit a medical director sponsorship form may be licensed as a community paramedic. Licensure will expire ninety days after the national registry expiration date.
- i. Relicensure of community paramedic. A community paramedic must relicense as a paramedic, be actively employed in a community paramedic role, and complete a medical director sponsorship form that attests that the person's skills and knowledge are adequate for continued licensure as a community paramedic. The community paramedic license period shall match the person's paramedic license period.

History: Effective April 1, 1992; amended effective August 1, 1994; August 1, 2003; January 1, 2006; January 1, 2008, July 1, 2010.

General Authority: NDCC 23-27-04.3

Law Implemented: NDCC 23-27-04.3

~~33-36-01-03.1. Limited temporary certification or licensure of emergency medical services training course graduates.~~

- ~~1. An individual that has graduated from a department-authorized emergency medical services training course as an emergency medical technician, emergency medical technician – intermediate, advanced emergency medical technician, or paramedic and has submitted a completed application signed by a physician and an official transcript verifying program completion may be issued a limited certification or license one time. A limited temporary certification or licensure allows the graduate to be employed while awaiting results of the graduate's national registry examination. The limited temporary certification or licensure expires ninety days after the date of issue.~~
- ~~2. The graduate must practice under the direct supervision of a person certified or licensed at an equal or greater level. Direct supervision means close physical and visual proximity. The graduate may not be the primary care provider.~~

History: Effective January 1, 2006; amended effective January 1, 2008.

General Authority: NDCC 23-27-04.3

Law Implemented: NDCC 23-27-04.3

33-36-01-03.2. Continuing education.

Continuing education means ongoing professional education that is based on current emergency medical services textbooks, emergency medical services education principles, or topics that expand the professional knowledge to stay up to date with emergency medical services standards. An entity or individual that offers continuing education must: follow the continuing education policy as set forth by the department.

1. ~~Have the course approved as continuing education by:~~
 - a. ~~The department;~~
 - b. ~~An emergency medical services training institution licensed in accordance with chapter 33-36-02;~~
 - c. ~~The continuing education coordinating board for emergency medical services located in Dallas, Texas;~~
 - d. ~~A licensed continuing education coordinator in consultation with a licensed physician;~~
 - e. ~~A licensed instructor in consultation with a licensed physician; or~~
 - f. ~~A licensed physician.~~
2. ~~Maintain the continuing education course records for at least two years.~~
3. ~~Issue certificates to attendees that list the title of the course, date, number of hours awarded rounded to the nearest half hour, location, name of instructor, and the name of the person or entity that approved the course.~~

33-36-01-03.3. Scope of practice enhancements.

Courses for enhancement skills in addition to the National Scope of Practice are available as defined by department policy.

History: Effective July 1, 2010.

General Authority: NDCC 23-27-04.3

Law Implemented: NDCC 23-27-04.3

33-36-01-04. Training, testing, and certification standards for ~~certification scope enhancement courses~~education and training certifications.

The department shall authorize the conduct of courses, the testing of students, and the certification or licensure of personnel when application has been made on forms provided prior to conducting the course and in the manner specified by the department contingent on the following requirements:

~~1. Intravenous therapy maintenance:~~

- ~~a. Student prerequisite certification. A student must be licensed as an emergency medical technician or its equivalent.~~
- ~~b. Curriculum. The course curriculum must be that issued by the department entitled "EMT-IV Maintenance Module".~~
- ~~c. Course coordinator. The course coordinator must be licensed by the department as an emergency medical services instructor, and currently certified in intravenous therapy maintenance, or its equivalent.~~
- ~~d. Testing. The student must correctly answer at least seventy percent of the questions on a written examination specified by the department and pass all portions of a practical examination specified by the department. The practical examination must consist of performing intravenous maintenance skills on a mannequin.~~
- ~~e. Certification. The department shall issue a certification to persons who have completed an authorized course and passed the testing process. Persons passing the testing process between January first and June thirtieth shall be certified until June thirtieth of the second year. Persons passing the testing process between July first and December thirty-first shall be certified until June thirtieth of the third year.~~

~~2. Automobile extrication instructor:~~

- ~~a. Curriculum. The course curriculum must be approved by the department.~~
- ~~b. Student prerequisite. The candidate for this course must be currently certified in automobile extrication with at least two years of certified automobile extrication experience.~~
- ~~c. Course coordinator. The department shall designate the course coordinator.~~
- ~~d. Testing. The student must correctly answer at least seventy percent of the questions on a written examination specified by the department.~~

- e. ~~Initial certification. The department shall issue initial certification to persons who have completed an authorized course and passed the testing process. Persons passing the testing process between January first and June thirtieth shall be certified until June thirtieth of the second year. Persons passing the testing process between July first and December thirty first shall be certified until June thirtieth of the third year.~~
- f. ~~Recertification. The department shall recertify for a two-year period those persons who have satisfactorily conducted an automobile extrication course or have audited eight hours of an automobile extrication instructor course before the expiration date of their certification.~~

31. Emergency medical services instructor:

- a. Student prerequisite. An individual must be at least eighteen years of age and certified or licensed for at least two years as a patient care provider at the level the individual will instruct at, in order to be licensed/certified.
- b. Curriculum. The course curriculum must be that issued by the United States department of transportation, national highway traffic safety administration, in the edition specified by the department or its equivalent.
- c. Course coordinator. ~~The course coordinator must be licensed by the department as an emergency medical services instructor~~Course coordinator must be approved by the department.
- d. Initial licensure/certification. The department shall issue initial licensure/certification to persons who have successfully completed an authorized course and meet the prerequisites. Persons completing the course between January first and June thirtieth shall be licensed until June thirtieth of the second year. Persons completing the course between July first and December thirty-first shall be licensed until June thirtieth of the third year.
- e. Relicensure/Recertification. The department ~~shall~~may recertify/relicense for a two-year period those persons who maintain EMS provider licensure have participated in at least one initial training course as a course coordinator or primary instructor, and:
 - (1) Completed the department's eight-hour relicensure courseAre employed or affiliated with a licensed training institution and submit documentation of eight hours of adult education training, or;
 - (2) Those persons that are employed or affiliated with a licensed training institution, may submit documentation of eight hours of adult education training to satisfy the relicensure requirements;Complete the department's eight-hour recertification course, and

(3) Instruct a minimum of one primary education class every two years. ~~Within the current two-year licensure period the instructor has had at least a seventy percent pass rate in both cognitive and practical examinations for the following primary certification courses; emergency medical technician, emergency medical technician-intermediate/85, emergency medical technician-intermediate/99, or paramedic; and~~

(4) ~~In addition, failure to achieve a seventy percent pass rate for these courses would require the instructor to retake the entire initial licensure process for emergency medical services instructor or require the instructor to be affiliated with a licensed training institution for a period of two years.~~

4. Continuing education coordinator:

a. Student prerequisite. An individual must be at least eighteen years of age and certified or licensed for at least two years as a patient care provider ~~at the level at which the individual will instruct.~~

b. Curriculum. The course curriculum must be that issued by the ~~division of emergency medical services and trauma~~ department.

c. Course coordinator. ~~The e~~Course coordinators must be approved ~~licensed~~ by the department ~~as an emergency medical services instructor.~~

d. Initial certification ~~licensure~~. The department ~~may~~ shall issue initial certification ~~licensure~~ to persons who have successfully completed an authorized course and meet student prerequisites. This certification will have the same expiration date as the primary emergency medical service provider license carried by the individual. ~~Persons completing the course between January first and June thirtieth shall be licensed until June thirtieth of the second year. Persons completing the course between July first and December thirty-first shall be licensed until June thirtieth of the third year.~~

e. Recertification ~~Relicensure~~. The department ~~may~~ shall recertify ~~relicense~~ for a two-year period those persons: who maintain primary licensure as an emergency medical services provider and attend all roll-out courses as deemed required by the department. Regardless of expiration date, failure to attend required roll-out courses will result in loss of continuing education coordinator certification.

(1) ~~Who have completed the department's relicensure course; or~~

(2) ~~Who are employed or affiliated with a licensed training institution, upon submission of documentation of continued affiliation with a licensed training institution.~~

5. Emergency medical dispatch instructor:

a. Initial certification. Persons meeting certification requirements between January first and June thirtieth may be certified until June thirtieth of the second year. Person meeting certification requirements between July first and December thirty-first may be certified until June thirtieth of the third year. The department shall certify those persons who:

(1) Maintain a current emergency medical dispatch certification;

(2) Complete a North Dakota emergency medical services instructor certification or Method of Instruction Class and;

(3) Co-teach an EMD course with a current certified emergency medical dispatch instructor.

b. Recertification. The department may recertify for a two-year period those persons who:

(1) Maintain a current emergency medical dispatch certification and

(2) Teach at least one EMD initial or refresher course within the two-year certification period.

~~5. Epinephrine administration:~~

~~a. Student prerequisite certification. A student must be certified as an emergency medical responder or its equivalent.~~

~~b. Curriculum. The course curriculum must be that issued by the department entitled "Epinephrine Administration Module".~~

~~c. Course coordinator. The course coordinator must be licensed by the department as an emergency medical services instructor or continuing education coordinator and must be currently certified in epinephrine administration or its equivalent.~~

~~d. Testing. The student must correctly answer at least seventy percent of the questions on a written examination specified by the department and pass all portions of a practical examination specified by the department. The practical examination must consist of performing subcutaneous injection of epinephrine with the use of a preloaded, self-injecting device such as the epipen trainer.~~

~~e. Certification. The department shall issue a certification to persons who have completed an authorized course and passed the testing process. Persons passing the testing process between January first and June thirtieth shall be certified until June thirtieth of the second year. Persons passing the testing process between July first and December thirty-first shall be certified until June~~

~~thirtieth of the third year.~~

~~6. Dextrose administration:~~

- ~~a. Student prerequisite licensure. A student must be licensed as an emergency medical technician-intermediate/85 or its equivalent.~~
- ~~b. Curriculum. The course curriculum must be that issued by the department entitled "EMT-I—50% Dextrose Administration Module".~~
- ~~c. Course coordinator. The course coordinator must be licensed by the department as an emergency medical services instructor or continuing education coordinator and must be licensed as a paramedic or its equivalent.~~
- ~~d. Testing. The student must correctly answer at least seventy percent of the questions on a written examination specified by the department and pass all portions of a practical examination specified by the department. The practical examination must consist of administration of the drug by aseptic injection into intravenous administration tubing.~~
- ~~e. Certification. The department shall issue a certification to persons who have completed an authorized course and passed the testing process. Persons passing the testing process between January first and June thirtieth shall be certified until June thirtieth of the second year. Persons passing the testing process between July first and December thirty-first shall be certified until June thirtieth of the third year.~~

~~7. Bronchodilator/nebulizer administration:~~

- ~~a. Student prerequisite licensure. A student must be licensed as an emergency medical technician or its equivalent.~~
- ~~b. Curriculum. The course curriculum must be the general pharmacology and the respiratory emergencies sections of the curriculum issued by the United States department of transportation, national highway traffic safety administration, for emergency medical technicians-basic, in the edition specified by the department, or its equivalent.~~
- ~~c. Course coordinator. The course coordinator must be licensed by the department as an emergency medical services instructor or continuing education coordinator and be licensed as a paramedic or its equivalent.~~
- ~~d. Testing. The student must correctly answer at least seventy percent of the questions on a written examination and pass a practical examination specified by the department.~~

~~e. Certification. The department shall issue a certification to persons who have completed an authorized course and passed the testing process. Persons passing the testing process between January first and June thirtieth shall be certified until June thirtieth of the second year. Persons passing the testing process between July first and December thirty first shall be certified until June thirtieth of the third year.~~

~~8. Limited advanced airway insertion:~~

~~a. Student prerequisite licensure. A student must be licensed as an emergency medical technician or its equivalent.~~

~~b. Curriculum. The course curriculum must be that issued by the department entitled "Limited Advanced Airway Module".~~

~~c. Course coordinator. The course coordinator must be licensed as an emergency medical services instructor or continuing education coordinator and must be currently licensed as a paramedic or its equivalent.~~

~~d. Testing. The student must correctly answer at least seventy percent of the questions on a written examination and pass a practical examination specified by the department.~~

~~e. Certification. The department shall issue a certification to persons who have completed an authorized course and passed the testing process. Persons passing the testing process between January first and June thirtieth shall be certified until June thirtieth of the second year. Persons passing the testing process between July first and December thirty first shall be certified until June thirtieth of the third year.~~

~~9. Emergency vehicle operations instructor:~~

~~a. Curriculum. The course curriculum must be that issued by the United States department of transportation, national highway traffic safety administration, in the edition specified by the department.~~

~~b. Course instructor. The department shall designate the course instructor.~~

~~c. Testing. The students must correctly answer at least seventy percent of the questions on a written examination and pass a practical examination specified by the department.~~

~~d. Initial certification. The department shall issue initial certification to persons who have completed an authorized course and passed the testing process. Persons passing the testing process between January first and June thirtieth shall be certified until June thirtieth of the second year. Persons passing the testing process between July first and December thirty first shall be certified until June thirtieth of the third year.~~

- ~~e. Recertification. The department shall recertify for a two-year period those persons who have satisfactorily conducted an emergency vehicle operations course or have audited eight hours of an emergency vehicle operator's course.~~

History: Effective April 1, 1992; amended effective October 1, 1992; August 1, 1994; August 1, 2003; August 1, 2004; January 1, 2006; January 1, 2008, July 1, 2010.

General Authority: NDCC 23-27-04.3

Law Implemented: NDCC 23-27-04.3

33-36-01-04.1. Training, testing, and certification standards for certification refresher courses.

~~The department shall authorize the conduct of courses, the testing of students, and the certification of personnel when application has been made on forms requested from and provided by the department prior to conducting the course and in the manner specified by the department contingent on the following requirements:~~

~~1. Emergency medical responder refresher:~~

- ~~a. Curriculum. The course curriculum must be that issued by the United States department of transportation, national highway traffic safety administration, in the edition specified by the department.~~
- ~~b. Textbooks. The department shall approve textbooks.~~
- ~~c. Course coordinator. The course coordinator must be licensed by the department as an emergency medical services instructor or continuing education coordinator and must be currently certified as an emergency medical responder or its equivalent.~~
- ~~d. Testing. The student must correctly answer at least seventy percent of the questions on a written examination specified by the department and pass all stations of a practical examination conducted by the course coordinator. The practical examination must consist of no less than one medical, one cardiopulmonary resuscitation, and one trauma station.~~

~~2. Emergency medical technician refresher:~~

- ~~a. Curriculum. The course curriculum must be that issued by the United States department of transportation, national highway traffic safety administration, in the edition specified by the department.~~
- ~~b. Textbooks. The department shall approve textbooks.~~
- ~~c. Course coordinator. The course coordinator must be licensed by the department as an emergency medical services instructor or continuing~~

~~education coordinator and must be currently licensed as an emergency medical technician or its equivalent.~~

~~d. Testing. The student must correctly answer at least seventy percent of the questions on a written examination specified by the department and pass all stations of a practical examination conducted by the course coordinator.~~

~~3. Emergency medical technician-intermediate/85 refresher:~~

~~a. Curriculum. The course coordinator shall select topics consistent with the reregistration requirements of the national registry.~~

~~b. Textbooks. The department shall approve textbooks.~~

~~c. Course coordinator. The course coordinator must be licensed by the department as an emergency medical services instructor or continuing education coordinator and must be currently licensed as an emergency medical technician-intermediate/85 or its equivalent.~~

~~4. Emergency medical technician-intermediate/99 refresher:~~

~~a. Curriculum. The course coordinator shall select topics consistent with the reregistration requirements of the national registry.~~

~~b. Textbooks. The department shall approve textbooks.~~

~~c. Course coordinator. The course coordinator must be licensed by the department as an emergency medical services instructor or continuing education coordinator and must be currently licensed as an emergency medical technician-intermediate/99 or its equivalent.~~

~~5. Paramedic refresher:~~

~~a. Curriculum. The course curriculum must be consistent with the reregistration requirements of the national registry.~~

~~b. Textbooks. The department shall approve textbooks.~~

~~c. Course coordinator. The course coordinator must be licensed by the department as an emergency medical services instructor or continuing education coordinator and must be currently licensed as a paramedic or its equivalent.~~

History: Effective August 1, 2003; amended effective January 1, 2006; January 1, 2008, July 1, 2010.

General Authority: NDCC 23-27-04.3

Law Implemented: NDCC 23-27-04.3

33-36-01-05. Denial, suspension or revocation of certification or licensure.

The department may deny or revoke the certification or licensure of a person who:

1. Has misrepresented to others that the person is a physician, nurse, or health care provider other than the highest level for which they are certified or licensed.
2. Is incapable of properly performing the skills for which the individual has been certified or licensed.
3. Performs a skill which exceeds those allowed by the individual's level of certification or licensure.
4. Is under indictment for or has been convicted of a misdemeanor or felony which has a direct bearing upon the person's ability to serve the public in a capacity certified or licensed by this chapter as determined by the department. ~~or has been convicted of a crime that requires the person to register as a sex offender in any state.~~ Persons certified or licensed who are under indictment for or have been convicted of a misdemeanor or felony or required to register as a sex offender in any state must report the information to the department within a period of 48 business hours.
5. Has been found by a court of law to be mentally incompetent.
6. Failure to follow examination policies as a student, instructor, or course coordinator.
7. Diversion of drugs for personal or unauthorized use.
8. Performance of care in a manner inconsistent with acceptable standards or protocols.
9. Has attempted to obtain by fraud or deceit a certification or license or has submitted to the department any information that is fraudulent, deceitful, or false.
10. Has had the person's national registry or other health care certification or license encumbered for any reason. Persons certified or licensed as described in this chapter must report any encumbrance of their national registry or other health care certification or licensure to the department within a period of 48 business hours.
11. Has misrepresented to others that the person is an employee, volunteer, or agent of an ambulance service, quick response unit, or rescue squad to offer emergency medical services.
12. Unprofessional conduct, which may give a negative impression of the emergency medical services system to the public, as determined by the department.

13. As an instructor has failed to have emergency medical services training authorized as required in section 33-36-01-03, 33-36-01-04, or 33-36-01-04.1.

14. As an instructor has conducted themselves inappropriately or conducted education of poor quality or courses resulting in poor outcome as determined by the department.

154. Providing emergency medical services without authorization from a physician.

165. Has been found to be under the influence of alcohol or mind-altering drugs ~~while on call or~~ during an emergency medical response or while on duty or on a call schedule~~interfacility transfer.~~

176. Failing to respond to an emergency while on ~~call~~duty or on a call schedule. The failure to respond must be caused by the individual's willful disregard and not caused by a good-faith error or circumstances beyond the individual's control as determined by the department.

History: Effective April 1, 1992; amended effective August 1, 2003; January 1, 2006; January 1, 2008, July 1, 2010.

General Authority: NDCC 23-27-04.3

Law Implemented: NDCC 23-27-04.3

33-36-01-05.1. Criminal history background checks.

The department may perform criminal history background checks on any applicant requesting a certification or license or a person requesting to be listed on an ambulance service or quick response unit's roster as a driver. A driver may be denied participation in any emergency medical services operation based on the driver's criminal background history or any occurrence listed in section 33-36-01-05.

History: Effective January 1, 2008.

General Authority: NDCC 12-60-24.2, 23-27-04.3

Law Implemented: NDCC 12-60-24.2, 23-27-04.3

33-36-01-06. Revocation process.

The department may revoke an individual's certification or license after making a diligent effort to:

1. Inform the individual by the department of the allegations.
2. Inform the individual of the department's investigation results.
3. Inform the individual of the department's intent to revoke and provide a notice of right to request hearing.

4. Provide the individual opportunity to request a hearing and rebut the allegations.

History: Effective April 1, 1992; amended effective August 1, 2003; January 1, 2006.

General Authority: NDCC 23-27-04.3

Law Implemented: NDCC 23-27-04.3

33-36-01-07. Hearing.

A request for hearing must be received by the department no later than twenty days following the individual's receipt of the allegations against the individual. If a hearing is requested, the department will apply to the office of administrative hearings for appointment of a hearing officer. The department will notify any complainants and the accused of the date set for the hearing. The hearing officer will conduct the hearing and prepare recommended findings of fact and conclusions of law as well as a recommended order for the department. The department shall notify the individual of its findings in writing after receiving the attorney general's finding of fact, conclusion of law, and recommended order.

History: Effective April 1, 1992.

General Authority: NDCC 23-27-04.3

Law Implemented: NDCC 23-27-04.3

33-36-01-08. Waivers.

Based on each individual case, the department may waive any provisions of this chapter that may result in unreasonable hardship upon the individual or the individual's emergency medical service agency, provided such a waiver does not adversely affect the health and safety of patients. The department will consider waivers for the following situations and conditions:

1. A person had completed all the requirements for recertification or relicensure and a good-faith effort was made by that person to recertify with the national registry and by no fault of the person recertification was not granted.
2. A person who was current in the person's certification or license was called to active duty in the United States armed forces and deployed to an area without the resources to maintain the person's certification or license resulting in a lapse of the person's certification or license.
3. Other reason as determined by the department.
4. A waiver may be granted for a specific period of time not to exceed one year and shall expire on June thirtieth of each year.

History: Effective January 1, 2006; amended effective July 1, 2010.

General Authority: NDCC 23-27-04.3

Law Implemented: NDCC 23-27-04.3

