

Notice of
Rulemaking Hearing

Tennessee Department of Health
Division of Emergency Medical Services

There will be a hearing before the Division of Emergency Medical Services to consider the promulgation of amendments of rules pursuant to T.C.A. §§ 4-5-202, 4-5-204, 68-140-504, 68-140-506, and 68-140-507. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Department of Health's Conference Center's Mockingbird Room on the First Floor of the Heritage Place Building located at, 227 French Landing Drive Nashville, Tennessee at 10:00 a.m., Central Standard Time, on the 19th day of June, 2007.

Any individuals with disabilities who wish to participate in these proceedings or review these filings should contact the Department of Health, Division of Emergency Medical Services to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date or the date the party plans to review such filings, to allow time for the Division of Emergency Medical Services to determine how it may reasonably provide such aid or service. Initial contact may be made with Richard F. Land, Director of Ambulance Service Licensure and Regulation, Division of Emergency Medical Services, 227 French Landing Drive, Suite 303, Heritage Place Metrocenter, Nashville, TN 37243, telephone 615-532-5989.

For a copy of the entire text of the notice of rulemaking, contact Richard F. Land, Director of Ambulance Service Licensure and Regulation, Division of Emergency Medical Services, 227 French Landing Drive, Suite 303, Heritage Place Metrocenter, Nashville, TN 37243, telephone 615-532-5989.

Substance of Proposed Rules

Chapter 1200-12-01
General Rules

Amendments

Rule 1200-12-1-.01 Sanitation of Ambulance is amended by repealing the rule in its entirety and substituting instead the following language, so that as amended the new rule shall read:

- (1) All ambulances operating pursuant to the provisions of T.C.A. Chapter 140 of Title 68, must meet the following standards. For the purpose of this regulation, the word "sanitary" shall mean the absence of dirt, dust, stains, odors, rodents, vermin, or foreign substances.
- (2) Patient Compartment
 - (a) Floor must be sanitary.
 - (b) Cabinets or storage areas must be sanitary.
 - (c) All material covering seats, and in headliner must be sanitary.
 - (d) All equipment in patient compartment must be clean and in workable condition.

- (e) Windows must be clean, unbroken, and in workable condition.
 - (f) All doors leading into passenger compartment must open properly, close tightly with all handles working.
 - (g) Compartment must be watertight and free of drafts.
 - (h) All equipment must be contained in such a manner as to be sanitary at all times.
 - (i) Oxygen if present, must be medical grade and cylinder contain at all times at least 500 PSI.
- (3) Drivers Compartment
- (a) Must be sanitary.
 - (b) All doors must open properly and close tightly with all handles working.
 - (c) Windows and windshield must be clean and free of cracks.
 - (d) Rear view mirror must be free of cracks.
 - (e) Seat belts must be in place and in usable condition.
 - (f) Compartment must be watertight and free of drafts.

Authority: T.C.A. §§ 4-5-202, 68-140-501, 68-140-504, and 68-140-507

Rule 1200-12-1-.02 Ambulance Safety Standards is amended by repealing the rule in its entirety and substituting instead the following language, so that as amended the new rule shall read:

- (1) All ambulances operating pursuant to the provisions of Chapter 140 of Title 68, Tennessee Code Annotated, must meet the following standards.
 - (a) All lights must function properly and in accordance with applicable federal and state motor vehicle laws and regulations pursuant to T.C.A. § 55-9-402.
 - (b) All emergency lights must function in the way which they were designed to function.
 - (c) Emergency audible warning devices must function in the way which it was designed to function.
 - (d) Body must be free of dents and rust.
 - (e) Tires must have at least four thirty-seconds inch (4/32") tread.
 - (f) Braking system must function properly and safely.
 - (g) Steering system must function properly.
 - (h) All safety devices must function properly.

- (i) All equipment in the patient compartment must be adequately secured.
- (j) Oxygen tanks must bear a current static pressure date.
- (k) Exhaust system functions to original standards.
- (l) Patient compartment must be free of safety hazards.
- (m) All ambulances (and invalid vehicles) shall have an operating odometer. The owner or operating agent of the ambulance shall subject the vehicle to a periodic mechanical safety inspection which shall be documented for the department.
 - 1. Periodic mechanical safety inspection shall mean an inspection conducted at least annually, or every thirty-thousand (30,000) miles after a vehicle registers two hundred thousand (200,000) miles, whichever first occurs, and attest that the vehicle is mechanically safe, roadworthy, and maintained to federal and state laws applicable for such vehicles.
 - 2. Mechanical safety inspections shall be conducted by a mechanic with factory training and certification from the original (motor vehicle) equipment manufacturer or the equivalent certification for Emergency Vehicle Technicians (EVT) or from the Institute for Automotive Service Excellence (ASE) Mechanics certification.
 - 3. Mechanical safety inspections shall be conducted in addition to the vehicle and equipment inspections by EMS Division personnel, following the procedures identified in the form or electronic records format adopted by the board.
 - 4. Records of the periodic mechanical safety inspection shall be submitted upon the initial permit application to the Division of Emergency Medical Services, and shall be maintained for as long as the chassis is actively licensed or permitted. Such records and supporting documents consisting of repair orders and routine maintenance shall be available and submitted for inspection by an authorized representative of the department.
 - 5. Upon observation of possible mechanical safety defects by an authorized representative of the department, or a citation from a law enforcement agency, a vehicle shall be subject to unscheduled inspection to verify safe operation.
 - 6. Upon failure of an inspection, an ambulance shall be immediately removed from service until such deficiencies are corrected that may in any way impair the safe operation of the ambulance or vehicle.
- (n) No ambulance or invalid vehicle which is older than five (5) model years or with a certified odometer mileage in excess of two hundred thousand (200,000) miles shall be introduced into original use or upon transfer of ownership by an ambulance service operation. A vehicle shall not be eligible for a permit if the mileage cannot be attested, nor if the odometer has been shown to be replaced without documenting accrued mileage; nor, if the odometer was inoperative for any period of more than forty-five (45) days.

- (2) Design and Construction - Any vehicle permitted pursuant to Chapter 140 of Title 68 shall be maintained according to the standards and specifications that follow: Standards for Emergency Ambulance vehicles.
- (3) General Vehicle Requirements
- (a) The color of exterior surface shall be white.
 - (b) A single, solid ambulance (Omaha) orange stripe shall be displayed. This single uninterrupted band must be placed horizontally in line with the bottom of the vehicle and extend downward from the window line no less than six (6) inches and no more than fourteen (14) inches.
 - (c) The orange stripe must extend from the front grill to the rear tail light.
 - (d) Emblems and Markings. The vehicle shall display at least the following markings:
 - 1. The word Ambulance in mirror image, in blue block letters, on the front of the vehicle with "Star of Life" on either side of not less than four (4) inches in height.
 - 2. The word Ambulance in blue block letters not less than six (6) inches in height placed on each side of vehicle. The "Star of Life" on each side of vehicle shall not be less than twelve (12) inches in height.
 - 3. Rear of vehicle is to have the word Ambulance in blue block letters and "Star of Life" on each door (if single door, one on either side of word Ambulance.)
 - 4. The vehicle roof is to have a "Star of Life" not less than thirty-two (32) inches in height.
 - 5. Numbering used as vehicle call numbers may be placed on the sides, rear, and roof, not to exceed three numbers in any one location. Numerals shall be no larger than fourteen (14) inches in height. Allowable colors for numbering include Blue, Orange, Black, Gold, Green, and Red.
 - 6. Each service shall identify its ambulances with lettering or a service trademark or emblem identifying the service.*
 - (i) Service emblem shall be a business or corporate insignia or marking adopted by the service for identifying purposes, and may be representative of their corporate trademark, institutional affiliation, or governmental agency seal.
 - (ii) The service is prohibited from displaying any lettering or emblem which may falsely suggest an affiliation with a business or government, or profess an accreditation which the service has not attained or maintained.
 - (iii) Lettering or decals which serve a functional and useful purpose, such as identifying specialty care capability or special community programs, may be displayed in addition to the service name. No decals or service marks shall be displayed for advertising purposes of other than the ambulance service licensee.

- (iv) The service emblem or lettering shall not be overprinted or superimposed over the Ambulance lettering or Star-of-Life emblems otherwise required by this rules.
 - (v) The service emblem or lettering shall not disrupt the orange stripe except for the front doors of the ambulance cab or rear doors.
 - (vi) The service emblem shall not occupy more than ten percent (10%) of the contiguous white area above the orange stripe of the patient compartment or aft of the driver's compartment, or be larger than twenty-five (25) by twenty-five (25) inches.
- (e) The emergency ambulance shall be equipped with flashing or oscillating warning lights on the front, sides, and rear of the vehicle, red in color, with a center-mounted white (clear) flashing light visible to the front. One or more amber flashing lights may be visible to the rear. Switching arrangements may provide either synchronized or alternating red warning lights on the front, sides, and rear of the vehicle. Warning lights shall meet minimum photometric standards as described in KKK-A-1822E or its successor standard.
- (f) Communications and Warning Devices shall include a two-way radio with State designated emergency medical telecommunications frequencies and an audible warning and public address system.
1. Two-way Radio (Mobile).

Mobile radio equipment shall include VHF capabilities at a minimum, as established in Rule 1200-12-1-.08 (EMS Telecommunications), or means of alternative compliance as established in Rule 1200-12-1-.08. Radio control functions for the VHF and dispatch radio shall be accessible to the vehicle operator. The medical communication radio (or radio controls) shall be available in the patient compartment and comply with the respective regional frequency use plans and radio standards as published in the State EMS Telecommunications Plan.
 2. Audible Warning and Public Address System

A combination electronic siren with integral public address system and radio amplification shall be provided. Control functions shall provide public address, radio, manual, wail and yelp selections with remote siren control from the driver's position.
 3. A mechanical siren or air horn shall be permissible as additional equipment.
- (g) Patient compartment dimensions shall provide at a minimum:
1. Inside height of at least 60 inches, floor to ceiling.
 2. Inside length from compartment divider to rear door of at least 116 inches.
- (h) Ambulance Vehicles. All ground ambulances placed in service or obtaining an initial permit with a service in the State of Tennessee shall be manufactured according to the Federal "Star of Life" KKK-A-1822 specification applicable on

the date of manufacture. All ambulances must be maintained in accordance with the standards specified in effect upon their date of manufacture. Copies of applicable versions of the specifications are available at cost upon request from the Division office.

(4) Special Vehicle Requirements.

Vehicles used exclusively for the provision of neonatal intensive care and transportation between medical facilities shall conform with the following standards for design and construction.

- (a) Exterior surfaces, emblems, and markings shall conform to specifications enumerated under subparagraph (3)(i), Federal Specification Ambulance-Emergency Medical Care Vehicle.
- (b) Additional markings, legends, or logos may be used to identify the provider and purpose for special vehicles, except that no letter shall exceed six inches in height. Legends as "Neonatal Intensive and Critical Care Transport" may be substituted for the word "Ambulance" in exterior markings.
- (c) Warning lights and siren shall be furnished in accordance with Federal Specification-Ambulance 3.14.6, except that side flood lights shall not be required.
- (d) Vehicle crashworthiness shall be assured with roll-cage construction, evidenced by compliance with the Ambulance Manufacturer's Division Standards of the Truck Body and Equipment Association or comparable construction under written statement and performance bond by the manufacturer.
- (e) Doors shall provide access to the rear and curb-side of the patient compartment. Where the vertical lift distance of the patient loading area exceeds 28 inches, a ramp or electrical/hydraulic lift shall be furnished to facilitate patient loading.
- (f) Environmental systems on the unit shall meet heating/air conditioning standards as specified in Federal Specifications Ambulance.
- (g) Vehicle electrical systems shall be provided to furnish 110 volt AC power sufficient to sustain 3,000 watts at 60 cycles. The unit shall be equipped with a back-up power system sufficient to operate patient care equipment in the event of failure of the main power system. The 110 volt system shall incorporate a ground fault interrupter device for protection against electrical hazards.
- (h) Patient compartment shall be so designed to provide the following:
 - 1. One transport incubator configured to allow observation from at least two sides of the patient which shall be capable of being secured in the vehicle.
 - 2. An open bed warmer to allow various stabilization procedures.
 - 3. Compartments for appropriate storage of materials such as culture media and medications.
 - 4. Fixtures to ensure proper hand cleansing during a transport.

5. Illumination at the primary patient care area of at least 75 foot candles.
 6. Safety features, to include:
 - (i) Cabinet corners and latches, sculpted, padded, or recessed to prevent undue injury during sudden deceleration.
 - (ii) Safety devices shall include:
 - (I) A grab rail or hand strap, secured according to Federal Motor Vehicle Safety Standards for safety restraints.
 - (II) Safety belts shall be provided at all attendant seats.
 - (III) Safety restraint devices for infants for use when the vehicle is in motion.
 - (i) Patient care equipment shall include the means to provide and monitor mechanical ventilation, and an oxygen system with sufficient capacity to deliver a minimum continuous flow of 8 liters per minute for at least four hours. The installed oxygen system shall be capable of delivering specific monitored blended oxygen concentrations.
- (5) A licensed ambulance provider may operate a temporary ambulance upon a written permission from the representative under the following conditions:
- (a) a vehicle used to replace a permitted ambulance, when the permitted vehicle has been removed from service for repair or maintenance, when such temporary vehicle is not owned or normally operated by the service; or
 - (b) a vehicle acquired to replace a permitted ambulance, with conversion of title to the service or its agent, following the submission to the Division of vehicle information and the appropriate fee, shall be allowed to operate up to fifteen (15) days pending inspection by the department.
 - (c) each provider shall assure that all rules applicable to the operation of the vehicle shall be maintained in compliance as follows:
 1. The replacement vehicle shall comply with all design, construction, equipment and safety standards as promulgated under paragraphs (1) (2) and (3).
 2. Insurance coverage obtained by rider or policy revision shall be in evidence pursuant to rule 1200- 12-1-.07.
 3. The provider must immediately notify the Division of Emergency Medical Services in writing when the unit is placed in service, submitting information to include:
 - (i) the license and vehicle identification numbers of the substitute or replacement vehicle, and
 - (ii) the permit number of the unit for which the replacement is substituted.

4. Non-standard radio equipment may be authorized for temporary use in vehicles provided such authorization is requested in writing previous to placing the vehicle in service. The request should include a reasonable, projected time period, over which, the non-standard equipment is expected to be used, and the basic capabilities of such equipment.
 - (d) Vehicles added to an existing fleet, requiring evidence of additional supplies and equipment to extend service, shall not be operated under temporary authorizations, but may be operated under a letter of approval filed by the Division's authorized representative following payment of fees to the Division's principal office, and evidence of satisfactory inspection by the authorized representative, pending the issuance of a permit.
 - (e) A letter of approval from a Division representative shall not be substituted for a vehicle permit for any period to exceed ninety (90) days.
- (6) Upon inspection, any vehicle deemed unacceptable and failing an inspection shall be immediately removed from service until approved for return to service by the Division's authorized representative.

Rule 1200-12-1-.03 Emergency Medical Services Equipment and Supplies is amended by repealing the language of subitem (3)(a)3.(iii)(II) in its entirety, and substituting instead the following language, so that as amended, the rule shall read:

- (II) Cuffed sizes in the adult range, one of each size 6.5 to 8.5 millimeters. (6.5, 7.0, 7.5, 8.0, and 8.5 mm)

Authority: T.C.A. §§ 4-5-202, 4-5-204, 68-140-504, 68-140-506, and 68-140-507.

The notice of rulemaking set out herein was properly filed in the Department of State on the 30th day of April , 2007. (FS 04-28-07, DBID 621)