

Graduated Sanctions for Attendants

Kansas Board of EMS

April 10, 2013

Violation: attendant K.S.A. 65-6133	Number and/or severity of violation	Sanction level range
(a)(1) intentional misrepresentation in obtaining or renewing certificate	1 st violation 2 nd violation 3 rd + violation	1 to 6 or deny 1 to 6 or deny 1 to 6 or deny
(a)(2) performed activities not authorized at level of certification held (a)(2) attempted to perform activities not authorized at level of certification held (a)(3) incompetence: demonstrated lack of ability, knowledge, or fitness to perform patient care per applicable medical protocols or as defined by the authorized activities of the attendant's level of certification as defined in K.A.R. 109-1-1. (a)(3) inadequate patient care (a)(4) violated provision of act (a)(4) violated regulation (a)(4) aided and abetted in violation of provision of act (a)(4) aided and abetted in violation of regulation	1 st violation: no likelihood of harm to patient 1 st violation: potential harm to patient 1 st violation: actual harm to patient 2 nd violation: no likelihood of harm to patient 2 nd violation: potential harm to patient 2 nd violation: actual harm to patient 3 rd + violation: no likelihood harm to patient 3 rd + violation: potential harm to patient 3 rd + violation: actual harm to patient	1 to 3 1 to 4 1 to 6 3 or 4 4 or 5 5 or 6 3 to 5 4 or 5 5 or 6

(a)(5) convicted of felony and not sufficiently rehabilitated to warrant public trust	Dependent on severity level and type of felony (person vs. non-person) and whether no likelihood, potential or actual harm to patient.	1 to 6
(a)(6) inability to perform authorized services with reasonable skill/safety due to:		
➤ illness,	1 st violation 1 st violation 1 st violation	1 to 6 1 to 6 1 to 6
➤ alcoholism,	2 nd violation 2 nd violation 2 nd violation	1 to 6 1 to 6 1 to 6
➤ excessive use of drugs, controlled substances, or	3 rd + violation 3 rd + violation 3 rd + violation	1 to 6 1 to 6 1 to 6
➤ any physical condition, or		
➤ any mental condition		
(a)(7) unprofessional conduct per 109-1-1:		
failing to take appropriate action to safeguard patient	1 st violation: no likelihood of harm to patient 1 st violation: potential harm to patient 1 st violation: actual harm to patient	1 to 3 1 to 4 1 to 6
performing acts beyond authorized activities	2 nd violation: no likelihood of harm to patient 2 nd violation: potential harm to patient 2 nd violation: actual harm to patient	3 or 4 4 or 5 5 or 6
falsifying patient's records	3 rd + violation: no likelihood harm to patient 3 rd + violation: potential harm to patient 3 rd + violation: actual harm to patient	3 to 5 4 or 5 5 or 6
falsifying ambulance service's records		
verbally abusing patient	1 st violation 2 nd violation 3 rd + violation	1 to 6 1 to 6 1 to 6
sexually abusing patient	1 st violation 2 nd violation 3 rd + violation	5 or 6 6 6
physically abusing patient		

violating statute or regulation concerning confidentiality of medical records or patient information	1 st violation 2 nd violation 3 rd + violation	4 to 6 5 or 6 6
diverting drugs belonging to patient diverting drugs belonging to agency [i.e., ambulance service]	1 st violation 2 nd violation 3 rd + violation	5 or 6 6 6
diverting property belonging to patient diverting property belonging to agency [i.e., ambulance service]	1 st violation 2 nd violation 3 rd + violation	4 to 6 5 or 6 6
making false or misleading statement on renewal application or any agency [EMS Board] record	1 st violation 2 nd violation 3 rd + violation	1 to 6 or deny
fraudulent act related to qualification, functions or duties of an attendant dishonest act related to qualification, functions or duties of an attendant	1 st violation: no likelihood of harm to patient 1 st violation: potential harm to patient 1 st violation: actual harm to patient 2 nd violation: no likelihood of harm to patient 2 nd violation: potential harm to patient 2 nd violation: actual harm to patient 3 rd + violation: no likelihood harm to patient 3 rd + violation: potential harm to patient 3 rd + violation: actual harm to patient	1 to 3 1 to 4 1 to 6 3 or 4 4 or 5 5 or 6 3 to 5 4 or 5 5 or 6
failing to cooperate with board investigation, including failing to furnish legally requested documents or information within 30 days	1 st violation 2 nd violation 3 rd + violation	4 to 6 4 to 6 5 or 6