

ADOPTIONS SECTION

HEALTH

PUBLIC HEALTH SERVICES BRANCH

**DIVISION OF PUBLIC HEALTH INFRASTRUCTURE, LABORATORIES, AND
EMERGENCY PREPAREDNESS**

OFFICE OF EMERGENCY MEDICAL SERVICES

Notice of Readoption

**Advanced Life Support; Mobile Intensive Care Programs, Specialty Care
Transport Services and Air Medical Services**

Readoption: N.J.A.C. 8:41

Authority: N.J.S.A. 26:2K-7 through 20 and 35 through 38.

Authorized By: Judith M. Persichilli, RN, BSN, MA, Commissioner, Department of
Health.

Effective Date: June 13, 2023.

New Expiration Date: June 13, 2030.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 8:41, Advanced Life Support Services; Mobile Intensive Care Programs, Specialty Care Transport Services and Air Medical Services, were scheduled to expire on July 28, 2023.

The rules establish uniform licensure and operation standards for the delivery of pre-hospital and interfacility advanced life support services (ALS) in New Jersey. Subchapter 1 states the authority, scope and purpose, defined terms, and formal waiver procedures for ALS providers.

Subchapter 2 establishes the license applications, including general licensing information, licensure exceptions, licensure and administrative fees, general vehicle inspection, and provider audit information.

Subchapter 3 provides general administrative, crewmember, and vehicle requirements, including requirements for provider standard operating procedures manual, minimum crewmember competency, crewmember duties and requirements, basic equipment and supplies for vehicles, insurance requirements, reportable events, patient care reports, quality assurance standards, and other administrative standards.

Subchapter 4 establishes vehicle requirements for patient transports, including patient compartment safety requirements, vehicle sanitation, vehicle chassis and body requirements, vehicle temperature standards, and treatment of guide dogs.

Subchapter 5 provides the requirements for research proposals, including the procedure whereby a licensee may request approval from the Commissioner to conduct research.

Subchapter 6 establishes standards for the administration and storage of medications, including procedures for medication control, inventory, and recordkeeping.

Subchapter 7 establishes standing orders for adult patients, including the use of interventions, such as endotracheal intubation, intravenous therapy, and cardioversion.

Subchapter 8 establishes standing orders for pediatric patients, including the use of interventions, such as pediatric endotracheal intubation, and pediatric intravenous/intraosseous therapy, as well as standing orders for pediatric trauma, pediatric cardiac arrest, and pediatric burn management.

Subchapter 9 establishes mobile intensive care program requirements, including standards for program personnel, such as program director, medical director, required crewmembers, medical command physician, and mobile intensive care nurses. Subchapter 9 also provides standards for operations, such as additional vehicle equipment and supplies, transport restrictions, hours of operation, dispatch, and two-way communications.

Subchapter 10 provides specialty care transport service requirements, including specific equipment and supplies, specific minimum crewmember requirements, and medical command and communications requirements.

Subchapter 11 provides air medical service requirements, including medical command and crewmember requirements, medical equipment requirements, and patient compartment requirements.

Subchapter 12 defines the scope of practice of Emergency Medical Technician (EMT)-Basics and EMT-Paramedics, sets out enforcement actions, including monetary penalties, license suspensions and revocations, and notification requirements to providers regarding hearing request procedures.

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. Specific to N.J.A.C. 8:41, the revisions will include rules to implement the recent amendments to the New Jersey Emergency Medical Services Act, N.J.S.A. 26:2K-7 through 74, P.L. 2022, c. 118, and P.L. 2021, c. 480.

The Department anticipates filing this rulemaking with the Office of Administrative Law for processing in the ordinary course; however, this rulemaking could not be proposed prior to the expiration of existing N.J.A.C. 8:41. The Commissioner has reviewed existing N.J.A.C. 8:41 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. 8:41 is readopted and shall continue in effect for seven years.