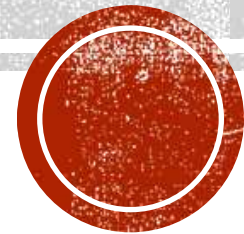


# STATEWIDE PROTOCOLS?

Joe Schmider, Texas EMS Director



# STATEWIDE EMS PROTOCOLS?



# **PURPOSED 197.1 ADMINISTRATIVE CODE**

- Facilitate the most appropriate utilization of the skills of physicians who delegate health care tasks to qualified EMS personnel
- Take into account the skill, training, and experience of both physicians and EMS personnel
- Addresses the relationship between EMS personnel and On-line and Off-line Medical Direction



# WHAT IS REQUIRED OF THE MEDICAL DIRECTOR

- **Medical director shall be:**

- Licensed to practice in Texas
- Familiar with EMS operations
- Experienced in pre-hospital emergency care and management of ill and injured patients

- **Actively involved in:**

- Training and continue education of EMS personnel under direct supervision

- Medical audits of EMS Personnel
- Administrative and legislative environments affecting EMS organizations
- Knowledgeable of local multi-casualty plans
- Familiar with EMS dispatch and communications
- Knowledgeable about EMS Laws and Regulations



- determine standards and objectives for all medically related aspects of operation of the EMS including the inspection, evaluation, and approval of the system's performance specifications;
- function as the primary liaison between the EMS administration and the local medical community
- develop a letter or agreement or contract between the medical director(s) and the EMS administration outlining the specific responsibilities and authority of each
- . take or recommend appropriate remedial or corrective measures for EMS personnel, in conjunction with local EMS administration
- suspend a certified EMS individual from medical care duties for due cause pending review and evaluation
- establish the circumstances under which a patient might not be transported
- establish criteria for selection of a patient's destination



- establish the circumstances under which a patient may be transported against his or her will in accordance with state law, including approval of appropriate procedures, forms, and a review process
- develop and implement a comprehensive mechanism for management of patient care incidents, including patient complaints, allegations of substandard care, and deviations from established protocols and patient care standards
- only approve care or activity that was provided at the time the medical director was employed, contracted or volunteering as a medical director
- notify the board at time of licensure registration under §166.1 of this title (relating to Physician Registration) of the physician's position as medical director and the names of all EMS providers for whom that physician holds the position of off-line medical director;



# EDUCATION / CONTINUE EDUCATION

**Complete the following educational requirements;**

- Within (2) two years before or after initial notification to the board of medical directors position,
  - A) 12 hours of formal CME as defined in 166.2 in the area of EMS medical director
  - b) board certification in Emergency Medical Services by the American Board of Medical Specialties or a Certificate of Added Qualification in EMS by the American Osteopathic Association Bureau of Osteopathic Specialists; or
  - c) a DSHS approved EMS medical director course; and
  - d) every two years after meeting the requirements of subparagraph (A) of this paragraph, one hour of formal CME in the area of EMS medical direction.



# **IN TEXAS:**

**A medical director shall not be held responsible for noncompliance with this chapter if the EMS administration fails to provide the necessary administrative support to permit compliance with the provisions of this chapter**





# **SEC 773.146      LIMITATION ON CIVIL LIABILITY**

- An emergency medical services operator who holds a certificate under Section 773.144 is not liable for damages that arise from the provision of medical information according to the protocol adopted under Section 773.145 if the information is provided in good faith. This subsection does not apply to an act or omission of the operator that constitutes gross negligence, recklessness, or intentional misconduct. This subsection does not affect any liability imposed on a public agency for the conduct of the emergency medical services operator under Section 101.062, Civil Practice and Remedies Code.
- Section 101.062, Civil Practice and Remedies Code, governs the liability of a public agency the employees or volunteers of which provide medical information under this subchapter.



# SECTION 157.001

- A physician may delegate to a qualified and properly trained person acting under the physician's supervision any medical act that a reasonable and prudent physician would find within the scope of sound medical judgment to delegate if, in the opinion of the delegating physician:
  - The Act:
    - (A) can be properly and safely performed by the person to whom the medical act is delegated;
    - (B) is performed in its customary manner; and
    - (C) is not in violation of any other statute; and
    - (D) the delegating physician remains responsible for the
  - medical acts of the person performing the delegated
  - medical acts.





# WITH A STATE SO LARGE AND SO DIVESTED

- How do you have one protocol to meet everyone needs?
- Should there be a base but not a ceiling?





or

**IS YOUR MEDICAL  
DIRECTOR  
INVOLVED?**

