

**ARTICLE 44:05**

**AMBULANCE OPERATION**

Chapter

44:05:01 Definitions.

44:05:02 Licenses.

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REVISED

## CHAPTER 44:05:01

### DEFINITIONS

Section

44:05:01:01 Definitions.

44:05:01:02 Definition of unprofessional or dishonorable conduct, Repealed.

**44:05:01:01. Definitions.** Words and phrases defined in SDCL 34-11-2 ~~shall~~ have the same meaning when used in this article. In addition, terms as 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) "Emergency medical responder (EMR)," a person who has completed an emergency medical responder course approved by the department and who has successfully demonstrated entry-level competency through the NREMT and is certified by the department;~~

~~—— (6) "Emergency medical technician (EMT)," a person who has completed an emergency medical technician course approved by the department and who has successfully demonstrated entry-level competency through the NREMT and is certified by the department;~~

~~—— (7) "EVOC," an emergency vehicle operator course approved by the department consisting of a curriculum of didactic instruction and actual driving, developed to improve emergency vehicle driving skills;~~

~~—— (8) "Gross incompetence," general or severe lack of the ability, skill, or knowledge reasonably~~

necessary to serve as an ambulance driver or attendant;

— (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;

— (10) "Medical air transport," the transport of a patient by a licensed air ambulance;

— (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;

— (12) "National Registry of Emergency Medical Technicians (NREMT)," the National EMS Certification Agency responsible for validating entry level competency of pre-hospital providers;

— (13) "Ground ambulance," a motor vehicle operated over public roadways under the jurisdiction of this state that is in compliance with chapter 44:05:04;

— (14) "Response," the term, response, means the response of an ambulance vehicle and personnel to an emergency for the purpose of rendering medical care or transportation, or both, to someone ill or injured, ~~including~~ cancelled calls, no transports, and standby events where medical care may be rendered.

**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; 42 SDR 173, effective July 1, 2016; 44 SDR 17, effective August 7, 2017; 44 SDR 93, effective December 4, 2017.

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

**Law Implemented:** SDCL ~~34-11-6.1~~ 34-11-2, 34-11-5.

**44:05:01:02. Definition of unprofessional or dishonorable conduct.**—~~The term, unprofessional or dishonorable conduct, as used in this chapter includes:~~

- ~~—— (1) Willfully betraying a professional confidence;~~
- ~~—— (2) Conviction of any felony offense, any conviction of a criminal offense arising out of the practice of pre-hospital emergency medical care, or one in connection with any criminal offense involving moral turpitude;~~
- ~~—— (3) Habits of intemperance or drug addiction, calculated in the opinion of the department to affect the licensee's practice of the profession or any conviction, including suspended impositions of sentence, for any offense pertaining to illegal or controlled substances;~~
- ~~—— (4) Sustaining any physical or mental disability that renders the further practice of a licensee's profession dangerous;~~
- ~~—— (5) Failure to comply with state or federal laws on keeping records regarding possessing and dispensing of narcotics, barbiturates, and habit forming drugs;~~
- ~~—— (6) Falsifying the medical records of a patient or any official record regarding possession and dispensing of narcotics, barbiturates, and habit forming drugs or regarding any phase of medical treatment of a patient;~~
- ~~—— (7) Presenting to the department any license, certificate, or diploma which was obtained by fraud or deception practiced in passing a required examination or which was obtained by the giving of false statements or information on applying for the license;~~
- ~~—— (8) Illegally, fraudulently, or wrongfully obtaining a license required by this article by the use of any means, device, deception, or help in passing any examination or by making any false statement or misrepresentation in any application or information presented;~~
- ~~—— (9) The exercise of influence within the EMR patient relationship or EMT patient relationship for the purposes of engaging a patient in sexual activity. For the purpose of this subdivision, the patient is presumed incapable of giving free, full, and informed consent to sexual~~

activity with the EMR or EMT;

~~—— (10) Engaging in gross or immoral sexual harassment or sexual contact, any conviction requiring registration as a sex offender, or any activity which threatens the peace or well-being of another, including stalking or verbal or physical threats;~~

~~—— (11) Consistently providing or prescribing medical services or treatments which are inappropriate or unnecessary;~~

~~—— (12) Any practice or conduct that tends to constitute a danger to the health, welfare, or safety of the public or patients or engaging in conduct which is unbecoming a person certified to practice as an EMR or EMT;~~

~~—— (13) Discipline by another state, territorial, or provincial licensing board or the licensing board of the District of Columbia; and~~

~~—— (14) Violation of any state or federal statute or rule pertaining to the practice of pre-hospital emergency care or any conviction of any misdemeanor or felony offense that indicates an inability to properly discharge the duties of practice as an EMT Repealed.~~

**Source:** 30 SDR 125, effective February 22, 2004; 34 SDR 201, effective January 31, 2008; 40 SDR 57, effective October 8, 2013; 44 SDR 17, effective August 7, 2017.

~~—— **General Authority:** SDCL 34-11-5, 34-11-6.1.~~

~~—— **Law Implemented:** SDCL 34-11-6.1.~~

## CHAPTER 44:05:02

### LICENSES

#### Section

- 44:05:02:01 Application for license -- Fee.
- 44:05:02:01.01 Transfer only services not allowed.
- 44:05:02:02 Repealed.
- 44:05:02:03 Repealed.
- 44:05:02:03.01 Repealed.
- 44:05:02:03.02 Repealed.
- 44:05:02:04 Licensing of ambulance service from another state -- Fee.
- 44:05:02:05 License does not authorize service where otherwise prohibited.
- 44:05:02:06 Compliance with rules required for issuance of license, Repealed.
- 44:05:02:07 Repealed.
- 44:05:02:08 Repealed.
- 44:05:02:09 Repealed.
- 44:05:02:10 License not transferable.
- 44:05:02:11 Repealed.
- 44:05:02:11.01 Replacement or addition of ambulance, Repealed.
- 44:05:02:12 Notice required for discontinuance of ambulance operation.
- 44:05:02:13 Revocation or suspension of license, Repealed.
- 44:05:02:14 Display of license.
- 44:05:02:15 Inspection of ambulance services, Repealed.
- 44:05:02:16 Twenty-four hour, seven-day service required.
- 44:05:02:17 Mandatory response time.
- 44:05:02:18 Publication of phone number when not on 911, Repealed.

- 44:05:02:19 Ground ambulance used exclusively on private property exempt from chapter.
- 44:05:02:20 ~~Ambulance trip report forms~~ Electronic patient care reports.
- 44:05:02:21 List of ~~drivers and attendants~~ personnel required.

Revised

**44:05:02:01. Application for license -- Fee.** A person or ~~entity~~ organization that desires to operate an ambulance service must obtain a ground or air ambulance license from the department. The person or ~~entity~~ or organization must submit a completed application to the department at least ~~30~~ thirty days before the expected date of operation when applying for a new license ~~or at least 30~~. A person or organization must submit a completed renewal application to the department thirty days before the expiration of an existing license. A fee of ~~\$12~~ twelve dollars must accompany the application.

**Source:** 2 SDR 26, effective October 9, 1975; 6 SDR 93, effective July 1, 1980; 20 SDR 204, effective June 9, 1994; 41 SDR 218, effective July 1, 2015; 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-3, 34-11-5.

**Law Implemented:** SDCL 34-11-3, ~~34-11-4~~ 34-11-5(4).

~~—~~ **Note:** ~~Ground or air ambulance applications may be obtained from the Department of Health,~~  
600 East Capitol Avenue, Pierre, SD 57501 or  
[http://doh.sd.gov/providers/ruralhealth/EMS/Ambulance\\_Licensure.aspx](http://doh.sd.gov/providers/ruralhealth/EMS/Ambulance_Licensure.aspx).

**44:05:02:04. Licensing of ambulance service from another state -- Fee.** ~~A ground or air ambulance operator service based in a outside of this state other than South Dakota whose service receives requests for patient transport which transports patients within South Dakota this state, must apply for and receive a South Dakota ambulance license be licensed by the department before providing such service patient transport. The application must be made in accordance with this article. A fee of \$12 must accompany the application. The license expires on July 1 of even-numbered years and may be renewed every two years. The department may revoke or suspend the license for violations of applicable statutes or rules. Procedures for revocation or suspension of a license shall follow § 44:05:02:13 § 44:05:02:01.~~

**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 34-11-3, 34-11-5.

**Law Implemented:** SDCL 34-11-3, 34-11-5(4), 34-11-9(3).

**44:05:02:06. Compliance with rules required for issuance of license.** ~~Before issuing a license for an operator to provide ground or air ambulance service, the department must determine that the service for which the license is issued meets all requirements in this article Repealed.~~

**Source:** 2 SDR 26, effective October 9, 1975; 6 SDR 93, effective July 1, 1980; 20 SDR 204, effective June 9, 1994.

~~**General Authority:** SDCL 34-11-5.~~

~~**Law Implemented:** SDCL 34-11-3, 34-11-4.~~

Revised

**44:05:02:10. License not transferable.** ~~An ambulance~~ A license to operate an ambulance service is not transferable. ~~Any change in~~ If an ambulance service changes ownership terminates, the department must terminate the license and requires a new application and new license.

**Source:** 2 SDR 26, effective October 9, 1975; 6 SDR 93, effective July 1, 1980; 20 SDR 204, effective June 9, 1994.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-3, ~~34-11-4.~~

Revised

**44:05:02:11.01. Replacement or addition of ambulance.** ~~If a licensee purchases, leases, or rents a new or used ground or air ambulance for the purpose of replacing an ambulance or adding to an existing fleet, the licensee must notify the department within five days of the vehicle being ready for service. The department shall then inspect the vehicle within 20 working days of notification for compliance with chapter 44:05:04 or chapter 44:05:05. The licensee may use the new or used ground or air ambulance, if fully equipped pursuant to chapter 44:05:04 or chapter 44:05:05, prior to the department's inspection~~ Repealed.

**Source:** 6 SDR 93, effective July 1, 1980; 20 SDR 204, effective June 9, 1994; 30 SDR 125, effective February 22, 2004.

~~— **General Authority:** SDCL 34-11-5.~~

~~— **Law Implemented:** SDCL 34-11-4.~~

REVISED

**44:05:02:12. Notice required for discontinuance of ambulance operation.** ~~A ground or air ambulance licensee~~ If an ambulance service intends to discontinue operation, the ambulance service must file a notice of intent to discontinue service with the department ~~30~~ at least thirty days before an the intended date of discontinuance of operation.

**Source:** 2 SDR 26, effective October 9, 1975; 6 SDR 93, effective July 1, 1980; 20 SDR 204, effective June 9, 1994.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL ~~34-11-4~~ 34-11-5.

Revised

**44:05:02:13. Revocation or suspension of license.** ~~The department may revoke or suspend the license of a ground or air ambulance licensee following a contested case hearing pursuant to SDCL chapter 1-26 Repealed.~~

**Source:** 2 SDR 26, effective October 9, 1975; 6 SDR 93, effective July 1, 1980; 20 SDR 204, effective June 9, 1994.

~~**General Authority:** SDCL 34-11-5.~~

~~**Law Implemented:** SDCL 1-26-27 to 1-26-29, 34-11-10.~~

~~**Cross-Reference:** Procedure for contested cases, SDCL 1-26-16 to 1-26-29.~~

Revised

**44:05:02:14. Display of license.** ~~A licensee must~~ An ambulance services shall display the ~~ground or air ambulance license~~ at all times where the ~~licensee ambulance service~~ maintains its ordinary and usual place of business.

**Source:** 2 SDR 26, effective October 9, 1975; 6 SDR 93, effective July 1, 1980; 20 SDR 204, effective June 9, 1994.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-3, ~~34-11-4~~.

Revised

**44:05:02:15. Inspection of ambulance services.** ~~The department shall inspect as needed each ground and air ambulance service operating within this state for compliance with the provisions of this article to protect the public safety~~ Repealed.

**Source:** 2 SDR 26, effective October 9, 1975; 6 SDR 93, effective July 1, 1980; 20 SDR 204, effective June 9, 1994; 44 SDR 17, effective August 7, 2017; transferred from § 44:05:03:01, 44 SDR 93, effective December 4, 2017.

~~— **General Authority:** SDCL 34-11-5.~~

~~— **Law Implemented:** SDCL 34-11-5.~~

Revised

**44:05:02:16. Twenty-four hour, seven-day service required.** ~~A licensee must~~ An ambulance service shall provide ambulance service to the public ~~24 twenty-four hours a per day, 7 seven days a per week.~~ A ground ambulance licensee that is not connected to a 911 emergency service may not use any mechanical answering machine to redirect any emergency call.

**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; transferred from § 44:05:03:02, 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5.

Revised

**44:05:02:17. Mandatory response time.** ~~A ground ambulance licensee must~~ An ambulance service that operates a ground ambulance shall respond to ~~90~~ ninety percent of all emergency calls received within ~~15~~ fifteen minutes after receiving the call. ~~The licensee ambulance service must~~ respond to any emergency call within a maximum of ~~20~~ twenty minutes after receiving the call. For the purposes of this section, "Respond respond to," means the ground ambulance is enroute to the location where emergency medical services have been requested.

**Source:** 20 SDR 204, effective June 9, 1994; 30 SDR 125, effective February 22, 2004; transferred from § 44:05:03:02.01, 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5.

REVISED

**44:05:02:18. Publication of phone number when not on 911.** ~~A ground ambulance licensee that is not connected to a 911 emergency service must publish the telephone number at which persons can access the licensee's service for emergency medical services 24 hours a day, 7 days a week in the telephone directory serving the community listed on the licensee's ambulance application as its usual and ordinary place of business. The licensee must publish its number in the white pages of the telephone directory under the heading "Ambulance Service/Emergency" as long as it holds a valid ambulance license or until its service is connected to 911 or E-911 Repealed.~~

**Source:** 20 SDR 204, effective June 9, 1994; 30 SDR 125, effective February 22, 2004; transferred from § 44:05:03:02.02, 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5.

REVISED

**44:05:02:19. Ground ambulance used exclusively on private property exempt from chapter.** A ground ambulance used exclusively on private property or exclusively on territory outside the jurisdiction of this state is exempt from the requirements of this chapter. A ground ambulance used exclusively for the delivery of emergency care services on private property may not display the word "AMBULANCE" on the exterior of the vehicle.

**Source:** 20 SDR 204, effective June 9, 1994; transferred from § 44:05:03:02.03, 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5, 34-11-9.

Revised

**44:05:02:20. ~~Ambulance trip report forms~~ Electronic patient care reports.** ~~Each response by a licensed An ambulance service must be recorded shall record each response on a an electronic patient care report form approved provided by the department. Completed The ambulance service shall submit patient care report forms shall be submitted to the department on a monthly basis within seventy-two hours of completion of an ambulance run. All licensed The ambulance services service shall keep either an electronic or paper a copy of each patient care report on file for a minimum of seven years, or in the case of a minor, until the minor reaches 21 twenty-one years of age.~~

**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; transferred from § 44:05:03:03, 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5, 34-11-7.

**44:05:02:21. List of drivers and attendants personnel required.** ~~A licensee~~ An ambulance service must provide the department at the time of initial licensing, annually, and on request a list of with the name, license or certificate number, and expiration date of the license or certificate, for all ambulance personnel, including the personnel's names, license or certification numbers, and expiration dates of the licenses or certifications with the ambulance service. An ambulance service must notify the department within thirty days of any change in personnel and provide the name, license or certificate number, and expiration date of the license or certificate, of the personnel.

**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; 42 SDR 173, effective July 1, 2016; transferred from § 44:05:03:05, 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL ~~34-11-6~~ 34-11-5.

## CHAPTER 44:05:03

### PERSONNEL REQUIREMENTS

#### Section

- 44:05:03:01 Transferred.
- 44:05:03:02 Transferred.
- 44:05:03:02.01 Transferred.
- 44:05:03:02.02 Transferred.
- 44:05:03:02.03 Transferred.
- 44:05:03:03 Transferred.
- 44:05:03:04 Repealed.
- 44:05:03:04.01 Ambulance personnel minimum requirements, Repealed.
- 44:05:03:04.02 Ambulance personnel minimum age requirement.
- 44:05:03:05 Transferred.
- 44:05:03:05.01 EMR certification, Repealed.
- 44:05:03:05.02 EMR reciprocity, Repealed.
- 44:05:03:05.03 EMR recertification, Repealed.
- 44:05:03:05.04 EMR scope of practice, Repealed.
- 44:05:03:05.05 EMT certification, Repealed.
- 44:05:03:05.06 EMT reciprocity, Repealed.
- 44:05:03:05.07 EMT recertification, Repealed.
- 44:05:03:05.08 EMT scope of practice, Repealed.
- 44:05:03:06 Repealed.
- 44:05:03:06.01 Repealed.
- 44:05:03:06.02 Repealed.
- 44:05:03:06.03 Repealed.

- 44:05:03:07 Repealed.
- 44:05:03:08 Periodic retraining required, Repealed.
- 44:05:03:09 Repealed.
- 44:05:03:10 Revocation of certification, Repealed.

Revised

**44:05:03:04.01. Ambulance personnel minimum requirements.** ~~On every response a licensee must provide a minimum of 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 or EMR. The driver must complete a state approved course to demonstrate competencies in:~~

- ~~—— (1) Cardiopulmonary resuscitation (CPR) and automated external defibrillation (AED);~~
- ~~—— (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 certified nurse practitioner or certified nurse midwife licensed pursuant to SDCL Chapter 36-9A may replace any ambulance service personnel on any type of response.~~

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

**Source:** 42 SDR 173, effective July 1, 2016; 44 SDR 17, effective August 7, 2017.

~~—— **General Authority:** SDCL 34-11-5.~~

~~—— **Law Implemented:** SDCL 34-11-5.~~

**44:05:03:04.02. Ambulance personnel minimum age requirement.** Any ambulance service personnel ~~shall~~ must be at least eighteen years of age.

**Source:** 44 SDR 17, effective August 7, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5.

Revised

~~44:05:03:05.01. EMR certification. The department may certify an EMR following completion of a department approved application. The application must include a current NREMT EMR certification and current CPR certification approved by the department Repealed.~~

~~Source: 44 SDR 17, effective August 7, 2017.~~

~~General Authority: SDCL 34-11-5.~~

~~Law Implemented: SDCL 34-11-6.~~

Revised

~~44:05:03:05.02. EMR reciprocity.~~ The department may grant reciprocity following completion of a department approved application. The application must include a current NREMT EMR certification card and current CPR certification approved by the department. A candidate holding a current state EMR certification must show proof of successfully completing the NREMT EMR examination at least once. EMR reciprocity may be granted following completion of a department approved application including current CPR certification approved by the department

Repealed.

**Source:** 44 SDR 17, effective August 7, 2017.

~~— **General Authority:** SDCL 34-11-5.2.~~

~~— **Law Implemented:** SDCL 34-11-5.2, 34-11-6.~~

Revised

**44:05:03:05.03. EMR recertification.** ~~An EMR shall submit an application and record of required continuing medical education hours approved by the department by September 30 biennially. The recertification year is based on the date issued by the NREMT or on the date the department granted reciprocity~~ Repealed.

**Source:** 44 SDR 17, effective August 7, 2017.

~~**General Authority:** SDCL 34-11-5.2.~~

~~**Law Implemented:** SDCL 34-11-5.2, 34-11-6.~~

Revised

**44:05:03:05.04. EMR scope of practice.** ~~The emergency medical responder core scope of practice includes simple, noninvasive skills focused on lifesaving interventions for critical patients based on assessment findings. The emergency medical responder renders on-scene emergency care while awaiting additional emergency medical services response and may serve as part of the transporting crew, but not as the primary care provider. An emergency medical responder may not make decisions regarding the appropriate disposition of any patient. An emergency medical responder must function with an emergency medical technician or higher level personnel during the transportation of patients.~~

~~— The following skills may be performed by an EMR:~~

- ~~— (1) Insertion of airway adjuncts intended to go into the oropharynx;~~
- ~~— (2) Use of positive pressure ventilation devices such as the bag valve mask;~~
- ~~— (3) Suction of the upper airway;~~
- ~~— (4) Supplemental oxygen therapy;~~
- ~~— (5) Use of unit dose auto injectors for the administration of life saving medications intended for self or peer rescue in hazardous materials situations;~~
- ~~— (6) Cardiopulmonary Resuscitation;~~
- ~~— (7) Use of an automated external defibrillator;~~
- ~~— (8) Manual stabilization of suspected cervical spine injuries;~~
- ~~— (9) Manual stabilization of extremity fractures;~~
- ~~— (10) Bleeding control; and~~
- ~~— (11) Emergency moves Repealed.~~

**Source:** 44 SDR 17, effective August 7, 2017.

~~— **General Authority:** SDCL 34-11-5.2.~~

~~— **Law Implemented:** SDCL 34-11-5.2, 34-11-6.~~

~~44:05:03:05.05. EMT certification. The department may certify an EMT following completion of a department approved application. The application must include a current NREMT EMT certification and current CPR certification approved by the department Repealed.~~

~~Source: 44 SDR 17, effective August 7, 2017.~~

~~General Authority: SDCL 34-11-5.~~

~~Law Implemented: SDCL 34-11-6.~~

Revised

~~44:05:03:05.06. EMT reciprocity. The department may grant reciprocity following completion of a department approved application. The application must include a current NREMT EMT certification card and current CPR certification approved by the department. A candidate holding a current state EMT certification must show proof of successfully completing the NREMT EMT examination at least once. EMT reciprocity may be granted following completion of a department approved application including current CPR certification approved by the department~~  
Repealed.

**Source:** 44 SDR 17, effective August 7, 2017.

~~— **General Authority:** SDCL 34-11-5.~~

~~— **Law Implemented:** SDCL 34-11-6.~~

Revised

**44:05:03:05.07. EMT recertification.** ~~An EMT shall submit an application and record of required continuing medical education hours approved by the department by March 31 biennially. The recertification year is based on the date the certificate was issued by the NREMT or on the date the department granted reciprocity~~ Repealed.

**Source:** 44 SDR 17, effective August 7, 2017.

~~**General Authority:** SDCL 34-11-5.~~

~~**Law Implemented:** SDCL 34-11-6.~~

Revised

**44:05:03:05.08. EMT scope of practice.**~~An emergency medical technician's core scope of practice includes basic interventions to reduce the morbidity and mortality associated with a medical response. Emergency care is based on assessment findings.~~

~~— In addition to the skills listed in 44:05:03:05.04, the following skills may be performed by an EMT:~~

- ~~— (1) Insertion of airway adjuncts intended to go into the oropharynx or nasopharynx;~~
- ~~— (2) Insertion of supraglottic airway devices;~~
- ~~— (3) Use of positive pressure ventilation devices;~~
- ~~— (4) Assistance to patients in taking their own prescribed medications;~~
- ~~— (5) Administration of the following over-the-counter medications with appropriate medical oversight:~~
  - ~~— (a) Oral glucose for suspected hypoglycemia; and~~
  - ~~— (b) Aspirin for chest pain of suspected ischemic origin;~~
- ~~— (6) Use of unit dose auto injectors for the administration of life saving medications intended for self or peer rescue in hazardous materials situations;~~
- ~~— (7) Use of epi pens for a patient in anaphylaxis;~~
- ~~— (8) Use of an auto injector or nasal spray for the administration of a narcotic antagonist to a patient suspected of narcotic overdose;~~
- ~~— (9) Application and inflation of the pneumatic anti shock garment (PASG) for fracture stabilization; and~~
- ~~— (10) Application and management of spinalization devices Repealed.~~

**Source:** 44 SDR 17, effective August 7, 2017.

~~— **General Authority:** SDCL 34-11-5.~~

~~— **Law Implemented:** SDCL 34-11-6.~~

**44:05:03:08. Periodic retraining required.** ~~Each licensee must provide, for members of the ambulance squad, annual refresher training totaling at least 15 hours in emergency care techniques~~  
Repealed.

**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.~~

Revised

**44:05:03:10. Revocation of certification.** ~~The department shall revoke the certification of any EMT or EMR found by the department to have engaged in any unprofessional or dishonorable conduct as defined in § 44:05:01:02. No person whose certification has been revoked pursuant to this rule is eligible to retest for their certification until all court ordered sanctions or requirements, including incarceration or participation in the 24/7 program, have been discharged Repealed.~~

**Source:** 40 SDR 39, effective September 9, 2013; 44 SDR 17, effective August 7, 2017.

~~— **General Authority:** SDCL 34-11-5.2, 34-11-6.4.~~

~~— **Law Implemented:** SDCL 34-11-5.2, 34-11-6.4.~~

Revised

## CHAPTER 44:05:04

### VEHICLE-GROUND AMBULANCE REQUIREMENTS

#### Section

- 44:05:04:01 Types of permitted vehicles.
- 44:05:04:02 Repealed.
- 44:05:04:03 Repealed.
- 44:05:04:04 Vehicle registration.
- 44:05:04:05 Vehicle permit sticker issuance.
- 44:05:04:06 Vehicle permit sticker display.
- 44:05:04:07 Suction equipment.
- 44:05:04:08 Ventilation equipment.
- 44:05:04:09 Bandage and hemorrhage control supplies.
- 44:05:04:10 Obstetric kit.
- 44:05:04:11 Medications.
  - 44:05:04:11.01 Recommended medications, Repealed.
- 44:05:04:12 Immobilization devices.
  - 44:05:04:12.01 Cardiac equipment.
- 44:05:04:13 Patient transportation equipment.
  - 44:05:04:13.01 Wheelchairs prohibited.
- 44:05:04:14 Examination equipment.
- 44:05:04:15 Miscellaneous equipment.
  - 44:05:04:15.01 Infection control equipment.
- 44:05:04:16 Repealed.
- 44:05:04:17 Storage of ground ambulance equipment and supplies.
- 44:05:04:18 Available nonmedical equipment.

- 44:05:04:19 Nonmedical equipment.
- 44:05:04:20 Communication equipment.
- 44:05:04:21 Ambulance cleanliness and disinfection of patient use items.
- 44:05:04:22 Disinfection of ~~vehicles~~ ground ambulance and equipment ~~in cases of contagious~~  
disease.
- 44:05:04:23 Disposal of medical waste.
- 44:05:04:24 Report of property damage or personal injury.
- 44:05:04:25. Replacement or addition of ground ambulance.

Revised

**44:05:04:01. Types of permitted vehicles.** ~~Any~~ An ambulance service may use any vehicle as a ground ambulance if the vehicle that meets:

(1) Met federal KKK specifications when it was manufactured ~~may be used as a ground ambulance if the vehicle is;~~ and

(2) Is equipped according to SDCL 32-31-4:

**Source:** 2 SDR 26, effective October 9, 1975; 6 SDR 93, effective July 1, 1980; 20 SDR 204, effective June 9, 1994; 34 SDR 201, effective January 31, 2008.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5.

Revised

**44:05:04:05. Vehicle permit sticker issuance.** The department shall issue a vehicle ~~registration stickers~~ permit sticker to ~~each ground or air~~ an ambulance ~~operator~~ service for ~~all~~ each ground ~~or air~~ ambulances ambulance in the service.

**Source:** 2 SDR 26, effective October 9, 1975; 6 SDR 93, effective July 1, 1980; 20 SDR 204, effective June 9, 1994; 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5(1), 34-11-8.

Revised

**44:05:04:06. Vehicle permit sticker display.** Each ground ambulance must display the ~~vehicle registration~~ permit sticker in the lower ~~right-hand corner of the right rear window in the back door~~ front passenger windshield of the ground ambulance.

**Source:** 2 SDR 26, effective October 9, 1975; 6 SDR 93, effective July 1, 1980; 20 SDR 204, effective June 9, 1994; 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5.

Revised

**44:05:04:07. Suction equipment.** ~~The~~ Each ground ambulance must be equipped with the  
following suction equipment ~~must be available and operable on all ground ambulances:~~

- (1) Fixed suction apparatus with regulator;
- (2) Portable ~~battery powered~~ battery-powered and manual suction devices;
- (3) Wide bore tubing; and
- (4) Rigid pharyngeal curved suction tip.

**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; 34 SDR 201, effective January 31, 2008; 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5(1).

REVISED

**44:05:04:08. Ventilation equipment.** ~~The~~ Each ground ambulance must be equipped with  
the following ventilation equipment maintained in good working condition must be available on all  
ground ambulances:

- (1) Fixed and portable oxygen equipment with variable flow regulator;
- (2) Oxygen administration equipment;
  - (a) Oxygen tubing;
  - (b) Partial or non-rebreathing masks in adult, child, and infant sizes; and
  - (c) Nasal cannulas in adult and pediatric sizes;
- (3) Bag-valve masks in adult, child, and infant sizes ~~and~~ that are:
  - (a) Hand operated, self-re-expanding;
  - (b) Self-re-expanding bag adult size greater than 1000 ml and child size 450-750 ml that  
is disposable and;
  - (c) Disposable; operable
  - (d) Operable in cold weather. Bag valve device shall have; and
  - (e) Equipped with an oxygen reservoir and accumulator; and
- (4) Airways:
  - (a) Adult, child, and infant oropharyngeal sizes 0-5;
  - (b) Nasopharyngeal sizes ~~16F~~ 20F-34F;
  - (c) Supraglottic airway device;
  - (d) Tongue depressors; and
  - (e) Water soluble lubricating jelly.

**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; 34 SDR 201, effective January 31,  
2008; 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5(1).

Revised

**44:05:04:09. Bandage and hemorrhage control supplies.** ~~The~~ Each ground ambulance must be equipped with the following bandage and dressing equipment ~~must be available on all ground ambulances:~~

- (1) Multi-trauma dressings;
- (2) Gauze pads;
- (3) Gauze rolls;
- (4) ~~1"~~ One-inch and ~~2"~~ two-inch adhesive tape;
- (5) ~~1"~~ One-inch and ~~2"~~ two-inch hypoallergenic tape;
- (6) Burn sheets commercially packaged and sterilized;
- (7) Abdominal dressings;
- (8) Occlusive dressing or equivalent;
- (9) Triangular bandages; and
- (10) Arterial tourniquets.

**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; 34 SDR 201, effective January 31, 2008; 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5(1).

**44:05:04:10. Obstetric kit.** ~~The~~ Each ground ambulance must be equipped with the following obstetric kit supplies and equipment maintained in good working condition must be available on all ground ambulances. A commercially packed obstetric kit or:

- (1) Towels or drapes;
- (2) Bulb suction;
- (3) Sterile pads or dressings;
- (4) Plastic bags or basin;
- (5) Cord clamps, umbilical tape, or ties;
- (6) Sterile shears, scissors, or scalpel;
- (7) Sterile gloves;
- (8) Thermal blanket and head cover or other external infant warming device; and
- (9) An Apgar chart.

An ambulance service may utilize a commercially packed obstetric kit to meet this requirement.

**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; 34 SDR 201, effective January 31, 2008; 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5(1).

**44:05:04:11. Medications.** ~~The following medications must be available on all ground ambulances~~ Each ground ambulance must be equipped with:

(1) ~~Baby~~ Low-dose aspirin; and

(2) Glucose;

(3) Medical-grade oxygen;

(4) Medication for the treatment of anaphylaxis; and

(5) Opioid antagonist for the treatment of a suspected opioid overdose.

**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; 34 SDR 201, effective January 31, 2008; 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5(1).

~~44:05:04:11.01. Recommended medications. The following medication types are recommended on all ground ambulances:~~

- ~~(1) Medication for the treatment of anaphylaxis; and~~
- ~~(2) Opioid antagonist for the treatment of a suspected opioid overdose Repealed.~~

~~Source: 44 SDR 93, effective December 4, 2017.~~

~~General Authority: SDCL 34-11-5.~~

~~Law Implemented: SDCL 34-11-5.~~

Revised

**44:05:04:12. Immobilization devices.**~~The~~ Each ground ambulance must be equipped with the following immobilization devices ~~maintained in good working condition must be available on all ground ambulances:~~

(1) ~~Upper~~ One upper extremity immobilization device and one lower extremity immobilization ~~devices~~ device that support the joint above and below the fracture site sized appropriately for ~~the adult and pediatric patient~~ patients;

(2) ~~Adult size~~ Two adult-size radiolucent spine boards with at least three appropriate restraint straps;

(3) ~~Rigid~~ Two rigid cervical collars for ~~the adult and pediatric patient~~ patients or adjustable cervical collars for ~~the adult and pediatric patient~~ patients;

(4) ~~Head~~ One head immobilization device using firm padding or a commercial head immobilization device;

(5) ~~Pediatric~~ One pediatric immobilization device with appropriate padding; and

(6) ~~Short~~ One short immobilization device.

**Source:** 2 SDR 26, effective October 9, 1975; 6 SDR 93, effective July 1, 1980; 16 SDR 147, effective March 18, 1990; 20 SDR 204, effective June 9, 1994; 30 SDR 125, effective February 22, 2004; 34 SDR 201, effective January 31, 2008; 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5(1).

**44:05:04:12.01. Cardiac equipment.** ~~The~~ Each ground ambulance must be equipped with the following cardiac equipment approved by the Food and Drug Administration and maintained in good working condition must be available on all ground ambulances;

(1) An automated external defibrillator ~~(AED)~~ with pediatric capabilities, including ~~child-sized~~ child-sized pads and cables or a dose attenuator with adult pads; or

(2) A manual monitor defibrillator used by appropriately trained personnel.

**Source:** 20 SDR 204, effective June 9, 1994; 30 SDR 125, effective February 22, 2004; 34 SDR 201, effective January 31, 2008; 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5(1).

REVISED

**44:05:04:14. Examination equipment and reference materials.**—The Each ground ambulance must be equipped with the following medical examination equipment and reference materials maintained in good working condition must be available on all ground ambulances:

- (1) A sphygmomanometer with adult, child, and infant cuffs;
- (2) An adult stethoscope;
- (3) A pediatric stethoscope;
- (4) Disposable hypoallergenic examination gloves;
- (5) ~~Pen~~ A pen light;
- (6) Glasgow coma scale reference;
- (7) Pediatric trauma score reference;
- (8) ~~Pediatric~~ A pediatric vital signs card;
- (9) ~~Thermometer~~ A thermometer with low temperature capability;
- (10) ~~State defined~~ State-defined trauma team activation criteria;
- (11) A length-based resuscitation tape or reference material that provides appropriate guidance for pediatric drug dosing and equipment sizing based on length or age; and
- (12) ~~Access to pediatric~~ Pediatric and adult patient care guidelines.

**Source:** 2 SDR 26, effective October 9, 1975; 6 SDR 93, effective July 1, 1980; 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; 34 SDR 201, effective January 31, 2008; 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5(1).

**44:05:04:15. Miscellaneous equipment.** ~~The~~ Each ground ambulance must be equipped with  
the following miscellaneous equipment ~~must be available on all ground ambulances:~~

- (1) ~~Emesis~~ An emesis basin or convenience bag;
- (2) Towels;
- (3) Cold packs;
- (4) Linen or paper sheets;
- (5) Pillows;
- (6) Heavy duty shears;
- (7) Sterile saline solution or sterile water for irrigation;
- (8) ~~Functional flashlights~~ A flashlight;
- (9) Blankets;
- (10) Disposable bedpan;
- (11) Disposable urinal;
- (12) Hot packs; and
- (13) Triage tags.

**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; 34 SDR 201, effective January 31, 2008; 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5(1).

**44:05:04:15.01. Infection control equipment.** ~~The~~ Each ground ambulance must be equipped with the following infection control equipment ~~must be available on all ground ambulances and latex-free equipment should be used when available:~~

- (1) ~~Eye protection to include full~~ Full peripheral glasses or goggles and face shield;
- (2) ~~High-Efficiency Particulate Air~~ A high-efficiency particulate air mask ~~for respiratory protection;~~
- (3) Non-sterile, latex-free examination gloves in multiple sizes;
- (4) Fluid-resistant jumpsuits or gowns;
- (5) Commercial antimicrobial hand wash;
- (6) Disinfectant for cleaning surfaces and equipment;
- (7) Sharps container;
- (8) Disposable trash bags; and
- (9) Bio-hazard bags.

**Source:** 34 SDR 201, effective January 31, 2008; 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5(1).

**44:05:04:17. Storage of ground ambulance equipment and supplies.** ~~Closed~~ Each ground ambulance must provide closed compartments ~~must be provided within the ground ambulance for minimum medical in which required equipment and supplies must be stored.~~ The compartments, equipment, and supplies must be kept free from dust, insects, and rodents. All equipment, both medical and nonmedical, stored in the patient compartment must be secured ~~in such a way as to prevent injury to the patient or attendant personnel~~ if the ~~vehicle~~ ambulance suddenly stops or moves.

**Source:** 2 SDR 26, effective October 9, 1975; 6 SDR 93, effective July 1, 1980; 20 SDR 204, effective June 9, 1994.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5.

REVISED

**44:05:04:18. Available nonmedical equipment.** ~~The~~ Each ground ambulance must be equipped with the following nonmedical equipment ~~must be available on all ground ambulances or have the equipment immediately available on the scene of a response~~ from other sources:

- (1) One crescent wrench;
- (2) One screwdriver with a regular blade;
- (3) One Phillips screwdriver;
- (4) One vise-grip pliers;
- (5) One sixteen-ounce hammer;
- (6) One fire axe, crowbar with a pinch point, or wrecking bar;
- (7) One bolt cutter; and
- (8) One portable hydraulic jack or spreader tool with four-ton capacity.

**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; 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5.

**44:05:04:19. Nonmedical equipment.** ~~The~~ Each ground ambulance must be equipped with  
the following nonmedical equipment maintained in good working condition must be available on all  
ground ambulances:

(1) One five-pound dry chemical multi-use ~~hand held~~ handheld fire extinguisher approved by Underwriters Laboratories and certified by an independent fire extinguisher company within the past calendar year, mounted for easy access;

(2) ~~Emergency~~ An emergency response handbook;

(3) Reflective non-igniting warning devices to mark road hazards;

(4) A "No Smoking" signs sign permanently affixed in the front and ~~rear~~ patient compartments; and

(5) ~~Appropriate~~ Working seatbelts and safety restraints for patient, crew, and family.

**Source:** 2 SDR 26, effective October 9, 1975; 6 SDR 93, effective July 1, 1980; 20 SDR 204, effective June 9, 1994; 34 SDR 201, effective January 31, 2008; 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5.

**44:05:04:22. Disinfection of ~~vehicles~~ ground ambulance and equipment in cases of contagious disease.** If a vehicle has been used to transport a patient known to have a communicable disease other than a common cold, the vehicle A ground ambulance and all exposed equipment must be disinfected immediately after each use.

**Source:** 2 SDR 26, effective October 9, 1975; 6 SDR 93, effective July 1, 1980; 20 SDR 204, effective June 9, 1994.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5(3).

Revised

**44:05:04:23. Disposal of medical waste.** ~~An ambulance must carry a sealable, puncture-resistant, labeled or color-coded sharps container that meets the standards of the Occupational Safety and Health Administration, 29 C.F.R. § 1910.1030 (1992),~~ Each ground ambulance must be equipped with an impervious, rigid container that is securely sealed into which all sharp items which have been exposed to blood or bodily fluids are placed for disposal in conformance with chapter 74:35:01 § 74:27:13:17.

**Source:** 20 SDR 204, effective June 9, 1994.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5(3).

Revised

**44:05:04:24. Report of property damage or personal injury.** ~~All~~ An ambulance licensee ~~service~~ must report to the department any property damage in excess of \$1,000 ~~one thousand dollars~~ caused by or to a licensed a ground ambulance vehicle operated by the ambulance service and any personal injury to the public or ambulance personnel that requires medical attention that occurred during a response. The report must be made to the department within five working business ~~working~~ days after the event ~~which~~ that caused the ~~loss~~ damage or injury.

**Source:** 20 SDR 204, effective June 9, 1994.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5.

Revised

44:05:04:25. Replacement or addition of ground ambulance. If an ambulance service purchases, leases, or rents a new or used ground ambulance for the purpose of replacing an ambulance or adding to an existing fleet, the ambulance service must notify the department within five business days of the ambulance being ready for service. The department shall then inspect the ambulance within twenty business days of notification for compliance with chapter 44:05:04. The ambulance service may use the ground ambulance, if fully equipped pursuant to chapter 44:05:04, prior to the department's inspection.

Source:

General Authority: SDCL 34-11-5.

Law Implemented: SDCL 34-11-5(1), 34-11-8.

Revised

## CHAPTER 44:05:05

### AIR AMBULANCES

#### Section

- 44:05:05:01 Criteria for aircraft, Repealed.
- 44:05:05:02 Required certificate of airworthiness.
- 44:05:05:03 Securing of equipment, Repealed.
- 44:05:05:04 Stretcher security, Repealed.
- 44:05:05:05 Aircraft doors, Repealed.
- 44:05:05:06 Interior height requirements, Repealed.
- 44:05:05:07 Required lighting, Repealed.
- 44:05:05:08 Required portable lights, Repealed.
- 44:05:05:09 Repealed.
- 44:05:05:10 Medical director required, Repealed.
- 44:05:05:11 ~~Attendant training required~~ Required personnel during transport.
- 44:05:05:12 Required medical equipment.
- 44:05:05:13 Equipment storage.
- 44:05:05:14 Trip reports required, Repealed.
- 44:05:05:15 Electrical power minimums, Repealed.
- 44:05:05:16 Inverter requirements.
- 44:05:05:17 Length of licensing period, Repealed.
- 44:05:05:18 ~~Permit display.~~
- 44:05:05:19 Required inspection, Repealed.
- 44:05:05:20 Ground ambulance component for air ambulance service, Repealed.
- 44:05:05:21 Vehicle requirements for ground ambulance component.
- 44:05:05:22 ~~Personnel requirements for ground ambulance component,~~ Repealed.

44:05:05:23 Disinfection of air ambulance and equipment.

44:05:05:24 Disposal of medical waste.

44:05:05:25 Report of property damage or personal injury.

44:05:05:26. Replacement or addition of air ambulance.

Revised

**44:05:05:01. Criteria for aircraft.** ~~An air ambulance is used to respond to medical emergencies and to transport the sick and injured. Aircraft used for air ambulance service must comply with the regulations of the Federal Aviation Administration (FAA) in 14 C.F.R. Part 135 (2007) and with this chapter Repealed.~~

**Source:** 16 SDR 147, effective March 18, 1990; 20 SDR 204, effective June 9, 1994; 30 SDR 125, effective February 22, 2004; 34 SDR 201, effective January 31, 2008.

~~— **General Authority:** SDCL 34-11-5.~~

~~— **Law Implemented:** SDCL 34-11-5.~~

Revised

**44:05:05:02. Required certificate of airworthiness.** ~~An~~ Each air ambulance must have a current certificate of airworthiness from the ~~FAA~~ which is maintained current by compliance with all required FAA inspections, as defined by FAA regulations in 14 C.F.R. Part 135 (2007) Federal Aviation Administration. The ambulance service operating the air ambulance must make the certificate available to the department on request.

**Source:** 16 SDR 147, effective March 18, 1990; 20 SDR 204, effective June 9, 1994; 30 SDR 125, effective February 22, 2004; 34 SDR 201, effective January 31, 2008.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5.

REVISED

**44:05:05:03. Securing of equipment.** ~~All equipment and materials used in an air ambulance must be secured in accordance with 14 C.F.R. § 25.561 (2007) Repealed.~~

**Source:** 16 SDR 147, effective March 18, 1990; 20 SDR 204, effective June 9, 1994; 30 SDR 125, effective February 22, 2004; 34 SDR 201, effective January 31, 2008.

~~— **General Authority:** SDCL 34-11-5.~~

~~— **Law Implemented:** SDCL 34-11-5.~~

Revised

**44:05:05:04. Stretcher security.** ~~An air ambulance must provide stretcher security and patient restraint in accordance with 14 C.F.R. § 25.785 (2007) and 14 C.F.R. § 25.561 (2007)~~  
Repealed.

**Source:** 16 SDR 147, effective March 18, 1990; 20 SDR 204, effective June, 9, 1994; 30 SDR 125, effective February 22, 2004; 34 SDR 201, effective January 31, 2008.

~~**General Authority:** SDCL 34-11-5.~~

~~**Law Implemented:** SDCL 34-11-5.~~

Revised

**44:05:05:05. Aircraft doors.** ~~Aircraft doors must accommodate passage of a patient lying on a stretcher with no more than 30 degrees rotation or 45 degrees pitch.~~ Repealed.

**Source:** 16 SDR 147, effective March 18, 1990; 20 SDR 204, effective June 9, 1994.

~~**General Authority:** SDCL 34-11-5.~~

~~**Law Implemented:** SDCL 34-11-5.~~

Revised

**44:05:05:06. Interior height requirements.** ~~At least 30 inches of vertical space must exist above the stretcher in the area of the patient's upper torso~~ Repealed.

**Source:** 16 SDR 147, effective March 18, 1990.

~~— **General Authority:** SDCL 34-11-5.~~

~~— **Law Implemented:** SDCL 34-11-5.~~

Revised

**44:05:05:07. Required lighting.** ~~Cabin lighting must be available in the patient area to afford observation by medical personnel. Fixed or portable lamps may be used to comply with this section. Lighting must be shielded from the pilot so as not to interfere with the operation of the aircraft~~  
Repealed.

**Source:** 16 SDR 147, effective March 18, 1990; 30 SDR 125, effective February 22, 2004.

~~**General Authority:** SDCL 34-11-5.~~

~~**Law Implemented:** SDCL 34-11-5.~~

Revised

**44:05:05:08. Required portable lights.** ~~In addition to the lighting requirements in § 44:05:05:07, an air ambulance must carry an additional portable battery operated light maintained in good working condition for patient care.~~ Repealed.

**Source:** 16 SDR 147, effective March 18, 1990; 20 SDR 204, effective June 9, 1994.

~~**General Authority:** SDCL 34-11-5.~~

~~**Law Implemented:** SDCL 34-11-5.~~

Revised

**44:05:05:10. Medical director required.** ~~An air ambulance must have the services of a medical director who is a currently licensed physician in this state~~ Repealed.

**Source:** 16 SDR 147, effective March 18, 1990; 20 SDR 204, effective June 9, 1994; 30 SDR 125, effective February 22, 2004; 34 SDR 201, effective January 31, 2008.

**General Authority:** SDCL 34-11-5.

~~**Law Implemented:** SDCL 34-11-5.~~

~~**Cross Reference:** Physicians and surgeons, SDCL 36-4, art 20:47.~~

Revised

**44:05:05:11. Attendant training required Required personnel during transport.** ~~Each air ambulance transport must have two licensed attendants. An air ambulance shall staff licensed in this state must have at ~~minimum~~ least one paramedic and one registered nurse on all transports.~~

A physician, nurse practitioner, physician assistant, or registered respiratory therapist, who is currently licensed in ~~South Dakota~~ this state may replace one or both ~~attendants~~ personnel on any air ambulance transport ~~with the written approval of the medical director of the air ambulance service.~~

**Source:** 16 SDR 147, effective March 18, 1990; 20 SDR 204, effective June 9, 1994; 30 SDR 125, effective February 22, 2004; 34 SDR 201, effective January 31, 2008; 41 SDR 218, effective July 1, 2015; 44 SDR 17, effective August 7, 2017; 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5.

**Cross-References:**

Advanced life support personnel, SDCL chapter 36-4B, art 20:61.

Physicians and surgeons, SDCL chapter 36-4, art 20:47.

Physician assistants, SDCL chapter 36-4A, art 20:52.

Respiratory care practitioners, SDCL chapter 36-4C, art 20:70.

Registered and practical nurses, SDCL chapter 36-9, art 20:48.

~~Nurse~~ Certified nurse practitioners and certified nurse midwives, SDCL chapter 36-9A, art 20:62.

**44:05:05:12. Required medical equipment.** ~~All required medical equipment must be configured and supplied for the patient being transported regardless of the patient's age. Required~~  
An air ambulance must be equipped with the following medical equipment for an air ambulance is:

- (1) A patient litter or stretcher;
- (2) ~~One~~ A stethoscope;
- (3) A sphygmomanometer with adult, child, and infant cuffs;
- (4) Manual suction;
- (5) One set of oropharyngeal airways, ~~including~~ with six sizes from infant through adult;
- (6) One set of nasopharyngeal airways;
- (7) A basic oxygen administration system, including a protective pressure gauge, a nongravity-dependent flow meter, a delivery tube, an oxygen mask, and a nasal cannula. The unit must be capable of achieving an oxygen delivery flow rate of at least ~~15~~ fifteen liters ~~a~~ per minute for ~~30~~ thirty minutes;
- (8) A primary suction aspirator capable of providing a free air flow of at least ~~20~~ twenty liters ~~a~~ per minute and achieving a minimum of ~~300~~ three hundred millimeters of mercury vacuum within four seconds after clamping the suction tube;
- (9) Mouth-to-mask artificial ventilation devices, suitable for use on infant through adult patients, with a supplemental oxygen inlet port; ~~i.e., pocket mask~~. This may be replaced with adult and child ~~bag-valve-masks~~ bag-valve masks;
- (10) ~~Two~~ A minimum of two intravenous (IV) bottle or bag holders ~~and straps to prevent movement~~ for securement during transport;
- (11) Endotracheal intubation equipment and supplies;
- (12) Cardiac monitoring equipment;
- (13) Defibrillation equipment;
- (14) Air-to-medical facility radio communications;

(15) A portable drug container that includes drugs that have been ordered by the medical director of the air ambulance service; and

(16) IV equipment.

All medical equipment required by this section must be configured and supplied for the patient being transported regardless of the patient's age.

**Source:** 16 SDR 147, effective March 18, 1990; 20 SDR 204, effective June 9, 1994; 30 SDR 125, effective February 22, 2004; 34 SDR 201, effective January 31, 2008; 44 SDR 93, effective December 4, 2017.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5(1).

REVISED

**44:05:05:13. Equipment storage.** ~~Required~~ An air ambulance may store the equipment for an air ambulance service may be stored required by § 44:05:05:13 separately from the ~~aircraft~~ air ambulance in modular prepackaged form when the air ambulance is not on a response.

**Source:** 16 SDR 147, effective March 18, 1990.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5.

Revised

~~44:05:05:14. Trip reports required. Each response by a licensed air ambulance must be recorded on a patient care report form approved by the department. Completed patient care reports shall be submitted to the department on a monthly basis. All licensed air ambulances shall keep either an electronic or paper copy of each patient care report on file for a minimum of seven years, or in the case of a minor, until the minor reaches 21 years of age Repealed.~~

**Source:** 16 SDR 147, effective March 18, 1990; 20 SDR 204, effective June 9, 1994; 44 SDR 93, effective December 4, 2017.

~~— **General Authority:** SDCL 34-11-5.~~

~~— **Law Implemented:** SDCL 34-11-5.~~

Revised

**44:05:05:15. Electrical power minimums.** ~~Each advanced life support air ambulance must have an inverter with power for medical use that is rated at a minimum of 300 watts~~ Repealed.

**Source:** 16 SDR 147, effective March 18, 1990; 30 SDR 125, effective February 22, 2004.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5.

Revised

**44:05:05:16. Inverter requirements.** Each air ambulance must have an inverter with power for medical use that is rated at a minimum of three hundred watts. All inverters used must be sine wave inverters compatible with and able to supply electrical needs for all on-board medical equipment.

**Source:** 16 SDR 147, effective March 18, 1990.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5(1).

Revised

**44:05:05:17. Length of licensing period.** ~~The licensing period for air ambulance services is two years, beginning July 1 of all even-numbered years and ending June 30 of the next even-numbered year.~~ Repealed.

**Source:** 16 SDR 147, effective March 18, 1990; 20 SDR 204, effective June 9, 1994; 30 SDR 125, effective February 22, 2004; 34 SDR 201, effective January 31, 2008.

~~**General Authority:** SDCL 34-11-5.~~

~~**Law Implemented:** SDCL 34-11-5.~~

Revised

**44:05:05:18. Permit display.** ~~Permit decals must be affixed on the exterior of the aircraft near the cabin door or inside the aircraft window.~~ An air ambulance service must have the ambulance permit available in the air ambulance and present it upon request.

**Source:** 16 SDR 147, effective March 18, 1990.

**General Authority:** SDCL 34-11-5.

**Law Implemented:** SDCL 34-11-5(1), 34-11-8.

Revised

**44:05:05:19. Required inspection.** ~~The department shall inspect all air ambulances at least once each licensing period~~ Repealed.

**Source:** 16 SDR 147, effective March 18, 1990; 20 SDR 204, effective June 9, 1994.

~~**General Authority:** SDCL 34-11-5.~~

~~**Law Implemented:** SDCL 34-11-5.~~

Revised

**44:05:05:20. Ground ambulance component for air ambulance service.** ~~A licensed air ambulance service may operate a ground ambulance component as part of its service if the ground ambulance component is used solely to transport the licensee's patients. The ground component may transport patients in either of the following ways:~~

~~—— (1) From an acute care hospital facility to an airport located where the licensee maintains its ordinary and usual place of business; or~~

~~—— (2) From an airport located in the area where the licensee maintains its ordinary and usual place of business to an acute care hospital facility Repealed.~~

**Source:** 20 SDR 204, effective June 9, 1994; 34 SDR 201, effective January 31, 2008; 44 SDR 93, effective December 4, 2017.

~~—— **General Authority:** SDCL 34-11-5.~~

~~—— **Law Implemented:** SDCL 34-11-5.~~

REVISOR

**44:05:05:22. Personnel requirements for ground ambulance component.** ~~Personnel on ground ambulance component transports must meet all requirements in chapter 44:05:03 Repealed.~~

**Source:** 20 SDR 204, effective June 9, 1994.

~~**General Authority:** SDCL 34-11-5.~~

~~**Law Implemented:** SDCL 34-11-5.~~

Revised

44:05:05:23. Disinfection of air ambulance and equipment. An air ambulance and all exposed equipment must be disinfected immediately after each use.

Source:

General Authority: SDCL 34-11-5.

Law Implemented: SDCL 34-11-5(3).

Revised

44:05:05:24. Disposal of medical waste. Each air ambulance must be equipped with an impervious, rigid container that is securely sealed into which all sharp items exposed to blood or bodily fluids are placed for disposal in conformance with § 74:27:13:17.

Source:

General Authority: SDCL 34-11-5.

Law Implemented: SDCL 34-11-5(3).

Revised

44:05:05:25. Report of property damage or personal injury. An ambulance service must report to the department any property damage in excess of one thousand dollars caused by or to an air ambulance operated by the ambulance service and any personal injury to the public or ambulance personnel that requires medical attention that occurred during a response. The report must be made to the department within five business days after the event that caused the damage or injury.

Source:

General Authority: SDCL 34-11-5.

Law Implemented: SDCL 34-11-5.

Revised

44:05:05:26. Replacement or addition of air ambulance. If an ambulance service purchases, leases, or rents a new or used air ambulance for the purpose of replacing an ambulance or adding to an existing fleet, the ambulance service must notify the department within five business days of the ambulance being ready for service. The department shall then inspect the air ambulance within twenty business days of notification for compliance with chapter 44:05:04. The ambulance service may use the air ambulance, if fully equipped pursuant to chapter 44:05:04, prior to the department's inspection.

Source:

General Authority: SDCL 34-11-5.

Law Implemented: SDCL 34-11-5(1), 34-11-8.

Revised

**CHAPTER 44:05:07**

**HARDSHIP EXEMPTION**

Section

44:05:07:01    Application form.

44:05:07:02    Approval of hardship exemption.

44:05:07:03    Renewal of hardship exemption.

Revised

**44:05:07:01. Application form.** An application for a hardship exemption must include:

(1) The name of the ambulance service;

(2) The ambulance service owner's or chief executive officer's name, official title, address, email address, and phone number;

(3) Reason for requesting the hardship exemption;

(4) Efforts made to obtain a medical director;

(5) The name, credentials, and contact information for the program director being requested.

An application must be received by the department at least thirty days prior to the intended start date of the program director.

**Source:**

**General Authority:** SDCL 34-11-12.2.

**Law Implemented:** SDCL 34-11-12.2.

**Cross-Reference:** Approval of hardship exemption applications, § 44:05:07:02.

44:05:07:02. Approval of hardship exemption application. The department shall approve a hardship exemption that:

(1) Demonstrates that no physician credentialed to work at the primary receiving facility is available and willing to serve as the medical director of the ambulance service;

(2) Provides clear and convincing documentation attesting that no suitable or willing physician was willing to serve as the medical director of the ambulance service; and

(3) Provides documentation that the program director selected has agreed in writing to uphold the responsibilities of medical direction of the ambulance service.

Source:

General Authority: SDCL 34-11-12.2.

Law Implemented: SDCL 34-11-12.2.

REVISED

44:05:07:03. Renewal of hardship exemption. To renew the exemption approved pursuant to § 44:05:07:01, an ambulance service must submit a new application to the department thirty days prior to the expiration of the current exemption.

Source:

General Authority: SDCL 34-11-12.2.

Law Implemented: SDCL 34-11-12.2.

Revised

**CHAPTER 44:05:08**

**QUALITY ASSURANCE PROGRAM STANDARDS**

Section

44:05:08:01 Quality assurance program standards.

Revised

44:05:08:01. Quality assurance program standards. In addition to the chart review requirement in § 34-11-11, each ambulance service that provides advanced life support, as defined in § 36-4B-1, shall have the following written quality assurance standards in place that conform with industry safety and scope of practice standards:

- (1) Personnel and patient safety;
- (2) Use of lights and sirens during patient transport;
- (3) Compliance with basic life support or medical or program director approved advanced life support patient care guidelines;
- (3) Twelve lead electrocardiogram placement and transmission for patients with suspected cardiac chest pain;
- (4) Blood glucose check for a patient with a suspected stroke;
- (5) Documentation of at least one set of vitals on every patient transport;
- (6) Review of all sentinel, or patient safety, events not primarily related to the natural course of a patient's illness or underlying condition, that reaches a patient and results in death, severe or permanent harm;
- (7) Compliance with trauma, ST-elevation myocardial infarction, and stroke alert activations; and
- (8) Medical or program director review and feedback for all:
  - (a) Cardiac arrest resuscitations;
  - (b) Patients who received rapid sequence intubation
  - (c) Rescue airway placements after a failed intubation; and
  - (d) Pediatric patients with life threatening emergencies.

**Source:**

General Authority: SDCL 34-11-5.

Law Implemented: SDCL 34-11-11(8).