

**109-1-1. Definitions.** The following terms, as used in the board's regulations, shall have the meanings specified in this regulation.

- (a) "AEMT" means advanced emergency medical technician.
- (b) "Advanced life support" means the statutorily authorized activities and interventions that may be performed by an emergency medical technician-intermediate, emergency medical technician-defibrillator, emergency medical technician-intermediate/defibrillator, advanced emergency medical technician, mobile intensive care technician, or paramedic.
- (c) "Air ambulance" means a fixed-wing or rotor-wing aircraft that is specially designed, constructed or modified, maintained, and equipped to provide air medical transportation or emergency care of patients.
- (d) "Air medical director" means a physician as defined by K.S.A. 65-6112, and amendments thereto, who meets the following requirements:
  - (1) Is trained and experienced in care consistent with the air ambulance service's mission statement; and
  - (2) is knowledgeable in altitude physiology and the complications that can arise due to air medical transport.
- (e) "Air medical personnel" means the attendants listed on the attendant roster, health care personnel identified on the service health care personnel roster of the air ambulance service, specialty patient care providers specific to the mission, and the pilot or pilots necessary for the operation of the aircraft.
- (f) "Airway maintenance," as used in K.S.A. 65-6121 and amendments thereto and as applied to the authorized activities of an emergency medical technician-intermediate, means the use of any invasive oral equipment and procedures necessary to ensure the adequacy and quality of ventilation and oxygenation.
- (g) "ALS" means advanced life support, as defined in subsection (b).
- (h) "Basic life support" means the statutorily authorized activities and interventions that may be performed by a first responder, emergency medical responder, or emergency medical technician.
- (i) "BLS" means basic life support, as defined in subsection (h).
- (j) "CECBEMS" means the national continuing education coordinating board for emergency medical services.
- (k) "Certified mechanic," as used in K.A.R. 109-2-2, means an individual employed or contracted by the ambulance service, city or county, qualified to perform maintenance on licensed ambulances and inspect these vehicles and validate, by signature, that the vehicles meet both mechanical and safety considerations for use.
- (l) "Class," as used in these regulations, means the period during which a group of students meets.
- (m) "Clinical preceptor" means an individual who is responsible for the supervision and evaluation of students in clinical training in a health care facility.

- (n) "Continuing education" means a formally organized learning experience that has education as its explicit principal intent and is oriented towards the enhancement of emergency medical services practice, values, skills, and knowledge.
- (o) "Contrived experience," as used in K.A.R. 109-11- 3, means a simulated ambulance call and shall include dispatch communications, responding to the scene, assessment and management of the scene and patient or patients, biomedical communications with medical control, ongoing assessment, care, and transportation of the patient or patients, transference of the patient or patients to the staff of the receiving facility, completion of records, and preparation of the ambulance for return to service.
- (p) "Coordination" means the submission of an application for approval of initial or continuing education courses and the oversight responsibility of those same courses and instructors once the courses are approved.
- (q) "Course of instruction" means a body of prescribed EMS studies approved by the board.
- (r) "Critical care transport" means the transport by an ambulance of a critically ill or injured patient who receives care commensurate with the care rendered by health care personnel as defined in subsection (cc) or either an MICT or a paramedic with specialized training as approved by service protocols and the medical director.
- (s) "Emergency" means a serious medical or traumatic situation or occurrence that demands immediate action.
- (t) "Emergency call" means an immediate response by an ambulance service to a medical or trauma incident that happens unexpectedly.
- (u) "Emergency care" means the services provided after the onset of a medical condition of sufficient severity that the absence of immediate medical attention could reasonably be expected to cause any of the following:
  - (1) Place the patient's health in serious jeopardy;
  - (2) seriously impair bodily functions; or
  - (3) result in serious dysfunction of any bodily organ or part.
- (v) "EMS" means emergency medical services.
- (w) "EMR" means emergency medical responder.
- (x) "EMT" means emergency medical technician.
- (y) "EMT-D" means emergency medical technician-defibrillator.
- (z) "EMT-I" means emergency medical technician-intermediate.
- (aa) "EMT-I/D" means emergency medical technician intermediate/defibrillator.

- (bb) “Field internship preceptor” means an individual who is responsible for the supervision and evaluation of students in field training with an ambulance service.
- (cc) “Health care personnel,” as used in these regulations, means a physician, physician assistant, licensed professional nurse, advanced practice registered nurse, or respiratory therapist.
- (dd) “Incompetence,” as applied to attendants and as used in K.S.A. 65-6133 and amendments thereto, means a demonstrated lack of ability, knowledge, or fitness to perform patient care according to applicable medical protocols or as defined by the authorized activities of the attendant’s level of certification.
- (ee) “Incompetence,” as applied to instructor-coordinators and training officers and as used in K.S.A. 65-6133 and K.S.A. 65-6129c and amendments thereto, means a pattern of practice or other behavior that demonstrates a manifest incapacity, inability, or failure to coordinate or to instruct attendant training programs.
- (ff) “Incompetence,” as applied to an operator and as used in K.S.A. 65-6132 and amendments thereto, means either of the following:
- (1) The operator’s inability or failure to provide the level of service required for the type of permit held; or
  - (2) the failure of the operator or an agent or employee of the operator to comply with a statute or regulation pertaining to the operation of a licensed ambulance service.
- (gg) “Instructor-coordinator (I-C)” means any of the following individuals who are certified to instruct and coordinate attendant training programs:
- (1) Emergency medical technician;
  - (2) emergency medical technician-intermediate;
  - (3) emergency medical technician-defibrillator;
  - (4) mobile intensive care technician;
  - (5) physician;
  - (6) physician’s assistant;
  - (7) advanced practice registered nurse;
  - (8) licensed professional nurse;
  - (9) advanced emergency medical technician; or
  - (10) paramedic.
- (hh) “Interoperable” means that one system has the ability to communicate or work with another.
- (ii) “Lab assistant” means an individual who is assisting a primary instructor in the instruction and evaluation of students in classroom laboratory training sessions.
- (jj) “Long-term provider approval” means that the sponsoring organization has been approved by the executive director to provide any continuing education program as prescribed in K.A.R. 109-5-3.

- (kk) "MICT" means mobile intensive care technician.
- (ll) "Out of service," as used in K.A.R. 109-2-5, means that a licensed ambulance is not immediately available for use for patient care or transport.
- (mm) "Primary instructor" means an instructor-coordinator or training officer who is listed by the sponsoring organization as the individual responsible for the competent delivery of cognitive, psychomotor, and affective objectives of an approved initial course of instruction or continuing education program and who is the person primarily responsible for evaluating student performance and developing student competency.
- (nn) "Prior-approved continuing education" means material submitted by a sponsoring organization, to the board, that is reviewed and subsequently approved by the executive director, in accordance with criteria established by regulations, and that is assigned a course identification number.
- (oo) "Public call" means the request for an ambulance to respond to the scene of a medical emergency or accident by an individual or agency other than any of the following:
- (1) A type I ambulance service, type II ambulance service, or type IIA ambulance service;
  - (2) the Kansas highway patrol or any law enforcement officer who is at the scene of an accident or medical emergency;
  - (3) a physician, as defined by K.S.A. 65-6112 and amendments thereto, who is at the scene of an accident or medical emergency; or
  - (4) an attendant who has been dispatched to provide emergency first response and who is at the scene of an accident or medical emergency.
- (pp) "Retroactively approved continuing education" means credit issued to an attendant after attending a program workshop, conference, seminar, or other offering that is reviewed and subsequently approved by the executive director, in accordance with criteria established by the board.
- (qq) "Service director" means an individual who has been appointed, employed, or designated by the operator of an ambulance service to handle daily operations and to ensure that the ambulance service is in conformance with local, state, and federal laws and ensure that quality patient care is provided by the service attendants.
- (rr) "Service records" means the documents required to be maintained by state regulations and statutes pertaining to the operation and education within a licensed ambulance service.
- (ss) "Single-program provider approval" means that the sponsoring organization has been granted approval to offer a specific continuing education program.
- (tt) "Site coordinator" means a person supervising, facilitating, or monitoring students, facilities, faculty, or equipment at a training site.
- (uu) "Sponsoring organization" means any professional association, accredited postsecondary educational institution, permitted ambulance service, fire department, other officially organized public safety agency, hospital, corporation, or emergency medical services regional council approved by the executive director to offer initial courses of instruction and continuing education programs as either a long-term provider or a single-program provider.

- (vv) “Sufficient application” means that the information requested on the application form is provided in full, any applicable fee has been paid, all information required by statute or regulation has been submitted to the board, and no additional information is required to complete the processing of the application.
- (ww) “Training officer I” means a person who has been certified by the board to coordinate attendant continuing education training programs for accredited postsecondary educational institutions, permitted ambulance services, fire departments, other officially organized public safety agencies, hospitals, corporations, professional associations, or emergency medical services regional councils.
- (xx) “Training officer II” means a person who is certified by the board to function as a continuing education training program coordinator and as a primary instructor of first responder initial courses of instruction.
- (yy) “Training program accreditation” means the approval granted by the executive director to any of the following, to conduct EMS initial courses of instruction on a long-term basis: accredited postsecondary educational institutions, permitted ambulance services, fire departments, other officially organized public safety agencies, hospitals, or corporations.
- (zz) “Type I ambulance service” means a ground-based ambulance service that provides emergency response and advanced life support, as described in the authorized activities and scope of practice of emergency medical technician-intermediate, emergency medical technician-defibrillator, emergency medical technician-intermediate/defibrillator, advanced emergency medical technician, mobile intensive care technician, or paramedic as specified in K.S.A. 65-6119, K.S.A. 65-6120, and K.S.A. 65-6123, and amendments thereto. The ambulance service may provide critical care transport when staffed in accordance with subsection (r).
- (aaa) “Type II ambulance service” means a ground based ambulance service that provides emergency response and basic life support, as described in the authorized activities or scope of practice of emergency medical technician, first responder, and emergency medical responder in K.S.A. 65-6121 and K.S.A. 65-6144, and amendments thereto.
- (bbb) “Type IIA ambulance service” means a basic life support ambulance service that may provide advanced life support when staffed with one attendant and any of the following individuals functioning under ALS protocols or guidance as authorized by the applicable licensing authority:
- (1) Emergency medical technician-intermediate;
  - (2) emergency medical technician-defibrillator;
  - (3) emergency medical technician-intermediate/defibrillator;
  - (4) advanced emergency medical technician;
  - (5) mobile intensive care technician;
  - (6) paramedic;
  - (7) licensed professional nurse;
  - (8) physician’s assistant;
  - (9) advanced practice registered nurse;

(10) respiratory therapist; or

(11) physician.

(ccc) "Type V ambulance service" means an air or ground-based ALS ambulance service that provides critical care transport, as defined in this regulation, and is not subject to public call. This type of ambulance service uses a "type V air ambulance" or "type V ground ambulance," or both.

(ddd) "Unprofessional conduct," as applied to attendants and as used in K.S.A. 65-6133 and amendments thereto, means conduct that violates those standards of professional behavior that through professional experience have become established by the consensus of the expert opinion of the members of the emergency medical services profession as reasonably necessary for the protection of the public. This term shall include any of the following:

(1) Failing to take appropriate action to safeguard the patient;

(2) performing acts beyond the activities authorized for the level at which the individual is certified;

(3) falsifying a patient's or an ambulance service's records;

(4) verbally, sexually, or physically abusing a patient;

(5) violating statutes or regulations concerning the confidentiality of medical records or patient information obtained in the course of professional work;

(6) diverting drugs or any property belonging to a patient or an agency;

(7) making a false or misleading statement on an application for certification renewal or any agency record;

(8) engaging in any fraudulent or dishonest act that is related to the qualifications, functions, or duties of an attendant; or

(9) failing to cooperate with the board and its agents in the investigation of complaints or possible violations of the emergency medical services statutes or board regulations, including failing to furnish any documents or information legally requested by the board. Attendants who fail to respond to requests for documents or requests for information within 30 days from the date of request shall have the burden of demonstrating that they have acted in a timely manner.

(eee) "Unprofessional conduct," as applied to instructor-coordinators and training officers and as used in K.S.A. 65-6133 and K.S.A. 65-6129c and amendments thereto, means any of the following:

(1) Engaging in behavior that demeans a student. This behavior shall include ridiculing a student in front of other students or engaging in any inhumane or discriminatory treatment of any student or group of students;

(2) verbally or physically abusing a student;

(3) failing to take appropriate action to safeguard a student;

(4) falsifying any document relating to a student or the emergency medical service agency;

(5) violating any statutes or regulations concerning the confidentiality of student records;

(6) obtaining or seeking to obtain any benefit, including a sexual favor, from a student through duress, coercion, fraud, or misrepresentation, or creating an environment that subjects a student to unwelcome sexual advances, which shall include physical touching or verbal expressions;

- (7) an inability to instruct because of alcoholism, excessive use of drugs, controlled substances, or any physical or mental condition;
- (8) reproducing or duplicating a state examination for certification without board authority;
- (9) engaging in any fraudulent or dishonest act that is related to the qualifications, functions, or duties of an instructor-coordinator or training officer;
- (10) willfully failing to adhere to the course syllabus; or
- (11) failing to cooperate with the board and its agents in the investigation of complaints or possible violations of the board's statutes or regulations, including failing to furnish any documents or information legally requested by the board. Instructor-coordinators and training officers who fail to respond to requests for documents or requests for information within 30 days of the request shall have the burden of demonstrating that they have acted in a timely manner.

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