



# Prehospital Care Policy Change Advisory

**Effective – October 1, 2008**

Policy	Changes
<p><b>Policy 106</b>            Personnel Investigation &amp; Discipline</p>	<ul style="list-style-type: none"> <li>▪ Section II (A); Changed, now reads; “Disciplinary proceedings for non-public agency firefighter EMTs shall be conducted in accordance with Title 22, Chapter 6 of the California Code of Regulations”.</li> <li>▪ Section II (B); Added, reads; “Disciplinary proceedings for public agency firefighter EMTs shall be conducted in accordance with the “The Firefighter Procedural Bill of Rights Act (California Government Code 3250-3262)”.</li> </ul>
<p><b>Policy 200</b>            Applicant Eligibility</p> <p>[Retitled to: Eligibility For Prehospital Certificates and Credentials]</p>	<ul style="list-style-type: none"> <li>▪ Policy Titled; “Eligibility For Prehospital Certificates and Credentials”. Section I; Changed, now reads; “To establish standardized criteria for determining eligibility for issuance of a prehospital emergency medical care certificates and credentials by the agency; and the parameters for denial, restriction (at time of issuance) and or revocation of a prehospital emergency medical care certificates or credentials, that is consistent with applicable State statute, County Ordinance, or other applicable regulations”.</li> <li>▪ Section II (A)(1); Changed, now reads; “Satisfactory completion of all requirements for the issuance of the certificates or credentials being applied for, as described in the Santa Clara County Prehospital Care Policy Manual and Title 22, Division 9, California Code of Regulations.</li> <li>▪ Section III (A)(1-12); Changed, now reads; “The Agency may revoke, deny issuance, or issue a restricted prehospital emergency medical care certificate or credential upon discovering that the applicant has committed any of the following actions”.               <ol style="list-style-type: none"> <li>1. Fraud in the procurement of any prehospital care certificate</li> <li>2. Gross negligence</li> <li>3. Repeated negligent acts</li> <li>4. Incompetence as a prehospital care provider</li> <li>5. Any fraudulent, dishonest, or corrupt act which is substantially related to the qualifications, functions, and duties of prehospital care personnel; including, but not limited to an act of moral turpitude, including fraud or intentional dishonesty for personnel gain, within the preceding seven (7) years</li> </ol> </li> </ul>

	<ul style="list-style-type: none"><li>6. Conviction of a crime that is substantively related to the qualifications, functions, and duties of prehospital care personnel</li><li>7. Violating, or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate any provision of the regulations promulgated by the California Emergency Medical Services Authority pertaining to prehospital care personnel</li><li>8. Violating or attempting to violate any federal, or state statute or regulation which regulates narcotics, dangerous drugs, or controlled substances.</li><li>9. Addiction to the excessive use of or the misuse of, alcoholic beverages, narcotics, dangerous drugs, or controlled substances</li><li>10. Functioning outside the supervision of medical control in the prehospital care system, except as authorized by any other license or certification</li><li>11. Demonstration of irrational behavior or occurrence of physical disability to the extent that a reasonable and prudent person would have reasonable cause to believe that the ability to perform the duties normally expected may be impaired.</li><li>12. Unprofessional conduct exhibited by any of the following:<ul style="list-style-type: none"><li>a. The mistreatment or physical abuse of any patient resulting from force in excess of what a reasonable and prudent person trained and acting in a similar capacity while engaged in the performance of his or hers duties would use if confronted with a similar circumstance</li><li>b. The failure to maintain confidentiality of patient medical information, except as disclosure is otherwise permitted or required by law</li><li>c. The commission of any sexually related offense specified under Section 290 of the Penal Code</li></ul></li></ul> <p>▪ Section IV (B); Changed, now reads; “A prehospital care certificate may be placed of probation, denied, or revoked according to the following guidelines:</p> <ul style="list-style-type: none"><li>1. Applicant has committed any sexually related offense specified under Section 290 of the Penal Code</li><li>2. Applicant has been convicted of murder, attempted murder, or murder for hire</li><li>3. Applicant has been convicted of two of more felonies</li><li>4. Applicant is on parole or probation for any felonies</li><li>5. Applicant has been convicted and released from incarceration for said offense during the preceding fifteen</li></ul>
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	<p>years for the crime of manslaughter or involuntary manslaughter</p> <ol style="list-style-type: none"> <li>6. Applicant has been convicted and released from incarceration for said offense during the preceding ten years for any offense punishable as a felony</li> <li>7. Applicant has been convicted of two misdemeanors within the preceding five years from any offense relating to the use, sale, possession, or transportation of narcotics or addictive or dangerous drugs</li> <li>8. Applicant has been convicted of two misdemeanors with the preceding five years for any offense relating to force, violence, threat, or intimidation</li> <li>9. Applicant has been convicted within the preceding five years of any theft related misdemeanor</li> <li>10. Applicant has committed any act involving fraud or intentional dishonesty for personal gain within the preceding seven years</li> <li>11. Applicant is required to register pursuant to Section 11590 of the Health and Safety Code</li> <li>12. Equivalent convictions from other states shall apply to the type of offenses listed in (1) through (11)</li> <li>13. As used in Section B, “felony” or “offense punishable as a felony” refers to an offense for which the law prescribes imprisonment in the state prison as either an alternative or the sole penalty, regardless of the sentence the applicant received</li> </ol> <ul style="list-style-type: none"> <li>▪ Section V; Changed, now reads; “An applicant who has had their application denied or revoked shall have the right to appeal the action, as set forth in Santa Clara County Prehospital Care Policy 106 (Personnel Investigation and Discipline)”.</li> </ul>
<p><b>Policy 201</b> EMT Certification</p>	<ul style="list-style-type: none"> <li>▪ Section II (A)(5); Added; “Meet the eligibility requirements identified in Prehospital Care Policy 200 (Eligibility for Prehospital Certificates and Credentials)”.</li> <li>▪ Section II (B)(6); Changed, now reads; “Completed background (DOJ Live-Scan) check [Public Safety personnel exempt, <i>if</i> their affiliated employing agency provides the EMS Agency with subsequent arrest and conviction notifications]”.</li> <li>▪ Section III (A)(4); Added; “Meet the eligibility requirements identified in Prehospital Care Policy 200 (Eligibility for Prehospital Certificates and Credentials)”.</li> <li>▪ Section III (B)(5); Changed, now reads; “Two (2) current government issued photo IDs (state driver’s license, state ID card, or passport)”.</li> </ul>

<p><b>Policy 202</b> EMT Course Completion By Challenge</p>	<ul style="list-style-type: none"> <li>▪ Section II (B); Added; “Meet the eligibility requirements identified in Prehospital Care Policy 200 (Eligibility for Prehospital Certificates and Credentials)”.</li> <li>▪ Section V (B); Changed, now reads; “Proof of completion of one of the eligibility requirements listed in Section II(A)(1) or (A)(2) and (B)”.</li> <li>▪ Section V (E); Changed, now reads; “Current CPR card, which meets American Heart Association Guidelines at the Healthcare Provider level”.</li> <li>▪ Section V (G); Changed, now reads; “Present two (2) current government issued photo IDs (state driver’s license, state ID card, or passport)”.</li> </ul>
<p><b>Policy 203</b> EMT Optional Scope of Practice Accreditation</p>	<ul style="list-style-type: none"> <li>▪ Section II (B); Added; “Meet the eligibility requirements identified in Prehospital Care Policy 200 (Eligibility for Prehospital Certificates and Credentials)”.</li> <li>▪ Section II (C); Changed, now reads; “Current CPR card, which meets American Heart Association Standards at the Healthcare Provider level”.</li> </ul>
<p><b>EMS Reference 810</b> Professional Standards: Investigation &amp; Enforcement</p> <p>[Retitled to: Investigation and Enforcement]</p>	<ul style="list-style-type: none"> <li>▪ Publication revised and enhanced to include changes in the law related to Public Safety EMT disciplinary procedures.</li> <li>▪ Added Reference; “California Government Code, Sections 3250-3262 (Firefighters Procedural Bill of Rights Act)”.</li> <li>▪ Added Reference; “California Government Code, Sections 11500-11529”.</li> <li>▪ Added Reference; “EMT Admonishment of Rights Under the Firefighters Procedural Bill of Rights Act”.</li> <li>▪ Added Reference; “Paramedic Admonishment of Rights Under the Firefighters Procedural Bill of Rights Act”.</li> </ul>

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