

1 **109-1-1. Definitions.** The following words and phrases shall have the following
2 meanings as used in this agency's regulations.

3 (a) ~~"Administrator" means the executive director of the emergency medical~~
4 ~~services board.~~ "AEMT" means an advanced emergency medical technician.

5 (b) "Advanced Life Support" means the statutorily authorized activities and
6 interventions that may be performed by an emergency medical technician-intermediate,
7 emergency medical technician-defibrillator, emergency medical technician-intermediate-
8 defibrillator, advanced emergency medical technician, mobile intensive care technician
9 or paramedic.

10 (b) (c) "Air ambulance" means a fixed-wing or rotorwing aircraft that is specially
11 designed, constructed or modified, maintained, and equipped to provide air medical
12 transportation of patients.

13 (e) (d) "Air medical adviser" means a physician as defined by K.S.A. 65-6112,
14 and amendments thereto, who meets these requirements:

15 (1) Is trained and experienced in care consistent with the air ambulance
16 service's mission statement; and

17 (2) is knowledgeable in altitude physiology and the complications that may arise
18 due to air medical transport.

19 (d)(e) "Air medical personnel" means the attendants listed on the attendant
20 roster, health care personnel identified on the service health care personnel roster of
21 with the air ambulance service, specialty patient care providers specific to the mission,
22 and the pilot or pilots necessary for the operation of the aircraft.

23 K.S.A. 109-1-1

24 Page 2

25 ~~(e)~~ (f) "Airway maintenance" as used in K.S.A. 65-6121 and amendments
26 thereto, and as applied to the authorized activities of an emergency medical technician-
27 intermediate, is the use of any invasive
28 oral equipment and procedures necessary to assure the adequacy and quality of
29 ventilation and oxygenation.

30 (g) "ALS" means advanced life support as used in subsection (b).

31 (h) "Basic life support" means the statutorily authorized activities and
32 interventions that may be performed by a first responder, emergency medical responder
33 or emergency medical technician.

34 (i) "BLS" means basic life support as used in subsection (h).

35 ~~(f)~~ (j) "CECBEMS" means the national Continuing Education Coordinating Board
36 for Emergency Medical Services.

37 (k) "Certified mechanic" as used in KAR 109-2-2 means an individual employed
38 or contracted by the service, city or county, qualified to perform maintenance on
39 licensed EMS vehicles ambulances and/or inspect the same vehicles and validate by
40 signature, the vehicle meets both mechanical and safety considerations for use.

41 ~~(g)~~ (l) "Class" as used in KAR 109-5-2, 109-10-1, 109-10-2, 109-10-3, 109-11-1,
42 109-11-6, and 109-11-8 means the period during which a group of students meets.

43 ~~(h)~~ (m) "Clinical preceptor" means an individual who is responsible for
44 supervision and evaluation of students in clinical training in a health care facility.

45 K.S.A. 109-1-1

46 Page 3

47 (i) (n) "Continuing education" means a formally organized learning experience
48 that has education as its explicit principal intent and is oriented towards the
49 enhancement of emergency medical services practice, values, skills, and knowledge.

50 (j) (o) "Contrived experience" as used in K.A.R. 109-11-3, means a simulated
51 ambulance call to include dispatch communications, responding to the scene,
52 assessment and management of the scene and patient or patients, biomedical
53 communications with medical control, ongoing assessment, care and transportation of
54 the patient or patients, transference of the patient or patients to the staff of the receiving
55 facility, completion of records, and preparation of the ambulance for return to service.

56 (k) (p) "Coordination", as used in KAR 109-5-7, means the submission of the
57 application for approval of initial or continuing education courses and the oversight
58 responsibility of those same courses and instructors once approved.

59 (q) "Course of instruction" means a body of prescribed EMS studies approved by
60 the board.

61 (t) (r) "Critical care transport" means transport by an a-type ambulance of a
62 critically ill or injured patient who receives care commensurate with the scope of
63 practice of care rendered by health care personnel as defined in 109-1-1 (cc) a
64 physician, physician assistant, advanced registered nurse practitioner, a MICT or a
65 paramedic with specialized training as approved by departmental protocols and medical
66 adviser, or a licensed
67 professional nurse.

68 (s) "Emergency" means a serious medical or traumatic situation or occurrence
69 that demands immediate action.

70 K.S.A. 109-1-1

71 Page 4

72 (t) "Emergency Call" means an immediate response by EMS services to a
73 medical or trauma incident that happens unexpectedly.

74 ~~(m)~~ (u) "Emergency care" means the services provided after the onset of a
75 medical condition of sufficient severity that the absence of immediate medical attention
76 could reasonably be expected to cause any of the following:

- 77 (1) Place the patient's health in serious jeopardy;
- 78 (2) seriously impair bodily functions; or
- 79 (3) result in serious dysfunction of any bodily organ or part.

80 ~~(n)~~ (v) "EMS" means emergency medical services.

81 ~~(u)~~ (w) "EMR" means emergency medical responder.

82 ~~(o)~~ (x) "EMT" means emergency medical technician.

83 ~~(p)~~ (y) "EMT-D" means emergency medical technician-defibrillator.

84 ~~(q)~~ (z) "EMT-I" means emergency medical technician-intermediate.

85 (aa) "EMT-I/D" means emergency medical technician-intermediate/defibrillator.

86 ~~(r)~~ (bb) "Field internship preceptor" means an individual who is responsible for
87 supervision and evaluation of students in field training with an ambulance service.

88 ~~(s)~~ (cc) "Health care personnel" as used in KAR 109-2-6 means a physician,
89 physician assistant, licensed professional nurse, advanced registered nurse
90 practitioner, or a respiratory therapist used to provide patient care.

91 K.S.A. 109-1-1

92 Page 5

93 (dd) “Incompetence,” as applied to attendants and as used in K.S.A. 65-6133 and
94 amendments thereto, means a demonstrated lack of ability, knowledge, or fitness to
95 perform patient care according to applicable medical protocols or as defined by the
96 authorized activities of the attendant’s level of certification.

97 ~~(t)~~ (ee) “Incompetence,” as applied to instructor-coordinators and training officers
98 and as used in K.S.A. 65-6133 and K.S.A. 65-6129c and amendments thereto, means a
99 pattern of practice or other behavior that demonstrates a manifest incapacity or inability
100 to coordinate or instruct.

101 ~~(u)~~ (ff) “Incompetence,” as applied to an operator and as used in K.S.A. 65-6132
102 and amendments thereto, means

103 (1) an operator’s inability or failure to provide the level of service required for the
104 ~~class-~~ type of permit held.

105 (2) that the operator, agent or employee of the operator failed to comply with a
106 statute or regulation pertaining to the operation of a licensed ambulance service.

107 ~~(v)~~ (gg) “Instructor-coordinator (I-C)” means any of the following individuals who
108 are certified to instruct and coordinate attendant training programs:

- 109 (1) Emergency medical technician;
- 110 (2) emergency medical technician-intermediate;
- 111 (3) emergency medical technician-defibrillator ;
- 112 (4) mobile intensive care technician;
- 113 (5) physician;

114 K.S.A. 109-1-1

115 Page 6

116 (6) ~~registered professional nurse~~ physician's assistant;

117 (7) advanced registered nurse practitioner;

118 (8) licensed professional nurse

119 (9) advanced emergency medical technician; or

120 (10) paramedic.

121 ~~(w)~~ (hh) "Lab assistant" means an individual who is assisting a primary instructor
122 in the instruction and evaluation of students in classroom laboratory training sessions.

123 ~~(x)~~ (ii) "Long-term provider approval" means that the sponsoring organization
124 has been approved by the executive director to provide continuing education
125 programs as prescribed in K.A.R. 109-5-3.

126 ~~(y)~~ (ij) "MICT" means mobile intensive care technician.

127 (kk) "Out of Service" as used in K.A.R. 109-2-5 means a licensed ambulance
128 that is not immediately available for use for patient care or transport.

129 ~~(z)~~ (ll) "Primary instructor" means an instructor-coordinator or training officer ~~†~~
130 who is listed by the ~~provider of training~~ sponsoring organization of training as the
131 individual responsible for the effective delivery of cognitive, psychomotor, and affective
132 objectives of an approved initial course of instruction or continuing education session
133 and who is the person primarily responsible for evaluating student performance and
134 developing student competency.

135 K.S.A. 109-1-1

136 Page 7

137 ~~(aa)~~ (mm) “Prior-approved continuing education” means material submitted by a
138 provider, sponsoring organization, to the board, that is reviewed and subsequently
139 approved by the ~~administrator or the administrator’s designee,~~ executive director, in
140 accordance with criteria established by rules and regulations, and that is assigned a
141 course identification number.

142 ~~(aa)~~ “~~Provider of continuing education~~” means ~~professional associations,~~
143 ~~accredited postsecondary educational institutions, permitted ambulance services, fire~~
144 ~~departments, other regional councils, approved by the administrator to offer continuing~~
145 ~~education programs on either a long-term provider basis or a single-program provider~~
146 ~~service;~~

147 ~~(ee)~~ (nn) “Public call” means the request for an ambulance to respond to the
148 scene of a medical emergency or accident by an individual or agency other than any of
149 the following:

- 150 (1) A type I, ~~or type II,~~ or type IIA ambulance service;
- 151 (2) the Kansas highway patrol or any law enforcement officer ~~certified as an~~
152 ~~attendant~~ who is at the scene of an accident or medical emergency;
- 153 (3) a physician who is at the scene of an accident or medical emergency; or
- 154 (4) an attendant who has been dispatched to provide emergency first response
155 and who is at the scene of an accident or medical emergency.

156 ~~(de)~~ (oo) “Retroactively approved continuing education” means credit issued to
157 the attendant after attending the workshop, conference, seminar, or other offering that is

158

K.S.A. 109-1-1

159

Page 8

160 reviewed and subsequently approved by the executive director, in accordance with
161 criteria established by the board.

162 (pp) "Service Records" means documents required to be maintained by state
163 regulations and statutes pertaining to the operation and education within a licensed
164 ambulance service.

165 ~~(ee)~~ (qq) "Single-program provider approval" means that the provider sponsoring
166 organization has been granted approval to offer a specific continuing education
167 program.

168 ~~(ff)~~ (rr) "Site coordinator" means a person supervising, facilitating, or monitoring
169 students, facilities, faculty, or equipment at a training site.

170 (ss) "Sponsoring organization" means professional associations, accredited
171 postsecondary educational institutions, permitted ambulance services, fire departments,
172 other officially organized public safety agencies, hospitals, corporations, emergency
173 medical services regional councils, or KBEMS approved by the executive director to
174 offer initial courses of instruction and continuing education programs as either a long-
175 term provider or a single-program provider.

176 ~~(gg)~~ (tt) "Sufficient application" means that the information requested on the
177 application form is provided in full, no additional information is required to complete the
178 processing of the application, and any applicable fee has been paid.

179 K.S.A. 109-1-1

180 Page 9

181 ~~(hh) “Training officer I” means a person who has been certified by the board to~~
182 ~~coordinate attendant continuing education training programs for accredited~~
183 ~~postsecondary educational institutions, permitted ambulance services, fire departments,~~
184 ~~other officially organized public safety agencies, hospitals, corporations, professional~~
185 ~~associations, or emergency medical services regional councils.~~

186 ~~(ii) “Training officer II” means a person who is certified by the board to function~~
187 ~~as a continuing education training program coordinator and as a primary instructor of~~
188 ~~first responder initial courses of instruction.~~

189 ~~(jj) (uu) “Training program accreditation” means accredited postsecondary~~
190 ~~educational institutions, permitted ambulance services, fire departments, other officially~~
191 ~~organized public safety agencies; hospitals, or corporations approved by the executive~~
192 ~~director to conduct EMS initial courses of instruction on a long-term provider basis.~~

193 ~~(kk) (vv) “Type I ambulance service” means a ground-based service that~~
194 ~~provides emergency response and advanced life support, as described in the~~
195 ~~authorized activities and scope of practice of emergency medical technician-~~
196 ~~intermediate, emergency medical technician-defibrillator, emergency medical~~
197 ~~technician-intermediate/defibrillator, advanced emergency medical technician, mobile~~
198 ~~intensive care technicians or paramedic as described in K.S.A. 65-6119, K.S.A. 65-~~
199 ~~6120, or K.S.A. 65-6123 and amendments thereto and may provide critical care~~
200 ~~transport when staffed in accordance with 109-1-1 subsection (r).~~

201 ~~(ll) (ww) “Type II ambulance service” means a ground-based service that~~
202 ~~provides emergency response and basic life support, as described in authorized~~

203

K.S.A. 109-1-1

205 activities or scope of practice of emergency medical technicians, first responder and
206 emergency medical responder as defined in K.S.A. 65-6121, K.S.A. 65-6144
207 respectively and amendments thereto.

208 (xx) "Type IIA ambulance service" means a basic life support service that may
209 provide advanced life support when staffed with one attendant and any of these
210 individuals functioning under ALS protocols or guidance as authorized by applicable
211 licensing authority:

- 212 (1) Emergency medical technician-intermediate, or AEMT
- 213 (2) emergency medical technician-defibrillator;
- 214 (3) mobile intensive care technician;
- 215 (4) paramedic
- 216 ~~(4)~~ (5) registered licensed professional nurse;
- 217 ~~(5)~~ (6) registered physician's assistant;
- 218 (7) an advanced registered nurse practitioner
- 219 (8) respiratory therapist
- 220 ~~(6)~~ (9) physician;
- 221 (7) advanced registered nurse practitioner;
- 222 (8) emergency medical technician-intermediate/defibrillator;
- 223 (9) advanced emergency medical technician; or
- 224 (10) paramedic.

225 ~~(mm)~~ (yy) “Type V ambulance service” means an air or ground-based ALS
226 ambulance service that provides, critical care transport, as defined in K.A.R. 109-1-1,
227 and is not subject to public call.

228 ~~(nn)~~ (zz) “Unprofessional conduct,” as applied to attendants and as used in
229 K.S.A. 65-6133, and amendments thereto, means conduct that violates those standards

230 K.S.A. 109-1-1

231 Page 11

232 of professional behavior that through professional experience have become established
233 by the consensus of the expert opinion of the members of the emergency medical
234 services profession as reasonably necessary for the protection of the public. This
235 conduct shall include any of the following:

- 236 (1) Failing to take appropriate action to safeguard the patient;
- 237 (2) performing acts beyond the activities authorized for the level at which the
238 individual is certified;
- 239 (3) falsifying a patient’s or an ambulance services records;
- 240 (4) verbally, sexually, or physically abusing a patient;
- 241 (5) violating statutes or regulations concerning the confidentiality of medical
242 records or patient information obtained in the course of professional work;
- 243 (6) diverting drugs or any property belonging to a patient or an agency;
- 244 (7) making a false or misleading statement on an application for certification
245 renewal or any agency record;
- 246 (8) engaging in any fraudulent or dishonest act that is related to the
247 qualifications, functions, or duties of an attendant; or

248 (9) failing to cooperate with the board and its agents in the investigation of
249 complaints or possible violations of the emergency medical services statutes or board
250 regulations, including failing to furnish any documents or information legally requested
251 by the board. Attendants who fail to respond to requests for documents or requests for

K.S.A. 109-1-1

252
253 Page 12

254 information within 30 days from the date of request shall have the burden of
255 demonstrating that they have acted in a timely manner.

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

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

262 (2) verbally or physically abusing a student;

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

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

266 (5) violating any statutes or regulations concerning the confidentiality of student
267 records:

268 (6) obtaining or seeking to obtain any benefit, including a sexual favor, from a
269 student through duress, coercion, fraud, or misrepresentation, or creating an

270 environment that subjects a student to unwelcome sexual advances, which includes
271 physical touching or verbal expressions;

272 (7) an inability to instruct because of alcoholism, excessive use of drugs,
273 controlled substances or any physical or mental condition;

274 K.S.A. 109-1-1

275 Page 13

276 (8) reproducing or duplicating a state examination for certification without board
277 authority;

278 (9) engaging in any fraudulent or dishonest act that is related to the
279 qualifications, functions, or duties of an instructor-coordinator or training officer;

280 (10) willfully failing to adhere to the course syllabus; or

281 (11) failing to cooperate with the board and its agents in the investigation of
282 complaints or possible violations of the emergency medical services statutes or board
283 regulations, including failing to furnish any documents or information legally requested
284 by the board. Instructor-coordinators and training officers who fail to respond to
285 requests for documents or requests for information within 30 days of the request shall
286 have the burden of demonstrating that they have acted in a timely manner. (Authorized
287 by K.S.A. ~~1998 Supp.~~ 65-6110, K.S.A. 2009 Supp. 65-111 as amended by L.2010, Ch.
288 119, sec. 1; implementing K.S.A. ~~1998 Supp.~~ 65-6110, K.S.A. 2009 Supp. 65-111 as
289 amended by L.2010, Ch. 119, sec. 1; K.S.A. 65-6121, as amended by L. 2010, Ch 119,
290 sec 5; K.S.A. 65-6129, as amended by L. 2010, Ch 19, sec 8; K.S.A. 65-6129b, and
291 K.S.A. 65-6129c, as amended by L. 2010, Ch 119, sec 9; K.S.A.65-6132, and K.S.A
292 ~~1998 Supp.~~ 65-6133; effective May 1, 1985; amended May 1, 1986; amended T-88-12,

293 May 18, 1987; amended, T-88-24, July 15, 1987; amended May 1, 1988; amended July
294 17, 1989; amended March 16, 1992; amended Jan. 31, 1994; amended Jan. 30, 1995;
295 amended Jan. 31, 1997; amended Nov. 12, 1999: P-_____.

DRAFT