

FIRST REGULAR SESSION

HOUSE BILL NO. 659

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LUETKEMEYER.

Read 1st time March 12, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1983L.011

AN ACT

To repeal section 190.131, RSMo, and to enact in lieu thereof three new sections relating to certification of individuals performing medical transport of persons for compensation, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 190.131, RSMo, is repealed and three new sections enacted in lieu thereof, to be known as sections 190.131, 190.139, and 301.165, to read as follows:

190.131. 1. The department shall accredit or certify training entities for first responders, emergency medical dispatchers, emergency medical technicians-basic, emergency medical technicians-intermediate, [and] emergency medical technicians-paramedic, **and certified medical transport drivers**, for a period of five years, if the applicant meets the requirements established pursuant to sections 190.001 to 190.245.

2. Such rules promulgated by the department shall set forth the minimum requirements for entrance criteria, training program curricula, instructors, facilities, equipment, medical oversight, record keeping, and reporting.

3. Application for training entity accreditation or certification shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems reasonably necessary to make a determination as to whether the training entity meets all requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. Upon receipt of such application for training entity accreditation or certification, the department shall determine whether the training entity, its instructors, facilities, equipment,

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.

16 curricula and medical oversight meet the requirements of sections 190.001 to 190.245 and rules
17 promulgated pursuant to sections 190.001 to 190.245.

18 5. Upon finding these requirements satisfied, the department shall issue a training entity
19 accreditation or certification in accordance with rules promulgated by the department pursuant
20 to sections 190.001 to 190.245.

21 6. Subsequent to the issuance of a training entity accreditation or certification, the
22 department shall cause a periodic review of the training entity to assure continued compliance
23 with the requirements of sections 190.001 to 190.245 and all rules promulgated pursuant to
24 sections 190.001 to 190.245.

25 7. No person or entity shall hold itself out or provide training required by this section
26 without accreditation or certification by the department.

**190.139. 1. No person shall receive compensation for the medical transports of
2 individuals in this state unless such person is certified by the department as a medical
3 transport driver. The provisions of this section shall not apply to persons who in the
4 ordinary course of business may provide transportation to persons with medical
5 conditions, such as taxicab drivers, bus drivers, and other mass transit drivers.**

**6 2. The department shall, within a reasonable time after receipt of an application,
7 cause such investigation as it deems necessary to be made of the applicant for certification
8 as a medical transport driver. The director may authorize investigations into criminal
9 records in other states for any applicant.**

**10 3. The department shall issue a certificate to medical transport drivers, for a period
11 of two years, if the applicant meets the requirements established pursuant to sections
12 190.001 to 190.245 and the rules adopted by the department pursuant to sections 190.001
13 to 190.245. The department may promulgate rules relating to the requirements for a
14 medical transport driver including but not limited to:**

15 (1) Age requirements;

**16 (2) Training requirements specified by the department through rules adopted
17 pursuant to sections 190.001 to 190.245, including but not limited to training on the proper
18 transport of disabled persons with life support devices;**

19 (3) Initial certification requirements;

20 (4) Any continuing education and renewal of certification requirements.

**21 4. The department shall not issue or renew a certificate for medical transport if the
22 applicant or certificate holder:**

**23 (1) Possesses a driving record that shows that such person's privilege to operate a
24 motor vehicle has been suspended, revoked, or disqualified, and has a history of moving
25 vehicle violations;**

26 (2) Has any findings of guilt, or pleas of guilty or nolo contendere to any felony
27 offenses;

28 (3) Does not complete and pass a certified program of first aid;

29 (4) Does not complete and pass a certified training program for the medical
30 transport of persons, including training on the medical transport of disabled persons with
31 life support devices; and

32 (5) Does not possess a valid chauffeur's license issued in this state.

33 5. Application for certification as a medical transport driver shall be made upon
34 such forms as prescribed by the department in rules adopted pursuant to sections 190.001
35 to 190.245. The application form shall contain such information as the department deems
36 necessary to make a determination as to whether the medical transport driver meets all the
37 requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections
38 190.001 to 190.245.

39 6. No person shall hold themselves out as a medical transport driver or provide the
40 services of a medical transport driver unless such person is certified by the department.

41 7. A person certified as a medical transport driver must display a medical transport
42 windshield placard issued by the department of revenue pursuant to section 301.165,
43 RSMo, when performing medical transports for compensation.

44 8. No person certified as a medical transport driver shall be on duty to perform
45 medical transports for more than twelve consecutive hours, except in cases of declared
46 national or state emergencies.

47 9. No rule or portion of a rule promulgated pursuant to the authority of this section
48 shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

49 301.165. 1. Any person certified as a medical transport driver pursuant to section
50 190.139, RSMo, upon application, accompanied by the documents and fees provided for
51 in this section shall apply to the director of revenue for a removable medical transport
52 windshield placard to be hung from the rearview mirror of a parked motor vehicle. When
53 there is no rearview mirror, the placard shall be displayed on the dashboard on the
54 driver's side. The removable windshield placard shall contain the international first aid
55 symbol and the words "certified medical transport" and shall conform to the specifications
56 with respect to size as the windshield placards issued pursuant to section 301.142. The fee
57 for each removable windshield placard shall be ten dollars and the removable windshield
58 placard shall be renewed every year. Only one removable placard may be issued to an
59 applicant who has been issued a certificate as a medical transport driver by the department
60 of health and senior services. The medical transport placard shall only be used when an
61 individual is being medically transported by a certified medical transport driver. The use

62 of a vehicle displaying a medical transport windshield placard when a person is not
63 performing a medical transport shall be an infraction. Upon conviction thereof, violators
64 shall be punished by a fine of not less than fifty dollars nor more than three hundred
65 dollars.

66 2. Application for windshield placards issued pursuant to this section shall be made
67 to the director of revenue and shall be accompanied by a documentation from the
68 department of health and senior services which certifies that the applicant is a certified
69 medical transport driver pursuant to section 190.139, RSMo. The applicant shall present
70 his or her current certification each time the applicant renews a medical transport
71 windshield placard.

72 3. When a person to whom a removable medical transport windshield placard has
73 been issued dies, the personal representative of such person shall return the placards to the
74 director of revenue under penalty of law.

75 4. In the event a removable medical transport windshield placard is lost, stolen, or
76 mutilated, the lawful holder thereof shall, within five days, file with the director of revenue
77 an application and an affidavit stating such fact, in order to purchase a new placard. The
78 fee for the replacement windshield placard shall be ten dollars.

79 5. Fraudulent application, renewal, issuance, procurement or use of medical
80 transport windshield placards shall be a class A misdemeanor.