

ADOPTIONS SECTION

HEALTH

PUBLIC HEALTH SERVICES BRANCH

DIVISION OF PUBLIC HEALTH INFRASTRUCTURE, LABORATORIES, AND

EMERGENCY PREPAREDNESS

OFFICE OF EMERGENCY MEDICAL SERVICES

Notice of Readoption

Mobility Assistance Vehicle and Basic Life Support Ambulance Services

Readoption: N.J.A.C. 8:40

Authority: N.J.S.A. 26:2H-1 et seq., especially 26:2H-2 and 5, and 30:4D-6.4 and 6.6.

Authorized By: Kaitlan Baston, MD, MSc, DFASAM, Acting Commissioner, Department of Health.

Effective Date: September 25, 2023.

New Expiration Date: September 25, 2030.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 8:40, Mobility Assistance Vehicle and Basic Life Support Ambulance Services, were scheduled to expire on November 1, 2023. The rules establish uniform Statewide licensure and operations standards for the delivery of mobility assistance vehicle (MAV) and pre-hospital and interfacility basic life support (BLS) ambulance services.

Subchapter 1, Authority, Scope, and Definitions, states the chapter's authority, scope, and purpose, defines terms, and establishes formal waiver procedures for the benefit of MAV and BLS providers.

Subchapter 2, Licensure, Inspections and Audits, provides rules for license applications, including general licensing information, licensure exceptions, licensure and administrative fees, and general vehicle inspection and provider audit information.

Subchapter 3, General Administrative Requirements, provides general administrative, crewmember, and vehicle requirements. This includes requirements for the provider's standard operating procedures, business locations, insurance coverage, advertising restrictions, patient care reports, reportable events, maintenance of records, biomedical equipment testing and maintenance, personnel files, vehicle out-of-service logs, and other administrative standards.

Subchapter 4, General Crewmember, Equipment and Vehicle Requirements, provides crewmember requirements and equipment and vehicle standards. This includes minimum crewmember configuration, safety and competencies, vehicle registration, safety sanitation, construction, heat, and air conditioner standards, pneumatic testing of respiratory devices and equipment, physical behavioral restraints, and accommodations for service dogs.

Subchapter 5, Specific Mobility Assistance Vehicle Service Requirements, provides the requirements for mobility assistance vehicle services. This includes scope and purpose, patient restrictions, crewmember requirements and duties, oxygen administration, patient transport devices, ramps and lifts, patient compartment requirements, vehicle markings, and two-way communications.

Subchapter 6, Specific Basic Life Support Ambulance Service Requirements, provides the requirements for basic life support ambulance services. This includes scope and practice, patient restrictions, crewmember requirements and duties, basic

supplies and equipment, and additional requirements for emergency response, respiratory care equipment, oxygen administration, patient transport devices, ramps and lifts, patient compartment requirements and dimensions, vehicle markings and compliance with Federal construction specifications, two-way communications, and disaster planning.

Subchapter 7, Scope of Practice, Enforcement Actions and Hearings, provides the requirements of scope of practice and enforcement actions. This includes scope of practice for Emergency Medical Technicians-Basic, enforcement actions, hearings, and actions against unlicensed entities.

As part of its rulemaking responsibilities, the Department of Health (Department) conferred with multiple stakeholder groups, including the Mobile Intensive Care Advisory Council, the New Jersey Emergency Medical Services Task Force, the New Jersey Association for Paramedic Programs, Paramedics for the Advancement of New Jersey Emergency Medical Services, and the New Jersey Critical Care Transport Association, to review the existing rules and consider amendments. With input from the stakeholder groups, the Department is developing a rulemaking to consolidate, revise, and update its emergency medical services rule chapters, namely N.J.A.C. 8:40 and 8:41, which will provide consistent licensure processes for emergency medical service providers and will reflect and incorporate current industry standards with regard to healthcare delivery and advances in medical understanding, scope, and technology.

The Department anticipates filing this rulemaking with the Office of Administrative Law for processing in the ordinary course; however, this rulemaking could not be completed prior to the expiration of existing N.J.A.C. 8:40. The Commissioner of the

Department, in consultation with the Commissioner of Human Services, has reviewed existing N.J.A.C. 8:40 and determined that, pending the finalization of the anticipated rulemaking described above, the existing chapter remains necessary, proper, reasonable, efficient, understandable, and responsive for the purposes for which it was originally promulgated, as amended and supplemented over time, and should be readopted. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 8:40 is readopted and shall continue in effect for seven years.