

CHAPTER 44:05:01

DEFINITIONS

Section

44:05:01:01 Definitions.

44:05:01:02 Definition of unprofessional or dishonorable conduct.

44:05:01:01. Definitions. Words defined in SDCL 34-11-2 shall have the same meaning when used in this article. In addition, terms used in this article mean:

(1) "Ambulance service director," a person in charge of the day-to-day management of a ground or air ambulance service;

(2) "Attendants," ambulance personnel who have completed a course of instruction in emergency care approved by the department pursuant to SDCL 34-11-6 and who are responsible for the rendering of direct patient care to the sick or injured;

(3) "C.F.R.," Code of Federal Regulations;

(4) "Department," the South Dakota Department of Health;

(5) "EMT," a person who has completed an emergency medical technician course and is currently certified by the department;

(6) "Emergency medical technician-basic," a person who has successfully completed the 1994 United States Department of Transportation (USDOT) emergency medical technician-basic course and is certified by the department;

(7) "Emergency medical technician-basic course," the standard 1994 USDOT course of instruction in emergency medical care with written and practical examinations approved by the National Registry of Emergency Medical Technicians;

(8) "EVOC," the emergency vehicle operator course approved by the department consisting of a curriculum of at least four hours of didactic instruction and four hours of actual driving, developed to improve emergency vehicle driving skills;

~~(9) "Hardship exemption," clear and convincing evidence submitted to the department showing circumstances which would make compliance with an administrative rule unreasonable, impractical, or overly burdensome and not in the best interests of patient care;~~

~~(10)~~ (9) "Licensee," a person or entity that has obtained and is in possession of a currently valid license to operate a ground or air ambulance service in this state;

~~(11)~~ (10) "Medical air transport," the transport of a patient by a licensed air ambulance when the patient, at the time of departure, is not in need of emergency medical care;

~~(12)~~ (11) "Medical director," a person licensed to practice medicine in this state under SDCL 36-4 who is responsible for providing medical supervision and direction to a licensed ambulance service;

~~(13)~~ (12) "Primary response ground ambulance," or "ground ambulance," a motor vehicle operated over public roadways under the jurisdiction of this state that is in compliance with chapter 44:05:04 and is used to respond to medical emergencies and to transport the sick or injured;

~~(14)~~ (13) "Response," the act of responding to a request for emergency medical services;

~~(15)~~ (14) "Secondary response ground ambulance," a motor vehicle operated over public roadways under the jurisdiction of this state that is in compliance with chapter 44:05:04 and used to respond to medical emergencies and to transport the sick or injured to a facility for medical treatment only in cases of mass disaster, scheduled transfer, or when primary response ground ambulances are not available;

~~(16)~~ (15) "Gross incompetence," general or severe lack of the ability, skill, or knowledge reasonably necessary to serve as an ambulance driver or attendant.

Source: 2 SDR 26, effective October 9, 1975; 6 SDR 93, effective July 1, 1980; 12 SDR 58, effective October 14, 1985; 20 SDR 204, effective June 9, 1994; 30 SDR 125, effective February 22, 2004; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 34-11-5, 34-11-6.1.

Law Implemented: SDCL 34-11-6.1.

CHAPTER 44:05:03

PERSONNEL REQUIREMENTS

Section

- 44:05:03:01 Inspection of ambulance services.
- 44:05:03:02 Twenty-four hour, seven-day service required.
- 44:05:03:02.01 Mandatory response time.
- 44:05:03:02.02 Publication of phone number when not on 911.
- 44:05:03:02.03 Ground ambulance used exclusively on private property exempt from chapter.
- 44:05:03:03 Ambulance trip report forms.
- 44:05:03:04 Minimum ambulance personnel required.

44:05:03:05 List of drivers and attendants required.

44:05:03:06 Repealed.

44:05:03:06.01 Repealed.

44:05:03:06.02 ~~Two-person ground ambulance response~~ Repealed.

44:05:03:06.03 ~~Three-person ground ambulance response~~ Repealed.

44:05:03:07 Repealed.

44:05:03:08 Periodic retraining required.

44:05:03:09 Repealed.

44:05:03:10 Revocation of certification.

44:05:03:04. Minimum ambulance personnel required. On every call a licensee must provide a minimum of ~~two EMTs as described in §§ 44:05:03:06.02 and 44:05:03:06.03~~ one advanced life support personnel licensed pursuant to SDCL Chapter 36-4B or one EMT certified pursuant to SDCL 34-11-6 and one driver. The driver must complete a state-approved course to demonstrate competencies in:

- (1) Cardiopulmonary resuscitation (CPR);
- (2) Health Insurance Portability and Accountability Act (HIPAA) compliance;
- (3) Infection control;
- (4) Patient movement;
- (5) Equipment and communication systems; and
- (6) Emergency vehicle operation.

A physician licensed pursuant to SDCL Chapter 36-4, physician assistant licensed pursuant to SDCL Chapter 36-4A, nurse licensed pursuant to SDCL Chapter 36-9, or nurse practitioner or nurse midwife licensed pursuant to SDCL Chapter 36-9A may replace any advanced life support personnel or EMT on any type of response.

Documentation of completion of driver competencies must be maintained by the licensee and available upon request.

Source: 2 SDR 26, effective October 9, 1975; 6 SDR 93, effective July 1, 1980; 20 SDR 204, effective June 9, 1994; 30 SDR 125, effective February 22, 2004; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 34-11-5.

Law Implemented: SDCL 34-11-5.

44:05:03:05. List of drivers and attendants required. A licensee must provide the department at the time of initial licensing, annually, and on request a list of all ~~drivers and attendants~~ ambulance personnel, including their names, social security numbers, license or certification numbers, and ~~EMT~~ expiration dates.

Source: 2 SDR 26, effective October 9, 1975; 6 SDR 93, effective July 1, 1980; 12 SDR 58, effective October 14, 1985; 20 SDR 204, effective June 9, 1994; 30 SDR 125, effective February 22, 2004.

General Authority: SDCL 34-11-5.

Law Implemented: SDCL 34-11-6.

44:05:03:06.02. Two-person ground ambulance response. ~~On all ground ambulance responses with a two-person crew, both the driver and attendant must be emergency medical technicians currently certified by the department. A physician, registered nurse, practical nurse, nurse practitioner, or physician assistant currently licensed in South Dakota may replace the attendant on any type of response~~ Repealed.

Source: 12 SDR 58, effective October 14, 1985; 20 SDR 204, effective June 9, 1994; 30 SDR 125, effective February 22, 2004; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 34-11-5.

Law Implemented: SDCL 34-11-6.

44:05:03:06.03. Three-person ground ambulance response. ~~On all ground ambulance responses with a three person crew using two emergency medical technicians certified by the department as attendants, the driver may be a person who has completed the department's EVOC or an equivalent. A physician, registered nurse, practical nurse, nurse practitioner, or physician assistant currently licensed in South Dakota may replace any attendant on any type of response~~ Repealed.

Source: 12 SDR 58, effective October 14, 1985; 16 SDR 147, effective March 18, 1990; 20 SDR 204, effective June 9, 1994; 30 SDR 125, effective February 22, 2004; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 34-11-5.

Law Implemented: SDCL 34-11-5.