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Exempt Action Final Regulation Agency Background Document

Agency name	Virginia Department of Health
Virginia Administrative Code (VAC) citation(s)	12 VAC5-31
Regulation title(s)	Virginia Emergency Medical Services
Action title	Amend the <i>Virginia EMS Regulations</i> pertaining to Definitions
Final agency action date	August 14, 2015
Date this document prepared	July 10, 2015

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA) or an agency's basic statute, the agency is not required, however, is encouraged to provide information to the public on the Regulatory Town Hall using this form. Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

Please provide a brief summary of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

During the 2015 session of the General Assembly, HB1584 and SB938 were enacted and signed by the Governor. The legislation revised terminology in multiple sections of the *Code* related to fire services and emergency medical services (EMS), and reorganized provisions in the *Code* governing fire services and emergency medical services in order to improve legal and operational clarity between fire and EMS. The legislation also made technical amendments to update language in the *Code* to be more consistent with the *EMS Regulations* (12VAC5-31). As part of this process, the following definitions have been revised:

"Emergency medical services" or "EMS" means the services used in responding to an individual's perceived needs for immediate medical care in order to prevent loss of life or aggravation of physiological or psychological

illness or injury including any or all of the services that could be described as first response, basic life support, advanced life support, neonatal life support, communications, training and medical control.

“Emergency medical services” or “EMS” means health care, public health, and public safety services used in the medical response to the real or perceived need for immediate medical assessment, care or transportation and preventive care or transportation in order to prevent loss of life or aggravation of physiological or psychological illness or injury.

"Emergency medical services agency" or "EMS agency" means a any person licensed by the Office of EMS to engage engaged in the business, service, or regular activity, whether or not for profit, of transporting or rendering immediate medical care and providing transportation to persons who are sick, injured, or otherwise incapacitated- or helpless and that holds a valid license as an emergency medical services agency issued by the Commissioner in accordance with §32.1-111.6.

"Emergency medical services personnel" or "EMS personnel" means a person, affiliated with an EMS agency, responsible for the provision of emergency medical services including any or all persons who could be described as an attendant, attendant in charge, operator or operational medical director, individuals who are employed by or members of an emergency medical services agency and who provide emergency medical services pursuant to an emergency medical services agency license issued to that agency by the Commissioner and in accordance with the authorization of that agency’s operational medical director.

"Emergency medical services provider" or "EMS provider" means a any person who holds a valid certification certificate as an emergency medical services provider issued by the Office of EMS Commissioner.

"Emergency medical services system" or "EMS system" means a system that provides for the arrangement of personnel, facilities, equipment, and other system components for the effective and coordinated delivery of emergency medical services in an appropriate geographical area that may be local, regional, state or national.

“Emergency medical services system” or “EMS system” means the system of emergency medical services agencies, vehicles, equipment, and personnel; health care facilities; other health care and emergency services providers; and other components engaged in the planning, coordination, and delivery of emergency medical services in the Commonwealth, including individuals and facilities providing communications and other services necessary to facilitate the delivery of emergency medical services in the Commonwealth.

Statement of final agency action

Please provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

The Commissioner of Health approved the final regulations, Virginia Emergency Medical Services 12VAC5-31-10 on behalf of the Board of Health on _____

Family impact

Please assess the impact of this regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one’s spouse, and one’s children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

There is no impact on the institution of the family or family stability.