

# 2024 Q1 MEETING

FEBRUARY 21, 2024





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## Q1 2024 Meeting Agenda

Location: Virtual Attendance Only

Date: February 21, 2024

Time: 3:00 p.m. (Eastern Time)

Meeting Link: [Microsoft Teams Meeting](#)

- I. Call to Order & Welcome - *Commissioner Kinney (IN), Chair*
  - a. Commissioner Roll Call - *Commissioner House (KS), Secretary*
  - b. Declare Quorum Present - *Kinney*
  - c. Introduce New Commissioners - *Kinney*
  - d. Adopt Business Agenda - *Kinney*
- II. Public Comments Regarding Matters Not on the Agenda - *Kinney*
- III. Old Business
  - a. Action: Review November 2023 (Q4) Meeting Minutes - *House*
- IV. New Business
  - a. Treasurer's Report- *Commissioner Vande Lune (IA)*  
Chair's Report - *Kinney*
  - b. Executive Director's Report – *Donnie Woodyard, Executive Director*
  - c. National EMS Coordinated Database, Administrator Update – *Ray Mollers, NREMT*
- V. Administrative Rules Hearing - *Kinney*
  - a. Review Proposed Administrative Rules
  - b. Public Comment on Proposed Change
  - c. Vote
- VI. Federal Partners Update
- VII. NGO & Professional Organizations Update
- VIII. Adjourn Meeting

### Meeting Norms:

To allow for equal participation by all attendees during the meeting, please note the following guidelines for all attendees:

- Commissioners and Presenters are requested to join with the camera on when possible.
- Public Attendees:
  - Public attendance is encouraged.
  - Microphones for all attendees will be muted upon arrival.
  - Members of the public may request to speak during public comment periods by using the “raise hand” function that is found on the menu bar at the bottom of the screen. Staff will unmute your microphone. Public attendees should announce their name and organization before speaking. Public comments are limited to two minutes or less. In the case of background noise, disruptive behavior, or comments exceeding two minutes, your microphone will be muted.

\*All times are approximate.



## Commissioner Roll Call – February 21, 2024

State	Commissioner	Elected Role	Present   Absent
Alabama	Jamie Gray		<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Colorado	Michael Bateman		<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Delaware	Britany Huss		<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Georgia	Michael Johnson		<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Idaho	Wayne Denny		<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Indiana	Kraig Kinney	Chairperson	<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Iowa	Brad Vande Lune	Treasurer	<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Kansas	Joe House	Secretary	<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Louisiana	Susan Bailey		<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Mississippi	Teresa Windham		<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Missouri	George Miller ** New Commissioner**		<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Nebraska	Tim Wilson		<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Nevada	Bobbie Sullivan		<input type="checkbox"/> Present   <input type="checkbox"/> Absent
North Dakota	Christopher Price		<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Oklahoma	<b>VACANT</b>		<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Pennsylvania	Anthony Martin ** New Commissioner**		<input type="checkbox"/> Present   <input type="checkbox"/> Absent
South Carolina	Mitch Stewart		<input type="checkbox"/> Present   <input type="checkbox"/> Absent
South Dakota	Marty Link		<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Tennessee	Brandon Ward		<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Texas	Joseph Schmider	Immediate Past Chair	<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Utah	Mark Herrera		<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Virginia	Camela Crittenden ** New Commissioner**		<input type="checkbox"/> Present   <input type="checkbox"/> Absent
West Virginia	David Jamie Weller		<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Wyoming	Aaron Koehler	At-Large	<input type="checkbox"/> Present   <input type="checkbox"/> Absent

## Ex-Officio & Staff

Role	Name	Present   Absent
Executive Director	Donnie Woodyard, Jr	<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Council	Doug Wolfberg, JD / Page, Wolfberg & Wirth	<input type="checkbox"/> Present   <input type="checkbox"/> Absent
Database Admin	Ray Mollers / National Registry of EMTs	<input type="checkbox"/> Present   <input type="checkbox"/> Absent





## Q4 2023 Commission Meeting Minutes





# INTERSTATE COMMISSION FOR EMS PERSONNEL PRACTICE

## Commissioner Roll Call – November 15, 2023

State	Commissioner	Seated	Elected Role	Present   Absent
Alabama	Jamie Gray	10/04/2021		<input type="checkbox"/> Present   <input checked="" type="checkbox"/> Absent
Colorado**	Michael Bateman	11/15/2023		<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
Delaware**	Britany Huss	11/15/2023		<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
Georgia	Michael Johnson	08/01/2022		<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
Idaho	Wayne Denny	10/07/2017		<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
Indiana	Kraig Kinney	04/28/2020	Chairperson	<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
Iowa	Brad Vande Lune	06/14/2022	Treasurer	<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
Kansas	Joe House	10/07/2017	Secretary	<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
Louisiana	Susan Bailey	11/11/2020		<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
Mississippi	Teresa Windham	11/15/2023		<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
Missouri	Taz Meyer	05/12/2021		<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
Nebraska	Tim Wilson	02/07/2019		<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
Nevada**	Bobbie Sullivan	10/1/2023		<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
North Dakota	Christopher Price	08/01/2019		<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
Oklahoma**	Dale Adkerson	11/01/2023		<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
Pennsylvania	Jay Taylor	06/08/2023		<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
South Carolina**	Mitch Stewart	11/15/2023		<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
South Dakota	Marty Link	03/28/2022		<input type="checkbox"/> Present   <input checked="" type="checkbox"/> Absent
Tennessee	Brandon Ward	04/06/2022		<input type="checkbox"/> Present   <input checked="" type="checkbox"/> Absent
Texas	Joseph Schmider	10/07/2017	Immediate Past Chair	<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
Utah	Mark Herrera	04/26/2022		<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
Virginia	<b>VACANT</b>			<input type="checkbox"/> Present   <input checked="" type="checkbox"/> Absent
West Virginia	David Jamie Weller	10/21/2021		<input type="checkbox"/> Present   <input checked="" type="checkbox"/> Absent
Wyoming	Aaron Koehler	06/01/2022	At-Large	<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent

\*\* Newly seated Commissioner

### Ex-Officio & Staff

Role	Name	Present   Absent
Executive Director	Donnie Woodyard, Jr	<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
Counsel	Doug Wolfberg, JD / Page, Wolfberg & Wirth	<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
Counsel	Christie Mellott, JD / Page, Wolfberg & Wirth	<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent
Database Admin	National Registry of EMTs	<input checked="" type="checkbox"/> Present   <input type="checkbox"/> Absent

## Interstate Commission for EMS Personnel Practice Meeting Summary November 15, 2023

*Date:* November 15, 2023

*Time:* 3:00 PM Eastern

*Location:* Microsoft Teams (Virtual Only)

### I. Call to Order & Welcome - Commissioner Kinney (IN), Chair

- The meeting of the Interstate Commission for EMS Personnel Practice was convened virtually on November 15, 2023, at 3:00 p.m. Chairman Kinney (IN) presided over the meeting, welcoming all attendees.
- Roll Call - Commissioner House (KS), Secretary
  - Secretary House (KS) conducted a roll call, confirming a quorum was present as recorded on the attached roster.
- Introduction of New Commissioners – Commissioner Kinney (IN), Chair
  - Chairman Kinney introduced the following new commissioners:
    - Bobbie Sullivan – Nevada
    - Dale Adkerson – Oklahoma
    - Teresa Windham – Mississippi
    - Michael Bateman – Colorado
    - Brittany Huss – Delaware
    - Mitch Stewart – South Carolina
  - **Upon motion of Joe Schmider (TX) and a 2<sup>nd</sup> by Brad Vande Lune (IA), the Commission commended, and recognized the service of, former Commissioner Gary Brown who has announced his retirement from a long and productive career for the Commonwealth of Virginia.**
- Adoption of the Business Agenda – Commissioner Kinney (IN), Chair
  - Request made by Mark Herrera (UT) to amend the agenda by adding an Other Business section and to discuss endorsements under this agenda item.
  - **Upon motion by Herrera (UT) and a 2<sup>nd</sup> by Taz Meyer (MO), the Commission approved the agenda as amended and without dissent.**

### II. Public Comments Regarding Matters Not on the Agenda – Commissioner Kinney (IN), Chair

- Brian Kliesen, a federal wildland firefighter from the state of New Mexico, provided information the state of New Mexico is re-energizing efforts to join the EMS Compact.

### III. Old Business – Commissioner House (KS), Secretary

- House (KS) noted that moving forward, minutes for the full commission and for the Executive Committee would be in summary format and drafted/developed by the Commission's elected Secretary. The minutes for all committees of the Commission would also be in summary format and drafted/developed by the Commission's Executive Director.
- The meeting proceeded with the review and approval of the June 13, 2023 meeting minutes. **Upon motion of Schmider (TX) and a 2<sup>nd</sup> by Herrera (UT), the Commission adopted and approved the June 13, 2023 meeting minutes as presented and without dissent.**

### IV. New Business

- Treasurer's Report – Commissioner Vande Lune (IA), Treasurer
  - Vande Lune (IA) provided the report noted on page 7 of the November 15, 2023, Commission Book; noting the Commission is operating within our budget, and providing additional information of the NREMT still being the primary source of income and additional work with the NREMT in relation to assisting with travel expenses.



- Officer Election (Secretary Position) – Commissioner Kinney (IN), Chair
    - Kinney (IN) recapped the Vice Chair Election in June for the remainder of the term and the 1<sup>st</sup> full term of Commissioner Denny (ID) as Vice Chair.
    - The Nominations Committee, under Commissioner Schmider (TX), identified only a single nominee as Commissioner House (KS). There were no further nominations from the floor. **Upon motion of Schmider (TX) and a 2<sup>nd</sup> by Michael Johnson (GA), nominations were closed. Upon motion of Schmider (TX) and a 2<sup>nd</sup> by Herrera (UT) and having a single nominee, a unanimous ballot was cast. Secretary House was elected to his 2<sup>nd</sup> term.**
  - Chair's Report – Commissioner Kinney (IN), Chair
    - Kinney (IN) noted the Commission is looking at several initiatives: the funding from the NREMT; hearing from the Bylaws Committee; additional Bylaws and Rules coming at the future meetings; and increasing community outreach efforts to promote the EMS Compact and the Commission.
  - Executive Director's Report – Donnie Woodyard, EMS Compact Executive Director
    - Woodyard noted his report on pages 9 and 10 of the Commission Book and provided information upon the following items:
      - Highlighted the Purpose and Objectives of the EMS Compact
      - Federal Legislation for the movement of service members and their spouses that would exempt them from Licensure in many instances noting the exception clause excepting EMS Compact Member States.
      - Increased travel with the focus upon education
  - National EMS Coordinated Database, Administrator Update – Ray Mollers, NREMT
    - Mollers noted the NEMSCD Report on pages 19 and 20 of the Commission Book and provided information upon the following items:
      - Discipline and Member State Actions being updated in NEMSCD
      - Compliance in reporting
      - Transmission date for API – longest delay being about a week
      - Continuing to support on-boarding within states
      - Anticipating Nebraska and Tennessee to be the next full states on-boarded and then moving to focus upon Pennsylvania.
  - Bylaws Committee Report – Joe Schmider (TX), Immediate Past-Chair
    - Schmider (TX) noted their next meeting to be on November 28<sup>th</sup> at 2pm; looking at Section 10 for database requirements; and for Sections 3 and 11 also for database requirements and home state licensure. It was also anticipated to see bylaw amendment suggestions in the early part of 2024.
- V. Bylaws Change Hearing – Commissioner Kinney (IN), Chair
- Kinney (IN) noted the proposed change in Bylaws has the support of both the Bylaws Committee as well as the Executive Committee of the Commission. The change was to name the Commission as a body politic and was as noted on page 21 of the Commission Book. The Amendment to the Bylaws was published for over 30 days and did have one public comment, but no requests for a hearing.
  - **Upon motion of Schmider (TX) and a 2<sup>nd</sup> by Herrera (UT), the Commission opened the public hearing on the proposed change to the Bylaws. Having received no additional comments during the hearing, upon motion of Meyer (MO) and a 2<sup>nd</sup> by Schmider (TX) and without dissent, the Commission closed the public hearing on the proposed changes.**
  - **Upon motion of Schmider (TX) and a 2<sup>nd</sup> by Herrera (UT), the Commission adopted the Bylaws Change by Roll Call Vote and without dissent.**

VI. Federal Partners Update – None provided

VII. NGO & Professional Organizations Update – None provided

VIII. Executive Director Report (Part 2) – Donnie Woodyard, Compact Executive Director

- Review/Discuss Position Paper 2023-01: Biometric Background Checks (pages 11 and 12)
  - Woodyard provided an overview indicating this was a position coming from the industry perspective, not necessarily the member states. There is a 2025 deadline for all member states to be performing these biometric based criminal history record checks (note: background is being used as an interchangeable term, but the member states are required to perform criminal history record checks which are notably different from a background check).
  - **Upon motion of Schmider (TX) and a 2<sup>nd</sup> by Vande Lune (IA), the Commission tasked the Commission's Executive Committee to edit and adopt the final document with input from the full Commission.**
- Review/Discuss Position Paper 2023-02: Professional Code of Conduct (pages 13 and 14)
  - Woodyard provided an overview indicating this was for the Commission to adopt a position on the importance of having a code of conduct for EMS providers as it relates to multi-state practice under the privilege to practice.
  - **Upon motion of House (KS) and a 2<sup>nd</sup> by Johnson (GA), the Commission tasked Chairman Kinney (IN) to form a workgroup to formulate and work through this paper with updates provided to the Commission's Executive Committee.** It was noted this taskforce may include non-Commissioners, NGO partners, and federal partners.
- Review/Discuss Position Paper 2023-03: Workforce Protection and PII (pages 15 and 16)
  - Woodyard provided an overview indicating when workforce PII comes within bulk form, there is a threat to the workforce. This position states the public needs access in scenarios, but it should clearly be done without a bulk release of anything containing PII. The position calls for all states to review their policies in reviewing and protecting this information within their individual states.
  - **Chairman Kinney (IN) directed this be included within the workgroup formulating and working through 2023-02.**

IX. Other Business – Endorsements

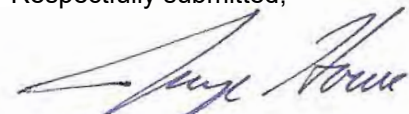
- Herrera (UT) brought forth a desire for the Commission to consider Critical Care endorsed members and to develop a method by which member states could utilize the EMS Compact to recognize this endorsement. Commission discussion yielded this topic would fit well within a workgroup as it was a scope of practice issue and not necessarily a license issue.

X. Adjourn Meeting

- The meeting was adjourned at 4:37pm EST.

\*\*\*\*Note: Where page numbers are noted, they are the page numbers within the Commission Book for the November 15, 2023 meeting unless noted otherwise.

Respectfully submitted,



Joseph House, Secretary  
EMS Compact Commissioner, Kansas

## Treasurer's Report: Q1 2024

FY Q4-2023 Treasurers Report

<b>FY 2023 Q3 Ending Balance</b>	83,316.25	9/30/2023
<b>Debits</b>	41,752.63	
<b>Subtotal</b>	41,563.62	
<b>Credits</b>	40,000.00	NREMT 11/1/2023
<b>Current Balance</b>	81,563.62	12/31/2023
<b>Pending Debits</b>	0.00	
<b>Pending Credits</b>	0.00	
<b>Pending Balance</b>	81,563.62	12/31/2023

Respectfully submitted,

Brad Vande Lune,  
 Iowa Commissioner | Treasurer

## Database Administrator's Report: Q1 2024



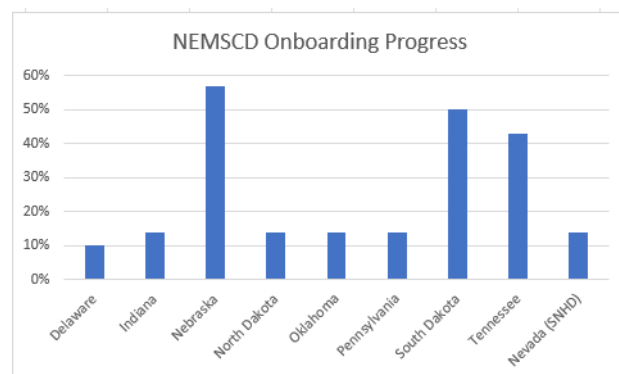
**February 2024 NEMSCD Administrator Report**

**State EMS Statistics**

State EMS Office	Latest API Submission Date	First API Submission Date
ALABAMA	01/31/2024	02/25/2021
COLORADO	01/31/2024	10/26/2020
GEORGIA	01/31/2024	10/05/2021
IDAHO	01/31/2024	02/07/2022
IOWA	01/31/2024	11/01/2023
LOUISIANA	01/31/2024	08/10/2021
MISSOURI	01/31/2024	10/20/2021
NEVADA	01/31/2024	09/28/2023
TEXAS	01/31/2024	04/02/2021
VIRGINIA	01/31/2024	04/01/2020
WEST VIRGINIA	01/31/2024	10/20/2021
KANSAS	01/30/2024	07/30/2021
MISSISSIPPI	01/30/2024	04/28/2022
SOUTH CAROLINA	01/30/2024	03/25/2021
SOUTH DAKOTA	01/30/2024	08/27/2021
UTAH	01/30/2024	09/29/2021
WYOMING	01/30/2024	06/16/2021

Current NEMSCD Enhancement Projects	
EMS ID Primary Identifier	
National Registry Data Tab	
Seeking Software Solution/API	
	Delaware
	Indiana
	Oklahoma
	South Dakota

**24** MEMBER STATES  
**259,498** COMPACT PROVIDERS IN DATABASE  
**325,000** TOTAL ESTIMATED COMPACT PROVIDERS



**State EMS Discipline Posting**

State EMS Office	Most Recent Discipline Created Date	Cases Created Last Four Months	Most Recent Discipline Update Date	Cases Updated Last Four Months
TEXAS	01/23/2024	45	12/11/2023	45
COLORADO	01/16/2024	21	10/09/2023	21
LOUISIANA	12/21/2023	37	12/19/2023	37
IDAHO	12/14/2023	2	12/14/2023	2
GEORGIA	12/13/2023	6	10/13/2021	6
WYOMING	10/09/2023	1		1
KANSAS	07/31/2023	0		0
UTAH	07/25/2023	0	07/25/2023	0
SOUTH CAROLINA	10/12/2022	0		0
MISSOURI	01/14/2022	0		0

NEMSCD Fix Request to IT	
Provider w/ Double EMS ID #	

## Administrative Rules Hearing

### Authority

#### MODEL LEGISLATION SECTION 12. RULEMAKING

A. The Commission shall exercise its rulemaking powers pursuant to the criteria set forth in this Section and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

<...>

I. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the Commission shall consider all written and oral comments received.

J. The Commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

K. If no written notice of intent to attend the public hearing by interested parties is received, the Commission may proceed with promulgation of the proposed rule without a public hearing.

### Written Public Comments

No valid public comments received.

(Two comment forms submitted, with non-word text.)

### Statement of Purpose

The purpose of the proposed administrative rules for the Interstate Commission for EMS Personnel Practice is to establish and clarify procedures within the framework of the Recognition of EMS Personnel Practice Interstate Compact (REPLICA). Key components of these rules include:

Section 10 - "The Commission": This new section details the criteria and process for new member states wishing to join REPLICA. It includes guidelines for reviewing state legislation to ensure alignment with REPLICA's model legislation. Additionally, it sets forth a timeline and procedures for new member states to adopt the compact's requirements and specifies the protocol for appointing commissioners.

Re-numbering of Section 11: To accommodate the new Section 10, Section 11 has been renumbered. This section combines previously existing administrative rules but introduces no new content or changes.

Section 13 - Compliance for Member States: This is a new section focusing on compliance monitoring and enforcement. It describes how compliance issues are identified, assessed, and resolved, including a dispute resolution process that encompasses informal procedures, mediation, and arbitration.

Section 14 - Compact Implementation and Activation Date: Another new section, Section 14, provides clarity on the timelines for implementing and activating the compact, defining specific implementation and activation dates.

Overall, these proposed rules are designed to streamline the process for states joining REPLICA, ensure uniformity in the application of the compact's provisions, and establish clear procedures for compliance and dispute resolution.



3 **PROPOSED ADMINISTRATIVE RULES**

4  
5 **INTRODUCED:** DECEMBER 6, 2023  
6 **PUBLIC COMMENT PERIOD OPENED:** DECEMBER 7, 2023  
7 **PUBLIC HEARING SCHEDULED:** FEBRUARY 21, 2024 at 4PM (ET)  
8

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9 **SECTION 1. Purpose and Authority**

10 These rules are promulgated by the Interstate Commission for Emergency Medical Services  
11 Personnel Practice pursuant to the Recognition of Emergency Medical Services Personnel Licensure  
12 Interstate Compact (REPLICA). These rules shall become effective upon adoption by the  
13 Commission. Nothing in the compact or these rules authorizes an individual to practice in a non-  
14 member state.

15 **SECTION 2. Definitions**

16 For the purposes of the rules adopted by the Interstate Commission for Emergency Medical Services  
17 Personnel Practice, the following definitions shall apply. Terms not specifically defined in these rules  
18 shall have the definitions as set forth in the compact.

- 19 **2.0** “**Adverse Action**” means: any administrative, civil, equitable or criminal action permitted by  
20 a state’s laws which may be imposed against licensed EMS personnel by a state EMS  
21 authority or state court, including, but not limited to, actions against an individual’s license  
22 such as revocation, suspension, probation, consent agreement, monitoring or other limitation  
23 or encumbrance on the individual’s practice, letters of reprimand or admonition, fines,  
24 criminal convictions and state court judgments enforcing adverse actions by the state EMS  
25 authority.
- 26 **2.1** “**Commission**” means: the national administrative body of which all states that have enacted  
27 the Compact are members.
- 28 **2.2** “**Commissioner**” means: the appointed delegate from each state as described in Section  
29 10.B.1. of the Compact.
- 30 **2.3** “**Compact**”, hereinafter “the Compact” means: The Recognition of Emergency Medical  
31 Services Personnel Licensure Interstate Compact (REPLICA) as enacted by a Member State.
- 32 **2.4** “**Compact Data Participation Agreement**” means: the agreement established between the  
33 Commission and the Coordinated Database Administrator.
- 34 **2.5** “**Conditions of Practice**” means: the circumstances under which an individual is authorized  
35 to practice in a remote state under a privilege to practice.
- 36 **2.6** “**Coordinated Database**” means: the information system established and maintained by the  
37 Commission as set forth in the compact.
- 38 **2.7** “**Coordinated Database Administrator**” means: the contractor, person or employee named  
39 by the Commission to provide oversight and management of the coordinated database.



## Administrative Rules - Interstate Commission for EMS Personnel Practice

- 78 all home states where the individual is licensed as qualified; and  
79 D) the individual has an unrestricted license issued by the home state wherein the EMS  
80 agency for which the individual is practicing in the remote state; and  
81 E) the individual's privilege to practice has not been restricted or revoked by any member  
82 state (except as provided in section 4.2 of these rules).

### 4.1 Notification of privilege to practice status

- 84 A) Home states shall notify the Commission of the privilege to practice status for each  
85 individual licensed by the home state to the Commission as described in section 11.4  
86 of these rules as unrestricted, restricted, suspended, revoked or denied.  
87 B) When a home state restricts, suspends, or revokes an individual's license, the home  
88 state shall notify the Commission of the individual's eligibility to request restoration  
89 of the privilege to practice on the adverse action order as:  
90 (1) Eligible for privilege to practice restoration. The home state EMS authority  
91 where the action was taken authorizes the individual to request reinstatement  
92 of the privilege to practice in remote states, or  
93 (2) Ineligible for privilege to practice restoration. The home state EMS authority  
94 where the action was taken does not authorize the individual to request  
95 reinstatement of the privilege to practice in remote states.

### 4.2 Restoration of privilege to practice. The restoration of the privilege to practice shall only occur when:

- 96 (A) the home state license is restored or unrestricted; or  
97 (B) the privilege to practice restoration is authorized as stated in section 4.1(B)(i) of these  
98 rules and  
99 (1) the remote state restores the privilege to practice or removes the restriction of  
100 the privilege to practice; and  
101 (2) the individual whose license or privilege to practice in any member state is  
102 restricted, suspended, or revoked has submitted a request to each remote state  
103 wherein the individual wishes to have a privilege to practice.  
104  
105

### 4.3 Individuals licensed in non-reporting home states. Individuals licensed in a home state that does not collect and submit all elements of the uniform data set are not eligible to practice in a remote state under the privilege to practice until the home state has submitted all elements of the uniform data set in the manner prescribed by the Commission.

### 4.4 Scope of practice. An individual providing patient care in a remote state under the privilege to practice shall function within the scope of practice authorized by his or her home state unless or until modified by the appropriate authority in the remote state.

- 113 (A) Each member state EMS authority that chooses to modify the scope of practice of  
114 individuals who are functioning in the state under a privilege to practice must report  
115 the specific modifications to the Commission for publication as described in these  
116 rules.

117

118

119

(B) If the statutes and rules in the remote state allows further modification of the scope of practice, an EMS agency may further modify an individual's scope of practice.

120

121

122

123

(C) If the EMS authority of the member state in which patient care is provided specifies a scope of practice that the EMS agency must follow, the individual will follow the scope of practice for the EMS agency for which the individual is providing patient care.

124

125

126

**4.5 Notification.** A member state shall notify the Commission of any scope of practice modifications or limitations for individuals (from another member state) providing patient care in the state under the privilege to practice.

127

128

129

**4.6 Publication of scope of practice.** The Commission shall publish the scope of practice limitations and modifications for all member states in the Commission's standards manual that is incorporated in these rules.

130

(A) Updates to the standards manual will be published each year on July 1.

131

(B) The standards manual will be made available on the Commission website.

132

133

134

135

**4.7 Individual responsibility.** An individual providing patient care in a remote state under the privilege to practice is responsible for adhering to the scope of practice modifications or limitations for that remote state as described in the most current version of the Commission's standards manual.

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## **SECTION 5. Not Used**

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## **SECTION 6. Not Used**

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## **SECTION 7. Not Used**

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## **SECTION 8. Adverse Actions**

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### **8.0 Investigation.**

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(A) Member states may collaborate in investigating alleged individual misconduct.

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(B) In those cases where the subject is licensed by one or more member states and therefore has more than one home state, the responsibility for the investigation shall fall to the home state that licenses, certifies, commissions, or otherwise authorizes the agency or appropriate authority for which the subject was providing patient care when the alleged misconduct occurred.

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(C) Upon discovery that an individual is under investigation in another member state, the member state may contact the investigating member state and request investigative documents and information.

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(D) This section shall not be construed as limiting any member state's authority to investigate any conduct within that state, or to investigate any licensee.

152

### **8.1 Reporting of adverse actions.**

153

(A) A remote state that imposes adverse action against an individual's privilege to

- 154 practice, shall notify the Commission as soon as possible, but no later than two (2)  
155 business days after the imposition of the adverse action.
- 156 (B) A home state that imposes adverse action against an individual's license shall notify  
157 the Commission as soon as possible, but no later than two (2) business days after the  
158 imposition of the adverse action and notify the individual in writing that the  
159 individual's remote state privilege to practice is revoked.
- 160 (C) Member states are not required to report any other information regarding adverse  
161 actions to the Commission other than what is available in the public record of the  
162 reporting member state though nothing herein shall prohibit a member state from  
163 sharing with another member state, or a non-member state, such additional  
164 information as the member state concludes is appropriate.

165 **SECTION 9. Not Used**

**Editorial / Background Note:** The current "Section 10. Coordinated Database – General" is undergoing a title change to "The Commission," to reflect its alignment with "Section 10. Establishment of the Interstate Commission for EMS Personnel Practice" from the Compact Model Legislation. Concurrently, "Section 11" of these rules will be renamed as "Section 11. Coordinated Database." Additionally, the content from the original Section 10, red-lined below, are fully integrated into the newly titled Section 11, with appropriate renumbering for consistency. The Bylaws & Rules Committee intends to conduct a thorough review and update of Section 11 in an upcoming rulemaking process.

166 ~~**SECTION 10. Coordinated Database—General**~~

- 167 ~~**10.0—Method of data submission.** Member states shall submit the uniform data set described in~~  
168 ~~section 11 of these rules to the coordinated database in accordance with the Compact Data~~  
169 ~~Participation Agreement.~~
- 170 ~~(A)—Data ownership.~~ All data submitted by a member state to the coordinated database  
171 ~~remains the property of the member state. Any use of the data in the coordinated~~  
172 ~~database other than that expressly allowed by the Commission is prohibited.~~
- 173 ~~(B)—A member state may designate member state information that may not be shared with~~  
174 ~~the public without the express permission of the contributing state.~~
- 175 ~~**10.1—Access to the coordinated database.** Member states shall have access to the uniform data set~~  
176 ~~submitted by other member states.~~
- 177 ~~**10.2—Implementation.** A member state shall have thirty (30) days to initially provide the member~~  
178 ~~state's uniform data set to the coordinated database. In the event a member state does not~~  
179 ~~collect one or more elements of the uniform data set, the member state shall initially submit~~  
180 ~~all elements currently collected within thirty (30) days and shall collect and submit any~~  
181 ~~missing elements within eighteen (18) months.~~
- 182 ~~**10.3—Maintenance of uniform data set.** The accuracy of information maintained in the~~  
183 ~~coordinated database, to the extent it is possible, shall be the responsibility of member states.~~
- 184 ~~**10.4—Correction of records.** In the event an individual assert that the individual's uniform data set~~  
185 ~~information is inaccurate, the individual shall provide evidence in a manner determined by the~~  
186 ~~individual's home state that substantiates such claim. A home state shall verify and submit to~~

~~the Commission an amendment to correct the uniform data set of an individual.~~

**SECTION 10. The Commission.**

**Editorial / Background Note:** The newly proposed "Section 10" is designed to align with model rules adopted by other interstate licensure compacts, as dictated by model legislation. This section establishes a standardized procedure for evaluating states that wish to join the EMS Compact. It outlines the process for integrating states admitted as Member States and specifies the protocol for Commissioner appointments. This section ensures consistency and clarity in expanding and managing the EMS Compact membership and governance.

**10.0 (Reserved)**

**10.1 New Member State.** The Commission shall notify all Member States within fifteen (15) calendar days when a new Member State enacts the Compact.

**10.2 Process for Review of New State Laws or Amendments to Compacts:**

(A) Upon enactment by any state, commonwealth, district, or territory of the United States, of a law intended as that jurisdiction's adoption of the Compact, the Executive Committee shall review the enacted law to determine whether it contains any provisions which materially conflict with the Compact Model Legislation.

(1) To the extent possible and practicable, this determination shall be made by the Executive Committee after the date of enactment but before the effective date of such law. If the timeframe between enactment and effective date is insufficient to allow for this determination to be made by the Executive Committee prior to the law's effective date, the Executive Committee shall make the determination required by this paragraph as soon as practicable after the law's effective date. The fact that such a review may occur subsequent to the law's effective date shall not impair or prevent the application of the process set forth in this Section 10.2.

(2) If the Executive Committee determines that the enacted law contains no provision which materially conflicts with the Compact Model Legislation, the state shall be admitted as a party to the Compact and to membership in the Commission pursuant to Section 10 of the Compact Model Legislation upon the effective date of the state's law and thereafter be subject to all rights, privileges, benefits and obligations of the Compact, these Rules and the bylaws.

(3) In the event the enacted law contains one or more provisions which the Executive Committee determines materially conflicts with the Compact Model Legislation, the state shall be ineligible for membership in the Commission or to become a party to the Compact, and the state shall be notified in writing within fifteen (15) business days of the Executive Committee's decision.

(4) A state deemed ineligible for Compact membership and Commission participation pursuant to this Section 10.2 shall not be entitled to any of the rights, privileges or benefits of a Compact State as set forth in the Compact, these Rules and/or the bylaws. Without limiting the foregoing, a state deemed ineligible for membership and participation shall not be entitled to appoint a



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- 223 Commissioner, to receive non-public data from the Coordinated Database  
224 and/or to avail itself of the default and technical assistance provisions of the  
225 Compact. EMS Practitioners licensed in a state deemed ineligible for  
226 membership and participation hereunder shall be ineligible for the Privilege to  
227 Practice set forth in the Compact and these Rules.
- 228 (B) A state determined to be ineligible for Commission membership and Compact  
229 participation pursuant to this Section 10.2 may, within thirty (30) calendar days of the  
230 date of the decision, appeal in writing the Executive Committee's decision to the  
231 Commission. An appeal received by the Commission shall be deemed filed on the date  
232 it is sent to the Commission. If there is an appeal to the Commission, the Commission  
233 shall review de novo whether the state's enacted law materially conflicts with the  
234 Compact Model Legislation. The provisions of 10.2(A)(4) of these Rules shall apply  
235 during the pendency of any such appeal. The decision of the Commission may be  
236 appealed within thirty (30) calendar days of the date of its decision to a court of  
237 competent jurisdiction subject to the venue provisions of Section 10(A)(2) of the  
238 Compact. The appealing state shall bear all costs of the appeal and the Commission  
239 shall not bear any costs relating to the appeal.
- 240 (C) Subsequent to the determination that a state's enacted law contains provision(s) which  
241 materially conflict(s) with the Compact Model Legislation, the state may enact new  
242 legislation to remove the conflict(s). The new legislation shall be reviewed as set forth  
243 in this Section 10.2(A) and (B) above.
- 244 (D) In the event a Compact State, subsequent to its enactment of the Compact, enacts  
245 amendment(s) to its Compact law, or enacts another law or laws which may in any  
246 way alter or impact any provision or application of the state's enacted Compact law,  
247 the Compact State shall so inform the Commission within fifteen (15) business days of  
248 the enactment of such amendment(s) or law(s). After being so informed by the  
249 Compact State, or learning of such amendment(s) or law(s) from any other source, the  
250 Commission shall review the amendment(s) or law(s) to determine if such  
251 amendment(s) or law(s) materially conflict with the state's enacted Compact law. In  
252 the event the Commission determines such amendment(s) or law(s) materially  
253 conflict(s) with the Compact, the Commission shall determine if the amendment(s) or  
254 law(s) constitute a condition of default pursuant to Section 13(B) of the Compact and,  
255 if so, proceed according to the process established in Section 13 and Commission  
256 Rules.
- 257 (E) For the purpose of determining whether a state's law intended as enactment of the  
258 Compact, or any provision of any enacted law or amendment, materially conflicts with  
259 the Compact Model Legislation or the state's enacted Compact, the Executive  
260 Committee and the Commission shall consider the following, among other factors:
- 261 (1) Whether the provision constitutes a material alteration of the rights and  
262 obligations of the enacting state or of member states.
  - 263 (2) Whether the provision enlarges the liability or compromises the immunity of  
264 the Commission or any authorized agent of the Commission.
  - 265 (3) Whether the provision modifies venue in proceedings involving the



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Commission.

- (4) Whether the provision restricts the privileges or authorizations to practice as set forth in the Compact Model Legislation.
- (5) Whether the provision would allow the state to negate or delay the applicability of a duly promulgated Commission rule in the state.
- (6) Whether the provision would result in the reduction or elimination of fees, levies or assessments payable by the state.
- (7) Whether the provision fundamentally alters the nature of the agreement entered into by member states that have adopted the Compact.
- (8) Whether there is a remedial mechanism, satisfactory to the Executive Committee and/or Commission, whereby the effect of such law or amendment can be mitigated to minimize or eliminate the practical effect of any material conflict.
- (9) Whether the provision strikes or amends Compact Model Legislation language based upon a provision of the Compact Model Legislation being contrary to the Constitution of that state, and the Executive Committee and/or Commission determines that the remainder of the Compact can be implemented effectively, and without compromising the rights of the Commission and the member states, without such provision, to the extent the Executive Committee and/or Commission concur that such provision is unconstitutional in the state.

**10.3 New Member State Implementation.** New states admitted as a party to the Compact and to membership shall within three (3) calendar months from the enactment date, or as otherwise specified in the enabling legislation, provide the Commission an implementation plan and implementation date.

**10.4 Commissioner Appointment.**

- (A) Member States shall:
  - (1) appoint one delegate, also known as a Commissioner, to serve on the Commission, in accordance with Section 10(B)(1) of the Compact Model Legislation; and
  - (2) ensure the appointed Commissioner is the responsible official of the state EMS authority or his designee;
  - (3) ensure any Commissioner vacancy is promptly filled within thirty (30) calendar days.
- (B) In the event that more than one state entity (Committee, office, department, agency, etc.) has the legislative authority to license EMS Practitioners, the Governor shall determine which entity will be responsible for assigning the delegate.
- (C) Appointed Commissioners shall not be represented by or vote by proxy.

305 **SECTION 11. Coordinated Database**

**Editorial / Background Note:** As indicated, the current revision integrates the contents of the former Sections 10 and 11 into a unified "Section 11. Coordinated Database." This consolidation is primarily structural, with no substantive changes to the content itself, apart from renumbering for clarity and continuity. This update aligns the Rules with the section titles in the Model Legislation.

306

307 **11.0 (Reserved)**

308 **11.1 Coordinated Database — General**

309 **(A) Method of data submission.** Member states shall submit the uniform data set  
 310 described in section 11 of these rules to the coordinated database in accordance with  
 311 the Compact Data Participation Agreement.

312 **(1) Data ownership.** All data submitted by a member state to the coordinated  
 313 database remains the property of the member state. Any use of the data in the  
 314 coordinated database other than that expressly allowed by the Commission is  
 315 prohibited.

316 **(2)** A member state may designate member state information that may not be  
 317 shared with the public without the express permission of the contributing state.

318 **(B) Access to the coordinated database.** Member states shall have access to the uniform  
 319 data set submitted by other member states.

320 **(C) Implementation.** A member state shall have thirty (30) days to initially provide the  
 321 member state’s uniform data set to the coordinated database. In the event a member  
 322 state does not collect one or more elements of the uniform data set, the member state  
 323 shall initially submit all elements currently collected within thirty (30) days and shall  
 324 collect and submit any missing elements within eighteen (18) months.

325 **(D) Maintenance of uniform data set.** The accuracy of information maintained in the  
 326 coordinated database, to the extent it is possible, shall be the responsibility of member  
 327 states.

328 **(E) Correction of records.** In the event an individual assert that the individual’s uniform  
 329 data set information is inaccurate, the individual shall provide evidence in a manner  
 330 determined by the individual’s home state that substantiates such claim. A home state  
 331 shall verify and submit to the Commission an amendment to correct the uniform data  
 332 set of an individual.

333 **11.2 Uniform Data Set.** Member states must submit the following uniform data set to the  
 334 coordinated database at the frequency indicated.

335 **(A) Identifying information.** The following information for each individual who is  
 336 licensed must be reported within ten (10) business days of completion of licensure  
 337 application process. Any changes must be reported within ten (10) business days of  
 338 the change being processed by the member state.

339 **(1)** Full legal name (first, middle, last); and

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- 340 (2) suffix (if applicable); and
- 341 (3) date of birth (month, day, year); and
- 342 (4) identification number (one or both of the following):
- 343 (a) Social Security Number
- 344 (b) National EMS ID number.
- 345 **(B) Licensure data.** The following information for each individual who is licensed in the
- 346 member state must be reported within ten (10) business days of completion of
- 347 licensure process. Any changes must be reported within ten (10) business days of the
- 348 change being processed by the member state.
- 349 (1) State of licensure; and
- 350 (2) license level; and
- 351 (3) effective date of license; and
- 352 (4) expiration date of license; and
- 353 (5) license number; and
- 354 (6) license status (if applicable, i.e. inactive, temporary, etc.)
- 355 **(C) Significant investigative information.** The following information must be reported as
- 356 soon as possible, but no later than two (2) business days of the member state
- 357 completing the preliminary inquiry:
- 358 (1) subject's identifying information as stated in section 11.0 of these rules; and
- 359 (2) declaration of the existence of an investigation or pending adverse action
- 360 related to the incident or act of misconduct.
- 361 **(D) Adverse actions imposed on an individual's license.** The following information
- 362 must be reported as soon as possible, but no later than two (2) business days of
- 363 imposition of the adverse action. Any changes to the status of the adverse action must
- 364 be reported as soon as possible, but no later than two (2) business days of the change
- 365 being processed by the member state:
- 366 (1) subject's identifying information as stated in Section 11.2(A) of these rules;
- 367 and
- 368 (2) summary description of the incident or act of misconduct; and
- 369 (3) declaration of the existence of a criminal investigation or pending criminal
- 370 charges related to the incident or act of misconduct; and
- 371 (4) declaration of the action taken by the member state; and
- 372 (5) effective date of the action taken; and
- 373 (6) duration of the action.
- 374 **(E) Privilege to practice status.** The information as described in section 4.1 of these rules
- 375 for each individual licensed by the member state must be reported within one (1)

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376 month of the effective date of the privilege to practice status. Any changes to the  
377 privilege to practice status must be reported as soon as possible, but no later than two  
378 (2) business days of the change being processed by the member state.

379 **(F) Non-confidential alternative program participation information.** To the extent  
380 allowed by a member state's laws, non-confidential information concerning an  
381 individual's participation in an alternative program will be reported.

382 (1) Any denial of applications for licensure. The following information must be  
383 reported within one month of the denial:

384 (2) applicant's identifying information as stated in Section 11. 2(A) of these rules;  
385 and

386 (3) summary of the reason for denial; and

387 (4) declaration of the existence of a criminal investigation or pending criminal  
388 charges related to the denial; and

389 (5) declaration of the duration of the denial.

390 ~~11.6 (Section repealed April 9, 2021)~~

391 **(G) Other acts of misconduct or criminal convictions.** Individual acts of misconduct or  
392 criminal convictions that a member state becomes aware of, from sources other than  
393 the FBI background check that may result in action against an individual's license or  
394 privilege to practice in any member state must be reported as soon as possible, but no  
395 later than two (2) business days of discovery by the state making the discovery.

396 **(H) Compliance with 28 C.F.R. §20.3.** Nothing in these Rules shall require or permit the  
397 sharing or reporting of Criminal History Record Information as that term is defined in  
398 28 C.F.R. §20.3 in a manner that is prohibited by law.

### 399 SECTION 12. Rulemaking

400 **12.0 Proposed rules or amendments.** Proposed rules or amendments to the rules shall be adopted  
401 by majority vote of the members of the Commission. Proposed new rules and amendments to  
402 existing rules shall be submitted to the Commission office for referral to the rules committee  
403 as follows:

404 (A) Any Commissioner may submit a proposed rule or rule amendment for referral to the  
405 rules committee during the next scheduled Commission meeting. This proposal shall  
406 be made in the form of a motion and approved by a majority vote of a quorum of the  
407 Commission members present at the meeting.

408 (B) Standing committees of the Commission may propose rules or rule amendments by  
409 majority vote of that Committee.

410 **12.1 Preparation of draft rules.** The rules committee shall prepare a draft of all proposed rules  
411 and provide the draft to all Commissioners for review and comments. Based on the comments  
412 made by the Commissioners the Rules Committee shall prepare a final draft of the proposed  
413 rule(s) or amendments for consideration by the Commission not later than the next  
414 Commission meeting.

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415 **12.2 Publication of draft rules.** Prior to promulgation and adoption of a final rule (in accordance  
416 with Section 12 of the Compact) the Commission shall publish the text of the proposed rule or  
417 amendment prepared by the rules committee not later than sixty (60) days prior to the meeting  
418 at which the vote is scheduled, on the official website of the Commission and in any other  
419 official publication that may be designated by the Commission for the publication of its rules.  
420 All written comments received by the rules committee on proposed rules shall be posted on  
421 the Commission's website upon receipt. In addition to the text of the proposed rule or  
422 amendment, the reason for the proposed rule shall be provided.

423 **12.3 Notification.** Each administrative rule or amendment shall state:

- 424 (A) The place, time, and date of the scheduled public hearing, if any;
- 425 (B) The manner in which interested persons may submit notice to the Commission of their  
426 intention to attend the public hearing and any written comments; and
- 427 (C) The name, position, physical and electronic mail address, telephone, and telefax  
428 number of the person to whom interested persons may respond with notice of their  
429 attendance and written comments.

430 **12.4 Public Hearings.** Every public hearing shall be conducted in a manner guaranteeing each  
431 person who wishes to comment a fair and reasonable opportunity to comment. In accordance  
432 with Section 12.H. of the Compact, specifically:

- 433 (A) If a hearing is held on the proposed rule or amendment, the Commission shall publish  
434 the place, time, and date of the scheduled public hearing.
- 435 (B) All persons wishing to be heard at the hearing shall notify the Chairperson of the  
436 Commission or other designated member in writing of their desire to appear and  
437 testify at the hearing not less than five (5) business days before the scheduled date of  
438 the hearing.
- 439 (C) Hearings shall be conducted in a manner providing each person who wishes to  
440 comment a fair and reasonable opportunity to comment orally or in writing.
- 441 (D) No transcript of the public hearing is required, unless a written request for a transcript  
442 is made; in which case the person or entity making the request shall pay for the  
443 transcript. A recording may be made in lieu of a transcript under the same terms and  
444 conditions as a transcript. This subsection shall not preclude the Commission from  
445 making a transcript or recording of the public hearing.
- 446 (E) Nothing in this section shall be construed as requiring a separate hearing on each rule.  
447 Rules may be grouped for the convenience of the Commission at hearings required by  
448 this section.
- 449 (F) Following the scheduled hearing date, or by the close of business on the scheduled  
450 hearing date if the hearing was not held, the Commission shall consider all written and  
451 oral comments received.
- 452 (G) The Commission shall, by majority vote of a quorum of the Commissioners, take final  
453 action on the proposed rule and shall determine the effective date of the rule, if any,  
454 based on the rulemaking record and the full text of the rule.

- 455           **12.5 Status of rules upon adoption of additional member states.** Any state that joins the  
456 Compact subsequent to the Commission’s initial adoption of the rules shall be subject to the  
457 rules as they exist on the date on which the Compact becomes law in that state. Any rule that  
458 has been previously adopted by the Commission shall have the full force and effect of law on  
459 the day the Compact becomes law in that state.
- 460           **12.6 Emergency Rulemaking.** Upon determination that an emergency exists, the Commission  
461 may consider and adopt an emergency rule that shall become effective immediately upon  
462 adoption, provided that the usual rulemaking procedures provided in the Compact and in this  
463 section shall be retroactively applied to the rule as soon as reasonably possible, in no event  
464 later than ninety (90) days after the effective date of the rule. An emergency rule is one that  
465 must be made effective immediately in order to:
- 466           (A) Meet an imminent threat to public health, safety, or welfare;  
467           (B) Prevent a loss of federal or state funds;  
468           (C) Meet a deadline for the promulgation of an administrative rule that is established by  
469 federal law or rule; or  
470           (D) Protect public health and safety.

**Editorial / Background Note:** Section 13, “Compliance Issues and Dispute Resolution Process,” aligns with rules implemented by other interstate licensure compacts. It establishes a structured approach for managing compliance and resolving disputes within the EMS Compact. This section specifies procedures for addressing compliance issues, including remedial measures, technical assistance, and formal notifications for non-compliance. It also outlines a detailed dispute resolution process, incorporating informal resolution, mediation, and arbitration, to efficiently manage conflicts between Member States. The rules set forth in this section are designed to ensure adherence to the Compact's obligations, mirroring best practices from similar compacts to maintain consistency and integrity in interstate licensure management.

471 **SECTION 13. ~~Not Used~~ Compliance Issues and Dispute Resolution Process.**

472           **13.1 Initiation of Compliance.**

- 473           (A) Compliance issues shall be initiated by the Executive Committee.  
474           (B) The Executive Committee shall first seek to provide remedial education and specific  
475 technical assistance for any potential default.  
476           (C) For unresolved potential defaults, the Executive Committee shall send a written notice  
477 of non-compliance to the Commissioner in the Member State with the alleged non-  
478 compliance issue. The state shall respond in writing within thirty (30) calendar days.
- 479           (1) If the Member States does not have a designated Commissioner, the written  
480 notice of non-compliance shall be sent to the Governor of the Member State.  
481           (3) If the state fails to respond to the written notice, the Executive Committee,  
482 through the Executive Director, shall send a written notice of non-compliance  
483 to the Governor of the Member State, copied to the Commissioner, with the  
484 alleged non-compliance issue.  
485           (3) If the response, in the determination of the Executive Committee fails to



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- 486 reasonably resolve the non-compliance issue, the Executive Committee shall  
487 request a written Plan of Correction.
- 488 (D) The Executive Committee shall provide a report and make a recommendation to the  
489 Commission concerning issues of non-compliance that:
- 490 (1) do not have an approved Plan of Correction, with progress; or  
491 (2) remain unresolved for three (3) or more calendar months.
- 492 (E) Grounds for default include but are not limited to, failure of a Compact State to  
493 perform obligations or responsibilities imposed by the Compact, Commission Bylaws,  
494 or duly promulgated Rules.
- 495 (F) If the Commission determines that a Compact State has at any time defaulted in the  
496 performance of any of its obligations or responsibilities under the Compact, Bylaws or  
497 duly promulgated Rules, the Commission shall notify the Commissioner and Governor  
498 of the defaulting Compact State in writing. The Commission may impose any or all of  
499 the following remedies:
- 500 (1) Remedial education and technical support as directed by the Commission;  
501 (2) Damages and/or costs in such amounts as are deemed to be reasonable as fixed  
502 by the Commission;  
503 (3) Suspension of membership in the Compact; and  
504 (4) Termination of membership in the Compact as provided in the Model  
505 Legislation and administrative rules.
- 506 (G) The Commission shall not bear any costs relating to the defaulting Compact State  
507 unless otherwise mutually agreed upon between the Commission and the defaulting  
508 Compact State.

### 13.2 Dispute Resolution Process – Informal, Mediation and Arbitration.

- 510 (A) The Commissioner from each Compact State shall enforce the Compact and take all  
511 actions necessary and appropriate to carry out the Compact's purpose and intent. The  
512 Commission supports efforts to resolve disputes between and among Compact States  
513 and encourages communication directly between Compact States prior to employing  
514 formal resolution methods.
- 515 (B) Any Compact State may submit a written request to the Executive Committee for  
516 assistance in interpreting the law, rules, and policies of the Compact. The Executive  
517 Committee may seek the assistance of the Commission's legal counsel in interpreting  
518 the Compact. The Executive Committee shall issue the Commission interpretation of  
519 the Compact to all parties to the dispute.
- 520 (C) Before submitting a complaint to the Executive Committee, the complaining Member  
521 State and responding Member State shall attempt to resolve the issues without  
522 intervention by the Commission.
- 523 (D) When disputes among Member States are unresolved through informal attempts, the  
524 Commission shall request assistance from the Executive Committee.



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- 525 (1) It is the duty of the Executive Committee to address disputes between or  
526 among the Member States concerning the Compact when informal attempts  
527 between the Compact States to resolve disputes have been unsuccessful.
- 528 (2) The Executive Committee, on behalf of the Commission, in the reasonable  
529 exercise of its discretion, has the authority to assist in the resolution of disputes  
530 between and among Member States concerning the Compact.

### 531 (E) Informal Resolution

- 532 (1) In the event of a dispute arising from the interpretation or application of the  
533 Compact by a Member State, the following procedure shall be followed:
- 534 (A) The Commissioner of the disputing state shall initiate contact with the  
535 Commissioner(s) of the Member State(s) involved in the dispute.
- 536 (B) The initiating Commissioner shall provide a written statement to the  
537 Commissioner(s) of the concerned state(s). This statement, which will  
538 be copied to the Executive Committee, shall detail the nature of the  
539 dispute.
- 540 (C) Upon receipt of the dispute letter, the Commissioner(s) of the state(s)  
541 involved shall:
- 542 (i) Review the contents of the letter.
- 543 (ii) Conduct an inquiry into the matter.
- 544 (iii) Provide a written response addressing the issues raised.
- 545 (D) The response must be issued, in writing copied to the Executive  
546 Committee, within 30 calendar days from the receipt of the dispute  
547 letter.
- 548 (E) If interpretation of the Compact is necessary, the Commissioner(s) shall  
549 contact the Executive Committee via the Executive Director to request  
550 assistance in interpreting relevant provisions.
- 551 (F) The Commissioner raising the concern shall document all attempts to  
552 resolve the issues.
- 553 (2) If the issues cannot be resolved between the Member States, the dispute shall  
554 be referred to the Executive Committee for further consideration.
- 555 (3) Disputes between two (2) or more Member States which cannot be resolved  
556 through informal resolution or through the Executive Committee, may be  
557 referred to mediation and/or an arbitration panel to resolve the issues.

### 558 (F) Mediation.

- 559 (1) A Compact State that is a party to a dispute may request, or the Executive  
560 Committee may require, the submission of a matter in controversy to  
561 mediation.
- 562 (2) Mediation shall be conducted by a mediator appointed by the Executive

## Administrative Rules - Interstate Commission for EMS Personnel Practice

- 563 Committee from a list of mediators approved by the National Association of  
564 Certified Mediators, or a mediator otherwise agreed to by all parties to the  
565 dispute and pursuant to procedures customarily used in mediation proceedings.
- 566 (3) If all issues are resolved through mediation to the satisfaction of all Member  
567 States involved, no further action is required.
- 568 (4) In the event mediation is necessary, and unless otherwise agreed in advance by  
569 all parties, the prevailing party or parties may be entitled to recover the costs of  
570 such medication, including reasonable attorneys' fees, to the extent permitted  
571 by state law of the prevailing party state. The Commission shall not be liable  
572 for any fees, costs or charges pertaining to mediation.

### (G) Arbitration.

- 574 (1) In the event of a dispute between Member States that cannot be resolved  
575 through informal means or by mediation, the Commissioner of the initiating  
576 Member State(s) shall submit an Arbitration Request form to the Executive  
577 Director with a copy to be sent by the initiating state to the other Member  
578 State(s) involved.
- 579 (2) Each Member State party to the dispute shall submit a signed Arbitration  
580 Agreement.
- 581 (3) The Executive Director shall coordinate the arbitration process.
- 582 (4) The decision of the arbitrator(s) shall be final and binding.
- 583 (5) In the event arbitration is necessary, and unless otherwise agreed by the  
584 parties, at the discretion of an independent arbitration panel, the prevailing  
585 party or parties may be entitled to recover the costs of such arbitration,  
586 including reasonable attorneys' fees, to the extent permitted by state law of the  
587 prevailing party state. The Commission shall not be liable for any fees, costs or  
588 charges pertaining to arbitration.
- 589 (6) Arbitration decisions may be enforced in a court of competent jurisdiction.

590 **13.3 Costs.** The Commission shall not bear any costs relating to the defaulting Compact State  
591 unless otherwise mutually agreed upon between the Commission and the defaulting Compact  
592 State.

593 **13.4 Judicial Enforcement.** The Commission may by majority vote of the Commissioners, initiate  
594 legal action in the United States District Court for the Middle District of Pennsylvania to  
595 enforce compliance with the provisions of the Compact, its duly promulgated Rules and  
596 Bylaws against any Compact State in default. If judicial enforcement is necessary, the  
597 prevailing party shall be awarded all costs of such litigation including reasonable attorney's  
598 fees.

599

**Editorial / Background Note:** Section 14 clarifies the Implementation Date and Activation Date of the EMS Compact. Both dates have been previously designated and approved as a policy of the Interstate Commission for EMS Personnel Practice.

600

601 **SECTION 14. ~~Not Used~~ Compact Implementation and Activation Date.**

602 **14.1 Implementation Date.** The Compact was implemented on October 7, 2017, following the  
603 enactment of the EMS Compact legislation in ten (10) Member States.

604 **14.2 Activation Date.** The Compact was activated on March 15, 2020.

605 **SECTION 15. Not Used**



## 2024 Commissioner Meeting Schedule

Date	Time	Type	Audience
May 14, 2024	3PM (ET)	Hybrid – Pittsburg, PA	All Commissioners
October 9, 2024**	3PM (ET)	Virtual	All Commissioners
** Annual Elections Meeting: Chairperson, Treasurer, Commissioner At-Large			

## Timeline & Key Dates

**2013**

January & March National Advisory Panel Meetings  
June, August & October Drafting Team

**2014**

Model Legislation

**2017**

May 8 Georgia – as the 10<sup>th</sup> state – enacted REPLICA legislation, triggering the EFFECTIVE date of EMS Compact.  
October 7 Inaugural meeting of the Interstate Commission for EMS Personnel Practice.

**2020**

March 15 EMS Compact fully ACTIVATED including the Privilege to Practice. This activation date triggered the five (5) year compliance clock on biometric background checks.

**2025**

March 15 All Members States shall be in compliance with FBI biometric background checks as a prerequisite for the issuance of initial state EMS licenses for EMT, Paramedic and levels between EMT & Paramedic.  
States enacting the REPLICA legislation after this date are required to have biometric background checks implemented prior to acceptance into the EMS Compact.

For Reference



INTERSTATE COMMISSION FOR  
**EMS PERSONNEL PRACTICE**

**Published Press Releases**

< All News

# Commission Elects Secretary; Seats Six New Commissioners

16 NOV 2023



The Interstate Commission for EMS Personnel Practice convened for its fourth-quarter meeting on November 15, 2023. It is with great pleasure that the commission announces the re-election of Commissioner Joe House from Kansas for a second term as Secretary. With a track record of exceptional leadership, Commissioner House has been instrumental in driving the commission's achievements and spearheading its initiatives.

In a significant move, the commission has also appointed and formally seated six new commissioners, each representing a different state and bringing a wealth of experience to the table:

- Commissioner Bobbie Sullivan of Nevada
- Commissioner Dale Adkerson of Oklahoma
- Commissioner Teresa Windham of Mississippi

- Commissioner Michael Bateman of Colorado
- Commissioner Britany Huss of Delaware
- Commissioner Mitch Stewart of South Carolina

These new members are recognized for their unique backgrounds and a unified dedication to the advancement of emergency medical services across state lines. Their collective expertise is expected to greatly contribute to the pursuit of nationwide EMS excellence.

With these appointments, the Interstate Commission for EMS Personnel Practice embarks on a renewed journey of collaboration and innovation in EMS care, bolstered by the stewardship of both returning and new commissioners.

The commission extends an invitation to its partners, stakeholders, and the broader community to join in congratulating and supporting these committed professionals as they assume their critical roles in the enhancement of the EMS sector.



[CONTACT](#)

[RESOURCES](#)

Interstate Commission for EMS Personnel Practice  
5010 E. Trindle Rd, Suite 202  
Mechanicsburg, PA 17050

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FOR IMMEDIATE RELEASE

## **Interstate Commission for EMS Personnel Practice Endorses Position Paper on Biometric Criminal History Checks**

December 6, 2023 – The Interstate Commission for EMS Personnel Practice is excited to announce the approval and release of the Position Paper titled "Biometric Criminal History Checks for EMS Personnel" (POSITION PAPER 2023-01), effective December 6, 2023. This position paper underscores the vital necessity for a consistent implementation of FBI-compliant biometric criminal history records checks for all Emergency Medical Services practitioner licensures in the United States.

The Commission firmly maintains that biometric checks for EMS practitioners, who frequently engage with vulnerable populations in various settings, are an essential aspect of public safety and protection. This measure brings EMS in line with other healthcare professions, ensuring uniformity across health professions in the protection of public welfare and the maintenance of the highest standards of professional integrity.

The Commission asserts that FBI-compliant biometric criminal history record checks should be the national standard for all EMS practitioners. With the adoption of the Recognition of EMS Personnel Practice Interstate Compact (REPLICA) by 24 states, which mandates biometric criminal history checks, the Position Paper recommends that this FBI-compliant background check practice be extended to all EMS personnel nationwide. The focus is on enhancing public safety, professional ethics, public trust, and addressing the unique challenges present in EMS service.

###

### **About the Interstate Commission for EMS Personnel Practice (ICEMSPP)**

The Interstate Commission for EMS Personnel Practice (ICEMSPP), established under the Recognition of EMS Personnel Licensure Interstate Compact (REPLICA) legislation, is the governing body responsible for overseeing the operations of the EMS Compact. The Commission, comprising appointed Commissioners from each member state, ensures compliance with the Compact's provisions, manages its operations, and resolves interstate disputes. The ICEMSPP's jurisdiction focuses on cross-border EMS activities, maintaining a national database of EMS personnel, and upholding uniform practices across member states to enhance EMS care and public safety.



### **The Seal of the Interstate Commission for EMS Personnel Practice**

In the center of this emblem, a stylized white Star of Life resides within a hexagon, set against a background of rich blue. The blue hexagon, recognized for its symbolism of equilibrium and unity, envelops the emblem and represents the profound sense of trust, reliability, and steadfastness that are fundamental qualities within the field of Emergency Medical Services.

The Star of Life, an enduring symbol first granted to Nationally Registered EMTs in 1970, embodies professionalism, solidarity, and an unwavering commitment to the highest standards of practice. It was graciously bestowed upon the nation by the National Registry and serves as a unifying emblem for the EMS profession. At the core of the Star of Life, a radiant single star shines brightly, symbolizing the unified voice and identity of Emergency Medical Services across the nation. Adjacent to the Star of Life, an arrow points right, symbolizing the industry's collective progress and forward momentum.

The inclusion of a red circle, borrowed from the seal of the United States Department of Homeland Security, represents bureaucratic red tape. Just as the red circle is divided on the Department of Homeland Security's seal, signifying the removal of obstacles, this emblem features 24 openings within the red circle, mirroring the number of Compact Member states at the time this seal was adopted. This imagery illustrates the Compact's ability to transcend bureaucratic barriers and overcome hurdles in its pursuit of a brighter future.

The emblem's base proudly showcases ten Stars of Life, honoring the initial ten states whose legislative efforts gave rise to the EMS Compact. This serves as a testament to the collaborative spirit that was essential in establishing the EMS Compact.

The entire composition is set against a pristine white backdrop, symbolizing the purity, honor, and intrinsic value of the Emergency Medical Services profession. The colors red, white, and blue incorporated in the seal not only symbolize the United States but also reflect the dedication, unity, and unwavering commitment of the EMS Compact in facilitating the interstate movement and license recognition of EMS personnel, sharing data between states, enhancing public safety, and promoting collaboration to serve the nation's communities with excellence and care.



# INTERSTATE COMMISSION FOR EMS PERSONNEL PRACTICE™

FOR IMMEDIATE RELEASE

December 6, 2023

Interstate Commission for EMS Personnel Practice Unveils Official Seal



The Executive Committee of the Interstate Commission for EMS Personnel Practice is proud to announce the adoption of its official seal, a symbol of unity, progress, and dedication within the Emergency Medical Services field.

At the heart of the seal is a stylized iconic Star of Life, set within a blue hexagon. The hexagon, known for its representation of balance and unity, symbolizes the trust, reliability, and steadfastness essential to EMS. The Star of Life, the symbol for EMS since 1970, embodies the highest standards of professionalism and commitment in the EMS profession. Central to the Star of Life is a radiant star, representing the unified voice and identity of EMS across the nation, while an adjacent arrow points right, signifying the industry's forward momentum.

Significantly, the seal incorporates a red circle, borrowed from the seal of the United States Department of Homeland Security (DHS), as a nod to the historical connection between DHS and the EMS Compact. It was DHS that originally funded the creation of the EMS Compact, symbolizing a foundational support in its inception. This circle, featuring 24 openings corresponding to the states that are currently part of the Compact and representing the Compact's ability to overcome bureaucratic “red tape” and challenges.

The base of the emblem honors the ten founding states of the EMS Compact with ten Stars of Life, a tribute to the collaborative spirit foundational to the Compact's establishment.

Set against a white background, the seal's colors - red, white, and blue - are not only emblematic of the United States but also reflect the dedication, unity, and commitment of the EMS Compact. This seal represents the Compact's mission to facilitate interstate movement and license recognition for EMS personnel, enhance public safety, and promote collaboration for excellence in serving communities across the nation.

"We are honored to introduce this seal, which encapsulates the essence of our mission and the collective spirit of the EMS community," stated Donnie Woodyard, the Executive Director of the Interstate Commission for EMS Personnel Practice. "It's a symbol of our unwavering commitment to uphold the highest standards of care and to foster a united EMS front across state lines. The inclusion of elements from the DHS seal is a powerful reminder of our roots and the continuous support that has propelled the EMS Compact forward."

Commissioner Kraig Kinney, the Chair of the Executive Committee remarked, "The unveiling of this seal marks a historic moment for the Commission. This seal is a testament to our journey, our achievements, and our aspirations. It stands as a symbol of our dedication to continually advance the EMS profession."

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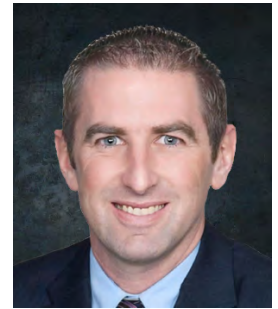
# INTERSTATE COMMISSION FOR EMS PERSONNEL PRACTICE

## PRESS RELEASE

### Interstate Commission for EMS Personnel Practice Welcomes Anthony Martin, MBA, NRP as Pennsylvania's EMS Compact Commissioner

January 18, 2024

The Interstate Commission for EMS Personnel Practice is pleased to announce the appointment of Anthony Martin, MBA, NRP as the EMS Compact Commissioner for the Commonwealth of Pennsylvania. Mr. Martin was officially seated as Pennsylvania's Commissioner at the Executive Committee meeting held on January 10, 2024.



*Commissioner Anthony Martin*

Commissioner Martin, with over two decades of experience as a paramedic, has played a pivotal role in advancing emergency medical services in Pennsylvania. In December 2023, he took the helm as the Director of the Bureau of Emergency Medical Services at the Pennsylvania Department of Health, demonstrating exceptional leadership and expertise. His dedication to clinical care, quality education, and the well-being of EMS personnel is unparalleled. Commissioner Martin's educational background includes a Bachelor's Degree in Organizational Leadership from Penn State University and a Master's Degree in Business Administration from Alvernia University.

Kraig Kinney, Chair of the Executive Committee, extends a hearty welcome to Commissioner Martin, remarking, "We are thrilled to have Anthony onboard as the EMS Compact Commissioner for Pennsylvania. His profound experience and unwavering commitment to emergency medical services excellence are invaluable assets to our team. We eagerly anticipate collaborating with him to elevate EMS practices across state boundaries."

In his new role, Commissioner Martin is set to continue advocating for superior standards in emergency medical services. His appointment marks a crucial step in fortifying the collaborative efforts and expertise within the EMS community, enhancing service quality and efficiency across state lines.

The Interstate Commission for EMS Personnel Practice extends its gratitude to all partners and stakeholders for their ongoing support and looks forward to a productive and impactful tenure with Commissioner Martin at the helm for Pennsylvania.

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#### **About the Interstate Commission for EMS Personnel Practice (ICEMSPP)**

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## PRESS RELEASE

### The Interstate Commission for EMS Personnel Practice Announces New Commissioners for Missouri and Virginia

February 16, 2024

The Interstate Commission for EMS Personnel Practice (ICEMSPP) is delighted to announce the appointment of two new Commissioners. The State of Missouri has appointed George Miller as the Delegate and Commissioner to the EMS Compact's Commission, effective February 7, 2024. Similarly, Camela Crittenden has been appointed as the Delegate and Commissioner for the Commonwealth of Virginia, starting February 14, 2024.

Commissioners Miller and Crittenden bring to the Commission an impressive wealth of experience in emergency medical services. Both have extensive experience in their respective State EMS Offices and possess expertise in EMS operations and personnel licensure.

The Commission extends a warm welcome to both Mr. Miller and Ms. Crittenden, expressing confidence in their abilities to foster interstate collaboration and elevate EMS standards. Donnie Woodyard, the Executive Director of the Commission, remarks, "The addition of their diverse experiences and profound dedication to EMS will be invaluable in our pursuit of enhancing emergency medical services across state lines."

In their new roles, Commissioners Miller and Crittenden are expected to play a crucial role in advocating for superior standards in emergency medical services. Their appointment is key in fostering collaborative efforts and enhancing service quality and efficiency throughout the member states.



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#### About the Interstate Commission for EMS Personnel Practice (ICEMSPP)

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## 2024 Legislative Session Calendar

**Scheduled**

Last updated: October 27, 2023.

State	Session Dates												Profile Date	Carryover	
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec		'23 to '24	'24 to '25
Alabama		2/6/24			5/20/24								9/5/23	No	No
Alaska	1/16/24				5/15/24								1/8/24	Yes	No
Arizona	1/8/24			4/20/24									11/15/23	No	No
Arkansas				4/10/24	5/9/24								3/11/24	No	No
California	1/3/24							8/30/24						Yes	No
Colorado	1/10/24				5/8/24								12/1/23	No	No
Connecticut		2/7/24			5/8/24									No	No
Delaware	1/9/24					6/30/24							9/1/23	Yes	No
Florida	1/9/24		3/8/24										8/4/23	No	No
Georgia	1/8/24		3/27/24										11/15/23	Yes	No
Hawaii	1/17/24				5/2/24								1/8/24	Yes	No
Idaho	1/8/24		3/29/24											No	No
Illinois	1/10/24				5/31/24									Yes	No
Indiana	1/9/24		3/14/24											No	No
Iowa	1/8/24			4/16/24										Yes	No
Kansas	1/8/24				5/17/24								11/15/23	Yes	No
Kentucky	1/2/24			4/12/24									10/2/23	No	No
Louisiana			3/11/24			6/3/24							1/10/24	No	No
Maine	1/3/24			4/17/24									9/29/23	Yes	No
Maryland	1/10/24			4/8/24									11/1/23	No	No
Massachusetts	1/3/24						7/31/24							Yes	No
Michigan	1/10/24										12/31/24			Yes	No
Minnesota		2/12/24			5/20/24									Yes	No
Mississippi	1/2/24				5/5/24								11/1/23	No	No
Missouri	1/3/24				5/10/24								12/1/23	No	No
Montana	No regular session in even-numbered years														
Nebraska	1/3/24			4/18/24										Yes	No
Nevada	No regular session in even-numbered years														
New Hampshire	1/3/24					6/28/24							9/11/23	Yes	No
New Jersey	1/9/24										12/31/24		11/15/23	No	Yes
New Mexico	1/16/24	2/15/24											1/2/24	No	No
New York	1/3/24						6/6/24						11/15/23	Yes	No
North Carolina				4/24/24			7/31/24							Yes	No
North Dakota	No regular session in even-numbered years														
Ohio	1/2/24											12/31/24		Yes	No
Oklahoma		2/5/24			5/31/24								12/8/23	Yes	No
Oregon		2/5/24	3/10/24										11/9/23	No	No
Pennsylvania	1/2/24										11/30/24			Yes	No
Rhode Island	1/2/24					6/30/24								No	No
South Carolina	1/9/24				5/9/24								11/16/23	Yes	No
South Dakota	1/9/24		3/25/24										12/10/23	No	No
Tennessee	1/9/24			4/25/24									11/8/23	Yes	No
Texas	No regular session in even-numbered years														
Utah	1/16/24		3/1/24										5/3/23	No	No
Vermont	1/2/24				5/9/24									Yes	No
Virginia	1/10/24		3/9/24										11/20/23	No	Yes
Washington	1/8/24		3/7/24										12/1/23	Yes	No
West Virginia	1/10/24		3/9/24										12/10/23	Yes	No
Wisconsin	1/16/24		3/14/24											Yes	No
Wyoming		2/12/24	3/8/24										12/1/23	No	No





## Commissioner Appointment Memo Template

**To:** Donnie Woodyard, Jr., Executive Director  
Interstate Commission for EMS Personnel Practice  
5010 E. Trindle Rd, Suite 202  
Mechanicsburg, PA 17050

**FROM:** Governor, Cabinet Secretary or Signature Authority Delegee

**Subject:** Notification of Commissioner Appointment Memo

In accordance with Section 10.B.1 of the Recognition of EMS Personnel Interstate Compact ("REPLICA") model legislation, as enacted in <<STATE CODE REFERENCE>>, the State of <<STATE>> hereby designates <<NAME>> as the delegate ("Commissioner") to the Interstate Commission of EMS Personnel Practice.

<<STATE CODE REFERENCE>> outlines the guidelines for the appointment of the delegate as follows:

"Each member state shall have and be limited to one (1) delegate. The responsible official of the state EMS authority or his designee shall be the delegate to this compact for each member state. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed. Any vacancy occurring in the Commission shall be filled in accordance with the laws of the member state in which the vacancy exists. In the event that more than one board, office, or other agency with the legislative mandate to license EMS personnel at and above the level of EMT exists, the governor of the state will determine which entity will be responsible for assigning the delegate."

This appointment is effective [Effective Date]. If you need additional information regarding this appointment, please contact [Contact Name] in my office at [Contact Phone Number] or [Contact Email Address].

Please make the necessary updates to your records to reflect this appointment. If you require any additional information or documentation regarding this appointment, please do not hesitate to contact us at [Your Contact Information].

We appreciate your attention to this matter and look forward to <<name>>'s active participation in the Interstate Commission for EMS Personnel Practice.



## Example Privilege to Practice Scenarios

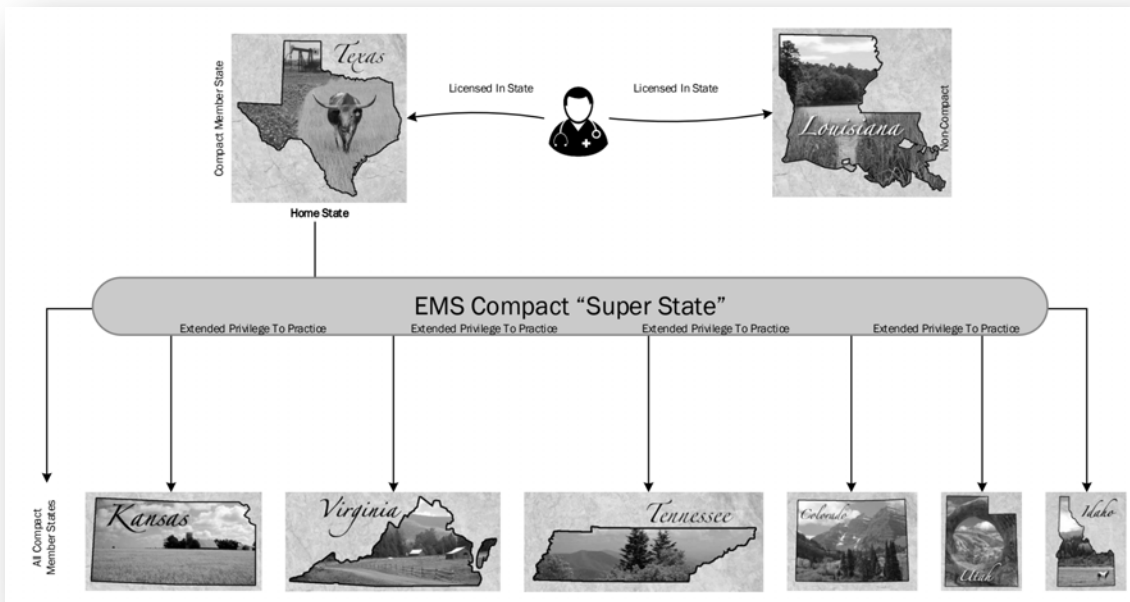
### Introduction & Background

In an effort to provide valuable insights to Commissioners, State EMS Licensing Officials, Employers, and Stakeholders regarding the EMS Compact and the Privilege to Practice, the Commission has developed a range of illustrative scenarios. These scenarios have been instrumental since 2014 in enhancing comprehension and facilitating discussions around these critical topics.

In our continuous commitment to refine and standardize these illustrative scenarios, we have created six revised draft scenarios, designated as Scenario A through F. These revised scenarios aim to maintain consistency while offering a deeper understanding of the subject matter through nuanced details.

It is important to acknowledge that fictional scenarios, by their nature, have certain limitations. However, we have endeavored to ensure that these examples remain grounded in reality and are relatable to the various stakeholders involved in EMS Compact discussions.

Please note: The sample scenarios provided are not exhaustive but represent some of the most prevalent use-case scenarios for the EMS Compact.



(Above image from the 2016 Scenarios)



# INTERSTATE COMMISSION FOR EMS PERSONNEL PRACTICE

<b>Scenario A</b>			
<b>Description</b>	Bob lives, works, and is licensed as an EMT in Colorado (a Compact Member State). Bob obtained his EMT license 25 years ago, before the state required NREMT certification. Bob has never had an FBI fingerprint background check. Bob works for the Big Blue Ambulance Service. Big Blue Ambulance Service is dispatched into Kansas (also a Compact Member State). Bob is not licensed as an EMT in Kansas. Bob treats and transports a patient to a hospital in Kansas. Before returning to Colorado, Big Blue Ambulance Service picks up another patient in Kansas and transports that patient to a hospital in Colorado.		
<b>EMS Practitioner</b>	<p>"Bob" is:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> An EMT with a valid, unrestricted license issued by Colorado</li> <li><input checked="" type="checkbox"/> Over 18 years old</li> <li><input checked="" type="checkbox"/> Is employed by the Big Blue Ambulance Service (paid or volunteer).</li> <li><input checked="" type="checkbox"/> Is properly credentialed by Big Blue Ambulance Service.</li> <li><input checked="" type="checkbox"/> Able to use their EMSID to validate a Privilege to Practice status at <a href="http://www.emscompact.gov">www.emscompact.gov</a></li> </ul>	<b>Agency / Appropriate Authority</b>	Big Blue Ambulance Service, assumptions: <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Is operating in accordance with all applicable laws and regulations in Colorado.</li> <li><input checked="" type="checkbox"/> Is authorized to hire (paid/un-paid), supervise, and utilize EMS practitioners in Colorado.</li> <li><input checked="" type="checkbox"/> Has a physician medical director</li> <li><input checked="" type="checkbox"/> Is <i>a/so</i> operating in accordance with all applicable laws and regulations in Kansas.</li> </ul>
<b>Home State</b>	Colorado is a Compact Member State and Bob's Home State. Colorado is: <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> In compliance with all EMS Compact requirements</li> <li><input checked="" type="checkbox"/> Is submitting license data to the National EMS Coordinated Database (NEMSCD)</li> </ul> <p>Colorado requires all initial EMT applicants seeking a license to adhere to the following:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Successful completion of the NREMT exam</li> <li><input checked="" type="checkbox"/> Completion and review of an FBI Biometric Criminal History Background Check</li> </ul>	<b>Medical Director</b>	<ul style="list-style-type: none"> <li>• The physician medical director is provided by Big Blue Ambulance Service.</li> <li>• Big Blue Ambulance Service is responsible for employing/contracting with a physician medical director in accordance with the laws, rules, regulations of Colorado &amp; Kansas.</li> </ul>
<b>Remote State</b>	<ul style="list-style-type: none"> <li>• Kansas is a Compact Member State.</li> <li>• Kansas is required to recognize Bob's Privilege to Practice.</li> <li>• Kansas has the full authority to investigate, sanction and discipline Bob for violations of law, administrative rules or practice standards.</li> </ul>	<b>Scope of Practice</b>	Defined by the laws and rules of Colorado, the Home State, in addition to what Big Blue Ambulance Service (and Medical Director) may limit or modify (in accordance with local requirements).
<b>Protocols</b>	Big Blue Ambulance Service's protocols.		
<b>Privilege to Practice</b>  	<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Bob has a Valid Privilege to Practice</li> <li><input checked="" type="checkbox"/> The Privilege to Practice does not require an application or pre-approval authorization.</li> <li><input checked="" type="checkbox"/> Bob is authorized to utilize the Privilege to Practice in the Remote State</li> <li><input checked="" type="checkbox"/> Bob's employer can be confident Bob is legally valid to function as an EMT in the Remote State</li> <li><input checked="" type="checkbox"/> Kansas state law requires the Remote State to honor Bob's EMT PTP</li> </ul>	<b>Notes</b>	<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> NREMT certification as a prerequisite for State Licensure is a requirement for all new initial licenses issued by the Home State, moving forward from the date the Compact Legislation was enacted.</li> <li><input checked="" type="checkbox"/> The FBI Background check is also a license prerequisite for all new initial licenses issued by the Home State. States have until March 2025 to implement this requirement.</li> </ul>
<b>Discussion</b>	This example illustrates a valid multistate Privilege to Practice under the EMS Compact. It allows EMS Practitioners to perform their professional duties across state lines without requiring a license from the Remote State. The Remote State can still investigate complaints or violations, even if the practitioner isn't licensed there. Note that the scenario assumes the EMS Agency is operating in compliance with all applicable state regulations; the EMS Compact is for personnel not agencies.		



# INTERSTATE COMMISSION FOR EMS PERSONNEL PRACTICE

<b>Scenario B</b>			
<b>Description</b>	Jane is licensed as a Paramedic in Texas (a Compact Member State). Jane works for the Big Blue Ambulance Service, a busy urban service. Jane is experiencing burnout and wants a change of pace. Jane has family that lives in rural Wyoming with skiing, mountains, and hiking nearby. Jane is <b>not</b> licensed in Wyoming. EMS in the local area is provided by XYZ Fire Department, and they have a staffing shortage. Jane takes a leave of absence from Big Blue Ambulance and starts working part-time for XYZ Fire Department in Wyoming as a Paramedic.		
<b>EMS Practitioner</b>	<p>“Jane” is:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> A Paramedic with a valid, unrestricted license issued by Texas</li> <li><input checked="" type="checkbox"/> Over 18 years old</li> <li><input checked="" type="checkbox"/> Is employed by the XYZ Fire Department (paid or volunteer).</li> <li><input checked="" type="checkbox"/> Is properly credentialed by XYZ Fire Department.</li> <li><input checked="" type="checkbox"/> Able to use their EMSID to validate a Privilege to Practice status at <a href="http://www.emscompact.gov">www.emscompact.gov</a></li> </ul>	<b>Agency / Appropriate Authority</b>	<p>In this scenario, Big Blue Ambulance Service has <b>no</b> responsibilities for Jane in Wyoming.</p> <p>XYZ Fire Department assumptions:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Is operating in accordance with all applicable laws and regulations in Wyoming.</li> <li><input checked="" type="checkbox"/> Is authorized to hire (paid/un-paid), supervise, and utilize EMS practitioners in Wyoming.</li> <li><input checked="" type="checkbox"/> Has a physician medical director</li> </ul>
<b>Home State</b>	<p>Texas is a Compact Member State and Jane’s Home State. Texas is:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> In compliance with all EMS Compact requirements</li> <li><input checked="" type="checkbox"/> Is submitting license data to the National EMS Coordinated Database (NEMSCD)</li> </ul> <p>Texas requires all initial Paramedic applicants seeking a license to adhere to the following:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Successful completion of the NREMT exam</li> <li><input checked="" type="checkbox"/> Completion and review of an FBI Biometric Criminal History Background Check</li> </ul>	<b>Medical Director</b>	<ul style="list-style-type: none"> <li>• The physician medical director for Big Blue Ambulance Service has <b>no</b> responsibility for Jane in Wyoming.</li> <li>• The physician medical director for Jane will be provided by XYZ Fire Department in Wyoming.</li> </ul>
<b>Remote State</b>	<ul style="list-style-type: none"> <li>• Wyoming is a Compact Member State.</li> <li>• Wyoming law requires the state to recognize Jane’s Privilege to Practice.</li> <li>• Wyoming has the full authority to investigate, sanction and discipline Jane for violations of law, administrative rules or practice standards.</li> <li>• Wyoming can request Texas Office of EMS to assist with any enforcement or investigation actions, should they arise.</li> </ul>	<b>Scope of Practice</b>	Defined by the laws and rules of Wyoming (the Remote State), in addition to what XYZ Fire Department (and Medical Director) may limit or modify (in accordance with local requirements).
<b>Protocols</b>	XYZ Fire Department protocols.		
<b>Privilege to Practice</b>	<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Jane has a Valid Privilege to Practice</li> <li><input checked="" type="checkbox"/> The Privilege to Practice does not require an application or pre-approval authorization.</li> <li><input checked="" type="checkbox"/> Jane is authorized to utilize the Privilege to Practice in the Remote State</li> <li><input checked="" type="checkbox"/> Jane’s employer can be confident Jane is legally valid to function as an EMT in the Remote State</li> <li><input checked="" type="checkbox"/> The Remote State’s law requires the State to honor Jane’s Paramedic PTP</li> </ul>		
<b>Discussion</b>	<p>This example highlights the value of the multistate Privilege to Practice offered by the EMS Compact. Given the high rate of burnout among EMS workers and the challenges faced by communities in recruiting and retaining EMS Practitioners, the Compact presents valuable tools for EMS agencies. In this scenario, Jane can transition to a new work environment, potentially rejuvenating her career without leaving the profession. The local EMS agency gains the benefit of immediately credentialing Jane and putting her to work. This arrangement allows Jane to apply her skills in a fresh setting, and her Home State employer may even have the opportunity to welcome her back revitalized in the future. It is important to note the critical steps taken by the XYZ Fire Department: they interview, affiliate, and locally credential Jane.</p>		



# INTERSTATE COMMISSION FOR EMS PERSONNEL PRACTICE

<b>Scenario C</b>			
<b>Description</b>	Sam is a licensed as a Paramedic in Virginia (a Compact Member State). Sam works for an aeromedical service (“We-Fly”) located in Virginia, but the aeromedical service has multiple bases in other Compact Member States including West Virginia. Sam is <b>not</b> licensed in any other state. We-Fly has a staffing shortage in West Virginia (a Compact State) and Sam accepts the overtime shift. Sam, an employee of “We-Fly (Virginia)” drives to the base of “We-Fly (West Virginia)” to cover a shift as a Paramedic.		
<b>EMS Practitioner</b>	<p>“Sam” is:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> A Paramedic with a valid, unrestricted license issued by Virginia</li> <li><input checked="" type="checkbox"/> Over 18 years old</li> <li><input checked="" type="checkbox"/> Is employed by the We-Fly in Virginia.</li> <li><input checked="" type="checkbox"/> Able to use their EMSID to validate a Privilege to Practice status at <a href="http://www.emscompact.gov">www.emscompact.gov</a></li> </ul>	<b>Agency / Appropriate Authority</b>	<p>When Sam goes to the base in West Virginia (the State), the agency is the We-Fly entity that is licensed and regulated by West Virginia (which may be a different entity than the We-Fly that Sam routinely works for).</p> <p>We-Fly (in West Virginia) assumptions:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Is operating in accordance with all applicable laws and regulations in West Virginia.</li> <li><input checked="" type="checkbox"/> Is authorized to hire (paid/un-paid), supervise, and utilize EMS practitioners in West Virginia.</li> <li><input checked="" type="checkbox"/> Has a physician medical director</li> </ul>
<b>Home State</b>	<p>Virginia is a Compact Member State and the Home State. Virginia is:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> In compliance with all EMS Compact requirements</li> <li><input checked="" type="checkbox"/> Is submitting license data to the National EMS Coordinated Database (NEMSCD)</li> </ul> <p>Virginia requires all initial Paramedic applicants seeking a license to adhere to the following:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Successful completion of the NREMT exam</li> <li><input checked="" type="checkbox"/> Completion and review of an FBI Biometric Criminal History Background Check</li> </ul>	<b>Medical Director</b>	<ul style="list-style-type: none"> <li>• Paramedic Sam needs to determine who is the physician medical director for We-Fly (West Virginia). It may be the same Medical Director for We-Fly (Virginia), or it may be different.</li> <li>• If it is a different Medical Director, Sam must ensure she is properly credential by the new Medical Director.</li> </ul>
<b>Remote State</b>	<ul style="list-style-type: none"> <li>• West Virginia is a Compact Member State.</li> <li>• West Virginia is required to recognize Sam’s Privilege to Practice.</li> <li>• West Virginia has the full authority to investigate, sanction and discipline Sam for violations of law, administrative rules or practice standards.</li> </ul>	<b>Scope of Practice</b>	Sam will be responsible for operating under the Scope of Practice established by West Virginia (the Remote State), in addition to what We-Fly (West Virginia) and the local Medical Director may limit or modify (in accordance with local requirements).
<b>Protocols</b>	Sam will operate under the Protocols used by We-Fly (West Virginia). Because it is the same parent company the protocols may be standardized, but it’s Sam’s responsibility to know and abide by any differences.		
<b>Privilege to Practice</b>	<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Sam has a Valid Privilege to Practice</li> <li><input checked="" type="checkbox"/> The Privilege to Practice does not require an application or pre-approval authorization.</li> <li><input checked="" type="checkbox"/> Sam is authorized to utilize the Privilege to Practice in the Remote State</li> <li><input checked="" type="checkbox"/> Sam’s employer can be confident Sam is legally valid to function as an EMT in the Remote State</li> <li><input checked="" type="checkbox"/> The Remote State’s law requires the State to honor Sam’s Paramedic PTP</li> </ul>		
<b>Discussion</b>	This scenario highlights the complexities of workforce mobility enabled by the EMS Compact. While Sam’s Privilege to Practice is valid, it’s crucial to note that all EMS Practitioners must be affiliated (Credentialed) with a local EMS agency and have an appropriate medical director. Given that the aeromedical base is in a different state, variations in medical directors, scope of practice, or protocols may exist, potentially affecting Sam’s ability to work seamlessly across state lines. Once these factors are confirmed and aligned, Sam can confidently work shifts, knowing that their Home State Paramedic License is recognized, and they have a valid Privilege to Practice.		



# INTERSTATE COMMISSION FOR EMS PERSONNEL PRACTICE

<b>Scenario D</b>			
<b>Description</b>	Jane is a licensed as an EMT in Georgia (a Compact Member State), but Jane is not currently employed as an EMT. Jane is <u>not</u> licensed in any other state. Jane sees an ad calling for EMTs to assist with a large music festival in Louisiana (a Compact Member State). Jane completes a virtual interview and is offered a temporary position with EMTs"R"US. While Jane will not be paid for her work at the festival, the agreement includes a free 4-day pass to the festival in exchange for 24 hours of volunteer work as an EMT. Jane goes to the festival. At the festival Jane meets the Physician Medical Director, is provided EMT protocols, and is briefed on the operational expectations. Later that day Jane is required to complete a series of practice scenarios and take a protocol quiz. The team coordinator reminds the EMTs of the applicable state and local rules and regulations related to event medicine.		
<b>EMS Practitioner</b>	<p>"Jane" is:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> An EMT with a valid, unrestricted license issued by Georgia</li> <li><input checked="" type="checkbox"/> Over 18 years old</li> <li><input checked="" type="checkbox"/> Is employed by "EMTs'R'US (although not paid).</li> <li><input checked="" type="checkbox"/> Able to use their EMSID to validate a Privilege to Practice status at <a href="http://www.emscompact.gov">www.emscompact.gov</a></li> </ul>	<b>Agency / Appropriate Authority</b>	EMTs"R"US assumptions: <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Is operating in accordance with all applicable laws and regulations in Louisiana.</li> <li><input checked="" type="checkbox"/> Is authorized to hire (paid/un-paid), supervise, and utilize EMS practitioners in Louisiana.</li> <li><input checked="" type="checkbox"/> Has a physician medical director</li> </ul>
<b>Home State</b>	<p>Georgia is a Compact Member State and the Home State. Georgia is:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> In compliance with all EMS Compact requirements</li> <li><input checked="" type="checkbox"/> Is submitting license data to the National EMS Coordinated Database (NEMSCD)</li> </ul> <p>Georgia requires all initial Paramedic applicants seeking a license to adhere to the following:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Successful completion of the NREMT exam</li> <li><input checked="" type="checkbox"/> Completion and review of an FBI Biometric Criminal History Background Check</li> </ul>	<b>Medical Director</b>	EMT Jane met the Physician Medical Director for EMTs"R"US.
<b>Remote State</b>	<ul style="list-style-type: none"> <li>• Louisiana is a Compact Member State.</li> <li>• Louisiana state law requires the state to recognize Jane's Privilege to Practice.</li> <li>• Louisiana has the full authority to investigate, sanction and discipline Jane for violations of law, administrative rules or practice standards.</li> </ul>	<b>Scope of Practice</b>	Jane will be responsible for operating under the Scope of Practice established by Louisiana (the Remote State), in addition to what EMTs"R"US and the local Medical Director may limit or modify (in accordance with local requirements).
<b>Protocols</b>	Jane will operate under the Protocols used by EMTs"R"US.		
<b>Privilege to Practice</b>	<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Jane has a Valid Privilege to Practice</li> <li><input checked="" type="checkbox"/> The Privilege to Practice does not require an application or pre-approval authorization.</li> <li><input checked="" type="checkbox"/> Jane is authorized to utilize the Privilege to Practice in the Remote State</li> <li><input checked="" type="checkbox"/> Jane's employer can be confident Jane is legally valid to function as an EMT in the Remote State</li> <li><input checked="" type="checkbox"/> The Remote State's law requires the State to honor Jane's EMT PTP</li> </ul>		
<b>Discussion</b>	This scenario underscores several critical factors, particularly the absence of independent practice authority for EMS practitioners. EMS practitioners <b>do not</b> have autonomous practice, and the EMS Compact <b>does not</b> grant them independent practice rights. EMS practitioners are employed by EMS agencies that must be duly authorized to hire EMS personnel and deliver medical services in the jurisdiction where they operate. In this situation, it's apparent that the local EMS entity was complying with local laws, including having a physician medical director, established protocols, and Jane undergoing a local credentialing process.		





# INTERSTATE COMMISSION FOR EMS PERSONNEL PRACTICE

<b>Scenario E</b>			
<b>Description</b>	Jane is a licensed as an EMT in Tennessee (a Compact Member State) and works for Big Blue Ambulance Service. Jane is <u>not</u> licensed in any other state. Jane sees an ad calling for EMTs to assist with a sporting event and festival in Alabama (a Compact Member State). Jane completes a virtual interview and is offered a temporary position with Festive-Medics. While Jane will not be paid for her work at the festival, the agreement includes a free 4-day pass to the festival in exchange for 24 hours of volunteer work as an EMT. Jane sees that Festive-Medics is a non-profit organization but is not able to find a state issued license. When Jane arrives at the festival, she is provided an access badge and a medical bag. When Jane asks about protocols and medical direction the Festive-Medics supervisor tells Jane, "We only use EMS Compact EMTs, so use your Home State protocols and medical director."		
<b>EMS Practitioner</b>	<p>"Jane" is:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> An EMT with a valid, unrestricted license issued by Tennessee</li> <li><input checked="" type="checkbox"/> Over 18 years old</li> <li><input checked="" type="checkbox"/> Is employed by Festive-Medics (although not paid).</li> <li><input checked="" type="checkbox"/> Able to use their EMSID to validate a Privilege to Practice status at <a href="http://www.emscompact.gov">www.emscompact.gov</a></li> </ul>	<b>Agency / Appropriate Authority</b>	<p>Festive-Medics is registered as a Non-Profit volunteer entity in Alabama, but:</p> <ul style="list-style-type: none"> <li>• notes that non-transport agencies are not regulated in Alabama.</li> <li>• does not have agency-approved protocols or a designed physician medical director.</li> </ul>
<b>Home State</b>	<p>Tennessee is a Compact Member State and the Home State. Tennessee is:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> In compliance with all EMS Compact requirements</li> <li><input checked="" type="checkbox"/> Is submitting license data to the National EMS Coordinated Database (NEMSCD)</li> </ul> <p>Tennessee requires all initial Paramedic applicants seeking a license to adhere to the following:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Successful completion of the NREMT exam</li> <li><input checked="" type="checkbox"/> Completion and review of an FBI Biometric Criminal History Background Check</li> </ul>	<b>Medical Director</b>	<p>Festive-Medics tells Jane to use her Home State Medical Director.</p> <p>This is not permitted because the Medical Director services are being provided to Jane in her official capacity with Big Blue Ambulance Service, not as an individual practitioner.</p>
<b>Remote State</b>	<ul style="list-style-type: none"> <li>• Alabama is a Compact Member State.</li> <li>• Alabama has the full authority to investigate, sanction and discipline Jane for violations of law, administrative rules or practice standards.</li> </ul>	<b>Scope of Practice</b>	<p>In theory Jane's EMT scope of practice has not been modified by an Appropriate Authority in the Remote state, so Jane's Scope of Practice will remain the same as the Home State Scope of Practice. But...there are bigger problems with this scenario.</p>
<b>Protocols</b>	None. Festive-Medics tells Jane to just follow her 'normal' protocols used when working for Big Blue Ambulance Service. This is not acceptable because Jane is not working as an agent/employee of Big Blue Ambulance Service at the festival.		
<b>Privilege to Practice</b>	<div style="display: flex; align-items: center;"> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Jane has not established that she is working for an Agency authorized in the Remote State.</li> <li><input checked="" type="checkbox"/> Jane has not established a valid Physician Medical Director in the Remote State.</li> </ul> </div>		
<b>Discussion</b>	<ul style="list-style-type: none"> <li>- This scenario involves misconceptions related to EMS Compact, local credentialing, and medical direction. EMS Practitioners work within a defined scope of practice under agency affiliation, following medical protocols. EMS Agencies, including non-traditional employers of EMS practitioners, are required to comply with state and local regulations.</li> <li>- Physician Medical Directors are generally employed/contracted by EMS agencies or municipalities, not individual EMS practitioners.</li> <li>- Properly credentialed EMS Practitioners are permitted to practice when affiliated with an agency with physician medical direction, authorization to use agency/employer protocols, medications, and supplies outside official agency work is generally not permitted.</li> <li>- This scenario also highlights an example where a local agency lacks legal status due to deficient credentialing, medical direction, protocols, and other essential elements.</li> </ul>		







## Executive Committee Service Dates

### Chairperson

Kraig Kinney	Indiana	July 1, 2023-Present
Donnie Woodyard, Jr	Colorado	Oct 22, 2022 – June 30, 2023
Joseph Schmider	Texas	Oct 7, 2017 - October 22, 2022
Doug Wolfberg, JD	Inaugural Chair	Oct 7, 2017

### Vice Chairperson

Wayne Denney	Idaho	July 1, 2023-Present
Kraig Kinney	Indiana	Nov 2, 2022 – June 30, 2023
Donnie Woodyard, Jr	Colorado	Sept 18, 2020 – Oct 22, 2022
Jeanne Marie Bakehouse	Colorado	Oct 7, 2017 – Sept 18, 2020

### Treasurer

Brad Vande Lune	Iowa	July 1, 2023 – Present
Wayne Denney	Idaho	Nov 6, 2020 – July 2023
Stephen Wilson	Alabama	Oct 7, 2017 – October 2020

### Secretary

Joseph House	Kansas	April 3, 2020- Present
Andy Gienapp	Wyoming	Oct 7, 2017 – April 2020

### Commissioner-At-Large

Aaron Koehler	Wyoming	June 2023 - Present
Aaron Rhone	Pennsylvania	Dec 12, 2022 – June 2023
Gary Brown	Virginia	Sept 23, 2021- Dec 2022
Justin Romanello	New Hampshire	June 16, 2020 – Sept 2021
Donna G. Tidwell	Tennessee	Oct 7, 2017 – June 2020

## **New Commissioner Appointments**



## COMMONWEALTH of VIRGINIA

Karen Shelton, MD  
State Health Commissioner

Department of Health  
P O BOX 2448  
RICHMOND, VA 23218

TTY 7-1-1 OR  
1-800-828-1120

2/14/2024

**To:** Donnie Woodyard, Jr., Executive Director  
Interstate Commission for EMS Personnel Practice  
5010 E. Trindle Rd, Suite 202  
Mechanicsburg, PA 17050

**From:** R. Christopher Lindsay, Chief Operating Officer

**Subject:** Notification of Commissioner Appointment

In accordance with Section 10.B.1 of the Recognition of EMS Personnel Interstate Compact ("REPLICA") model legislation, as enacted in Virginia Code § 32.1-371, the Commonwealth of Virginia hereby designates Cam Crittenden, Acting Director, Virginia Office of EMS, as the delegate ("Commissioner") to the Interstate Commission of EMS Personnel Practice.

Virginia Code § 32.1-371 outlines the guidelines for the appointment of the delegate as follows:  
"Each member state shall have and be limited to one (1) delegate. The responsible official of the state EMS authority or his designee shall be the delegate to this compact for each member state. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed. Any vacancy occurring in the Commission shall be filled in accordance with the laws of the member state in which the vacancy exists. In the event that more than one board, office, or other agency with the legislative mandate to license EMS personnel at and above the level of EMT exists, the governor of the state will determine which entity will be responsible for assigning the delegate."

This appointment is effective February 14, 2024. If you need additional information regarding this appointment, please contact Christopher Lindsay, Chief Operating Officer, Virginia Department of Health at 804-864-7009 or [Christopher.Lindsay@vdh.virginia.gov](mailto:Christopher.Lindsay@vdh.virginia.gov).

Thank you,

A handwritten signature in blue ink, appearing to read "R. Christopher Lindsay".

R. Christopher Lindsay  
Chief Operating Officer  
Virginia Department of Health



## Missouri Department of Health and Senior Services

P.O. Box 570, Jefferson City, MO 65102-0570 | Phone: 573-751-6400 | FAX: 573-751-6010  
RELAY MISSOURI for Hearing and Speech Impaired and Voice dial: 711




**Paula F. Nickelson**  
Director

**Michael L. Parson**  
Governor

**Date:** January 25, 2024

**To:** Donnie Woodyard, Jr., Executive Director  
Interstate Commission for EMS Personnel Practice  
5010 E. Trindle Rd, Suite 202  
Mechanicsburg, PA 17050

**FROM:** Steve Bollin, Director   
Division of Regulation & Licensure  
Missouri Department of Health and Senior Services

**Subject:** Notification of Commissioner Appointment Memo

In accordance with Section 10.B.1 of the Recognition of EMS Personnel Interstate Compact ("REPLICA") model legislation, as enacted in 190.924.2 RSMo., the State of Missouri hereby designates **Mr. George Miller** as the delegate ("Commissioner") to the Interstate Commission of EMS Personnel Practice.

**190.924.2 RSMo.** outlines the guidelines for the appointment of the delegate as follows:  
"Each member state shall have and be limited to one (1) delegate. The responsible official of the state EMS authority or his designee shall be the delegate to this compact for each member state. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed. Any vacancy occurring in the Commission shall be filled in accordance with the laws of the member state in which the vacancy exists. In the event that more than one board, office, or other agency with the legislative mandate to license EMS personnel at and above the level of EMT exists, the governor of the state will determine which entity will be responsible for assigning the delegate."

This appointment is effective **February 1, 2024**. If you need additional information regarding this appointment, please contact Mr. Steve Bollin, Director, Division of Regulation and Licensure at (573) 751-8535 or [Steve.Bollin@health.mo.gov](mailto:Steve.Bollin@health.mo.gov).

Please make the necessary updates to your records to reflect this appointment. If you require any additional information or documentation regarding this appointment, please do not hesitate to contact us at (573)751-8535.

We appreciate your attention to this matter and look forward to Mr. Miller's active participation in the Interstate Commission for EMS Personnel Practice.

### PROMOTING HEALTH AND SAFETY

The Missouri Department of Health and Senior Services' vision is optimal health and safety for all Missourians, in all communities, for life.



COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF THE SECRETARY

December 15, 2023

Donnie Woodyard, Executive Director  
Interstate Commission for EMS Personnel Practice  
5010 East Trindle Road, Suite 202  
Mechanicsburg, PA 17050  
donnie.woodyard@emscompact.gov

Dear Mr. Woodyard:

As of July 7, 2022, the Commonwealth of Pennsylvania enacted the Recognition of EMS Personnel Interstate Compact Act (REPLICA). 35 P.S. § 10312. In accordance with Section 10(B)(1) of REPLICA,

*Each member state shall have and be limited to one (1) delegate. The responsible official of the state EMS authority or his designee shall be the delegate to this Compact for each member state. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed. Any vacancy occurring in the Commission shall be filled in accordance with the laws of the member state in which the vacancy exists. In the event that more than one board, office, or other agency with the legislative mandate to license EMS personnel at and above the level of EMT exists, the Governor of the state will determine which entity will be responsible for assigning the delegate.*

Additionally, Section 10(B)(2) of REPLICA provides:

*Each delegate shall be entitled to one (1) vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the Commission. A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication....*

I am pleased to share that effective December 4, 2023, Mr. Anthony Martin is the Director of the Bureau of Emergency Medical Services (Bureau) with the Pennsylvania Department of Health. The Commonwealth of Pennsylvania now delegates Mr. Martin in place of its previously appointed delegate, and he will vote on behalf of the Commonwealth. Mr. Martin can be contacted at [martiant@pa.gov](mailto:martiant@pa.gov) or 717-787-8740.

Sincerely,

A handwritten signature in cursive script that reads "Debra L. Bogen MD".

Debra L. Bogen, M.D., FAAP  
Acting Secretary of Health  
Pennsylvania Department of Health

# REPLICA<sup>®</sup>

Recognition of EMS Personnel Licensure Interstate CompAct

## Model Legislation

As Enacted In:

State	Reference	Effective Date
Alabama	<a href="#">AL Code § 22-18-50 (2022)</a>	May 17, 2017
Colorado	<a href="#">CO Rev Stat § 24-60-3502 (2017)</a>	May 8, 2015
Delaware	<a href="#">16 DE Code § 98A-100 (2017)</a>	September 15, 2017
Georgia	<a href="#">O.C.G.A. Title 38, Ch. 3, Art. 4</a>	May 8, 2017
Idaho	<a href="#">ID Code § 56-1013B (2018)</a>	March 16, 20216
Indiana	<a href="#">IN Code § 16-31.5 (2021)</a>	March 11, 2020
Iowa	<a href="#">IA Code § 147D.1 (2020)</a>	March 11, 2020
Kansas	<a href="#">KS Stat § 65-6158 (2021)</a>	March 31, 2016
Louisiana	<a href="#">LA Rev Stat § 40:1141 (2020)</a>	July 1, 2021
Mississippi	<a href="#">MS Code § 41-59-101 (2018)</a>	March 20, 2017
Missouri	<a href="#">MO Rev Stat § 190.900 (2019)</a>	July 9, 2018
Nebraska	<a href="#">NE Code § 38-3801 (2018)</a>	March 20, 2017
Nevada	<a href="#">Nev. Rev. Stat. § 450B</a>	October 1, 2023
North Dakota	<a href="#">ND Century Code § 23-27.1 (2018)</a>	April 1, 2019
Oklahoma	<a href="#">OK Title 63 Section 1-2205</a>	November 1, 2023
Pennsylvania	<a href="#">Pa. Act 35 of 2022</a>	July 7, 2022
South Carolina	<a href="#">SC Code § 44-61-710 (2018)</a>	May 18, 2017
South Dakota	<a href="#">SD Codified L § 34-11C-1 (2022)</a>	March 25, 2021
Tennessee	<a href="#">TN Code § 68-140-602 (2019)</a>	April 19, 2016
Texas	<a href="#">TX Health &amp; Safety Code § 778A.001 (2021)</a>	September 1, 2015
Utah	<a href="#">UT Code § 26-8c-101 (2017)</a>	March 21, 2016
Virginia	<a href="#">VA Code § 32.1-371 (2020)</a>	March 1, 2016
West Virginia	<a href="#">WV Code § 16-60-1 (2020)</a>	March 5, 2020
Wyoming	<a href="#">WY Stat § 33-36-201 (2022)</a>	March 21, 2016



# REPLICA<sup>®</sup>

Recognition of EMS Personnel Licensure Interstate CompAct

## MODEL LEGISLATION

### SECTION 1. PURPOSE

In order to protect the public through verification of competency and ensure accountability for patient care related activities all states license emergency medical services (EMS) personnel, such as emergency medical technicians (EMTs), advanced EMTs and paramedics. This Compact is intended to facilitate the day to day movement of EMS personnel across state boundaries in the performance of their EMS duties as assigned by an appropriate authority and authorize state EMS offices to afford immediate legal recognition to EMS personnel licensed in a member state. This Compact recognizes that states have a vested interest in protecting the public's health and safety through their licensing and regulation of EMS personnel and that such state regulation shared among the member states will best protect public health and safety. This Compact is designed to achieve the following purposes and objectives:

1. Increase public access to EMS personnel;
2. Enhance the states' ability to protect the public's health and safety, especially patient safety;
3. Encourage the cooperation of member states in the areas of EMS personnel licensure and regulation;
4. Support licensing of military members who are separating from an active duty tour and their spouses;
5. Facilitate the exchange of information between member states regarding EMS personnel licensure, adverse action and significant investigatory information;
6. Promote compliance with the laws governing EMS personnel practice in each member state; and
7. Invest all member states with the authority to hold EMS personnel accountable through the mutual recognition of member state licenses.

### SECTION 2. DEFINITIONS

In this compact:

1. "Advanced Emergency Medical Technician (AEMT)" means: an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model.
2. "Adverse Action" means: any administrative, civil, equitable or criminal action permitted by a state's laws which may be imposed against licensed EMS personnel by a state EMS authority or state court, including, but not limited to, actions against an individual's license such as revocation, suspension, probation, consent agreement, monitoring or other limitation or encumbrance on the individual's practice, letters of reprimand or admonition, fines, criminal convictions and state court judgments enforcing adverse actions by the state EMS authority.
3. "Alternative program" means: a voluntary, non-disciplinary substance abuse recovery program approved by a state EMS authority.
4. "Certification" means: the successful verification of entry-level cognitive and psychomotor competency using a reliable, validated, and legally defensible examination.
5. "Commission" means: the national administrative body of which all states that have enacted the compact are members.
6. "Emergency Medical Technician (EMT)" means: an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model.
7. "Home State" means: a member state where an individual is licensed to practice emergency medical services.
8. "License" means: the authorization by a state for an individual to practice as an EMT, AEMT, paramedic, or a level in between EMT and paramedic.
9. "Medical Director" means: a physician licensed in a member state who is accountable for the care delivered by EMS personnel.
10. "Member State" means: a state that has enacted this compact.



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11. "Privilege to Practice" means: an individual's authority to deliver emergency medical services in remote states as authorized under this compact.
12. "Paramedic" means: an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model.
13. "Remote State" means: a member state in which an individual is not licensed.
14. "Restricted" means: the outcome of an adverse action that limits a license or the privilege to practice.
15. "Rule" means: a written statement by the interstate Commission promulgated pursuant to Section 12 of this compact that is of general applicability; implements, interprets, or prescribes a policy or provision of the compact; or is an organizational, procedural, or practice requirement of the Commission and has the force and effect of statutory law in a member state and includes the amendment, repeal, or suspension of an existing rule.
16. "Scope of Practice" means: defined parameters of various duties or services that may be provided by an individual with specific credentials. Whether regulated by rule, statute, or court decision, it tends to represent the limits of services an individual may perform.
17. "Significant Investigatory Information" means:
  - investigative information that a state EMS authority, after a preliminary inquiry that includes notification and an opportunity to respond if required by state law, has reason to believe, if proved true, would result in the imposition of an adverse action on a license or privilege to practice; or
  - investigative information that indicates that the individual represents an immediate threat to public health and safety regardless of whether the individual has been notified and had an opportunity to respond.
18. "State" means: means any state, commonwealth, district, or territory of the United States.
19. "State EMS Authority" means: the board, office, or other agency with the legislative mandate to license EMS personnel.

## SECTION 3. HOME STATE LICENSURE

- A. Any member state in which an individual holds a current license shall be deemed a home state for purposes of this compact.
- B. Any member state may require an individual to obtain and retain a license to be authorized to practice in the member state under circumstances not authorized by the privilege to practice under the terms of this compact.
- C. A home state's license authorizes an individual to practice in a remote state under the privilege to practice only if the home state:
  1. Currently requires the use of the National Registry of Emergency Medical Technicians (NREMT) examination as a condition of issuing initial licenses at the EMT and paramedic levels;
  2. Has a mechanism in place for receiving and investigating complaints about individuals;
  3. Notifies the Commission, in compliance with the terms herein, of any adverse action or significant investigatory information regarding an individual;
  4. No later than five years after activation of the Compact, requires a criminal background check of all applicants for initial licensure, including the use of the results of fingerprint or other biometric data checks compliant with the requirements of the Federal Bureau of Investigation with the exception of federal employees who have suitability determination in accordance with US CFR §731.202 and submit documentation of such as promulgated in the rules of the Commission; and
  5. Complies with the rules of the Commission.

## SECTION 4. COMPACT PRIVILEGE TO PRACTICE

- A. Member states shall recognize the privilege to practice of an individual licensed in another member state that is in conformance with Section 3.
- B. To exercise the privilege to practice under the terms and provisions of this compact, an individual must:
  1. Be at least 18 years of age;
  2. Possess a current unrestricted license in a member state as an EMT, AEMT, paramedic, or state recognized and licensed level with a scope of practice and authority between EMT and paramedic; and
  3. Practice under the supervision of a medical director.
- C. An individual providing patient care in a remote state under the privilege to practice shall function within the scope of practice authorized by the home state unless and until modified by an appropriate authority in the remote state as may be defined in the rules of the commission.
- D. Except as provided in Section 4 subsection C, an individual practicing in a remote state will be subject to the remote state's authority and laws. A remote state may, in accordance with due process and that state's laws, restrict, suspend, or revoke an individual's privilege to practice in the remote state and may take any other



necessary actions to protect the health and safety of its citizens. If a remote state takes action it shall promptly notify the home state and the Commission.

- E. If an individual's license in any home state is restricted or suspended, the individual shall not be eligible to practice in a remote state under the privilege to practice until the individual's home state license is restored.
- F. If an individual's privilege to practice in any remote state is restricted, suspended, or revoked the individual shall not be eligible to practice in any remote state until the individual's privilege to practice is restored.

## **SECTION 5. CONDITIONS OF PRACTICE IN A REMOTE STATE**

An individual may practice in a remote state under a privilege to practice only in the performance of the individual's EMS duties as assigned by an appropriate authority, as defined in the rules of the Commission, and under the following circumstances:

- 1. The individual originates a patient transport in a home state and transports the patient to a remote state;
- 2. The individual originates in the home state and enters a remote state to pick up a patient and provide care and transport of the patient to the home state;
- 3. The individual enters a remote state to provide patient care and/or transport within that remote state;
- 4. The individual enters a remote state to pick up a patient and provide care and transport to a third member state;
- 5. Other conditions as determined by rules promulgated by the commission.

## **SECTION 6. RELATIONSHIP TO EMERGENCY MANAGEMENT ASSISTANCE COMPACT**

Upon a member state's governor's declaration of a state of emergency or disaster that activates the Emergency Management Assistance Compact (EMAC), all relevant terms and provisions of EMAC shall apply and to the extent any terms or provisions of this Compact conflicts with EMAC, the terms of EMAC shall prevail with respect to any individual practicing in the remote state in response to such declaration.

## **SECTION 7. VETERANS, SERVICE MEMBERS SEPARATING FROM ACTIVE DUTY MILITARY, AND THEIR SPOUSES**

- A. Member states shall consider a veteran, active military service member, and member of the National Guard and Reserves separating from an active duty tour, and a spouse thereof, who holds a current valid and unrestricted NREMT certification at or above the level of the state license being sought as satisfying the minimum training and examination requirements for such licensure.
- B. Member states shall expedite the processing of licensure applications submitted by veterans, active military service members, and members of the National Guard and Reserves separating from an active duty tour, and their spouses.
- C. All individuals functioning with a privilege to practice under this Section remain subject to the Adverse Actions provisions of Section VIII.

## **SECTION 8. ADVERSE ACTIONS**

- A. A home state shall have exclusive power to impose adverse action against an individual's license issued by the home state.
- B. If an individual's license in any home state is restricted or suspended, the individual shall not be eligible to practice in a remote state under the privilege to practice until the individual's home state license is restored.
  - 1. All home state adverse action orders shall include a statement that the individual's compact privileges are inactive. The order may allow the individual to practice in remote states with prior written authorization from both the home state and remote state's EMS authority.
  - 2. An individual currently subject to adverse action in the home state shall not practice in any remote state without prior written authorization from both the home state and remote state's EMS authority.
- C. A member state shall report adverse actions and any occurrences that the individual's compact privileges are restricted, suspended, or revoked to the Commission in accordance with the rules of the Commission.
- D. A remote state may take adverse action on an individual's privilege to practice within that state.
- E. Any member state may take adverse action against an individual's privilege to practice in that state based on the factual findings of another member state, so long as each state follows its own procedures for imposing such adverse action.
- F. A home state's EMS authority shall investigate and take appropriate action with respect to reported conduct in a remote state as it would if such conduct had occurred within the home state. In such cases, the home state's law shall control in determining the appropriate adverse action.



- G. Nothing in this Compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action and that such participation shall remain non-public if required by the member state's laws. Member states must require individuals who enter any alternative programs to agree not to practice in any other member state during the term of the alternative program without prior authorization from such other member state.

#### **SECTION 9. ADDITIONAL POWERS INVESTED IN A MEMBER STATE'S EMS AUTHORITY**

A member state's EMS authority, in addition to any other powers granted under state law, is authorized under this compact to:

1. Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses and the production of evidence. Subpoenas issued by a member state's EMS authority for the attendance and testimony of witnesses, and/or the production of evidence from another member state, shall be enforced in the remote state by any court of competent jurisdiction, according to that court's practice and procedure in considering subpoenas issued in its own proceedings. The issuing state EMS authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state where the witnesses and/or evidence are located; and
2. Issue cease and desist orders to restrict, suspend, or revoke an individual's privilege to practice in the state.

#### **SECTION 10. ESTABLISHMENT OF THE INTERSTATE COMMISSION FOR EMS PERSONNEL PRACTICE**

A. The Compact states hereby create and establish a joint public agency known as the Interstate Commission for EMS Personnel Practice.

1. The Commission is a body politic and an instrumentality of the Compact states.
2. Venue is proper and judicial proceedings by or against the Commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the Commission is located. The Commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.
3. Nothing in this Compact shall be construed to be a waiver of sovereign immunity.

B. Membership, Voting, and Meetings

1. Each member state shall have and be limited to one (1) delegate. The responsible official of the state EMS authority or his designee shall be the delegate to this Compact for each member state. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed. Any vacancy occurring in the Commission shall be filled in accordance with the laws of the member state in which the vacancy exists. In the event that more than one board, office, or other agency with the legislative mandate to license EMS personnel at and above the level of EMT exists, the Governor of the state will determine which entity will be responsible for assigning the delegate.
2. Each delegate shall be entitled to one (1) vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the Commission. A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.
3. The Commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.
4. All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in Section XII.
5. The Commission may convene in a closed, non-public meeting if the Commission must discuss:
  - a. Non-compliance of a member state with its obligations under the Compact;
  - b. The employment, compensation, discipline or other personnel matters, practices or procedures related to specific employees or other matters related to the Commission's internal personnel practices and procedures;
  - c. Current, threatened, or reasonably anticipated litigation;
  - d. Negotiation of contracts for the purchase or sale of goods, services, or real estate;
  - e. Accusing any person of a crime or formally censuring any person;
  - f. Disclosure of trade secrets or commercial or financial information that is privileged or confidential;
  - g. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;
  - h. Disclosure of investigatory records compiled for law enforcement purposes;



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- i. Disclosure of information related to any investigatory reports prepared by or on behalf of or for use of the Commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact; or
  - j. Matters specifically exempted from disclosure by federal or member state statute.
6. If a meeting, or portion of a meeting, is closed pursuant to this provision, the Commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision. The Commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the Commission or order of a court of competent jurisdiction.
- C. The Commission shall, by a majority vote of the delegates, prescribe bylaws and/or rules to govern its conduct as may be necessary or appropriate to carry out the purposes and exercise the powers of the compact, including but not limited to:
1. Establishing the fiscal year of the Commission;
  2. Providing reasonable standards and procedures:
    - a. for the establishment and meetings of other committees; and
    - b. governing any general or specific delegation of any authority or function of the Commission;
  3. Providing reasonable procedures for calling and conducting meetings of the Commission, ensuring reasonable advance notice of all meetings, and providing an opportunity for attendance of such meetings by interested parties, with enumerated exceptions designed to protect the public's interest, the privacy of individuals, and proprietary information, including trade secrets. The Commission may meet in closed session only after a majority of the membership votes to close a meeting in whole or in part. As soon as practicable, the Commission must make public a copy of the vote to close the meeting revealing the vote of each member with no proxy votes allowed;
  4. Establishing the titles, duties and authority, and reasonable procedures for the election of the officers of the Commission;
  5. Providing reasonable standards and procedures for the establishment of the personnel policies and programs of the Commission. Notwithstanding any civil service or other similar laws of any member state, the bylaws shall exclusively govern the personnel policies and programs of the Commission;
  6. Promulgating a code of ethics to address permissible and prohibited activities of Commission members and employees;
  7. Providing a mechanism for winding up the operations of the Commission and the equitable disposition of any surplus funds that may exist after the termination of the Compact after the payment and/or reserving of all of its debts and obligations;
  8. The Commission shall publish its bylaws and file a copy thereof, and a copy of any amendment thereto, with the appropriate agency or officer in each of the member states, if any.
  9. The Commission shall maintain its financial records in accordance with the bylaws.
  10. The Commission shall meet and take such actions as are consistent with the provisions of this Compact and the bylaws.
- D. The Commission shall have the following powers:
1. The authority to promulgate uniform rules to facilitate and coordinate implementation and administration of this Compact. The rules shall have the force and effect of law and shall be binding in all member states;
  2. To bring and prosecute legal proceedings or actions in the name of the Commission, provided that the standing of any state EMS authority or other regulatory body responsible for EMS personnel licensure to sue or be sued under applicable law shall not be affected;
  3. To purchase and maintain insurance and bonds;
  4. To borrow, accept, or contract for services of personnel, including, but not limited to, employees of a member state;
  5. To hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and to establish the Commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;
  6. To accept any and all appropriate donations and grants of money, equipment, supplies, materials and services, and to receive, utilize and dispose of the same; provided that at all times the Commission shall strive to avoid any appearance of impropriety and/or conflict of interest;





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7. To lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve or use, any property, real, personal or mixed; provided that at all times the Commission shall strive to avoid any appearance of impropriety;
  8. To sell convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;
  9. To establish a budget and make expenditures;
  10. To borrow money;
  11. To appoint committees, including advisory committees comprised of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;
  12. To provide and receive information from, and to cooperate with, law enforcement agencies;
  13. To adopt and use an official seal; and
  14. To perform such other functions as may be necessary or appropriate to achieve the purposes of this Compact consistent with the state regulation of EMS personnel licensure and practice.
- E. Financing of the Commission
1. The Commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.
  2. The Commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.
  3. The Commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the Commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Commission, which shall promulgate a rule binding upon all member states.
  4. The Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Commission pledge the credit of any of the member states, except by and with the authority of the member state.
  5. The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the Commission.
- F. Qualified Immunity, Defense, and Indemnification
1. The members, officers, executive director, employees and representatives of the Commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities; provided that nothing in this paragraph shall be construed to protect any such person from suit and/or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person.
  2. The Commission shall defend any member, officer, executive director, employee or representative of the Commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.
  3. The Commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the Commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.



## **SECTION 11. COORDINATED DATABASE**

- A. The Commission shall provide for the development and maintenance of a coordinated database and reporting system containing licensure, adverse action, and significant investigatory information on all licensed individuals in member states.
- B. Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the coordinated database on all individuals to whom this compact is applicable as required by the rules of the Commission, including:
  - 1. Identifying information;
  - 2. Licensure data;
  - 3. Significant investigatory information;
  - 4. Adverse actions against an individual's license;
  - 5. An indicator that an individual's privilege to practice is restricted, suspended or revoked;
  - 6. Non-confidential information related to alternative program participation;
  - 7. Any denial of application for licensure, and the reason(s) for such denial; and
  - 8. Other information that may facilitate the administration of this Compact, as determined by the rules of the Commission.
- C. The coordinated database administrator shall promptly notify all member states of any adverse action taken against, or significant investigative information on, any individual in a member state.
- D. Member states contributing information to the coordinated database may designate information that may not be shared with the public without the express permission of the contributing state.
- E. Any information submitted to the coordinated database that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the coordinated database.

## **SECTION 12. RULEMAKING**

- A. The Commission shall exercise its rulemaking powers pursuant to the criteria set forth in this Section and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.
- B. If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the Compact, then such rule shall have no further force and effect in any member state.
- C. Rules or amendments to the rules shall be adopted at a regular or special meeting of the Commission.
- D. Prior to promulgation and adoption of a final rule or rules by the Commission, and at least sixty (60) days in advance of the meeting at which the rule will be considered and voted upon, the Commission shall file a Notice of Proposed Rulemaking:
  - 1. On the website of the Commission; and
  - 2. On the website of each member state EMS authority or the publication in which each state would otherwise publish proposed rules.
- E. The Notice of Proposed Rulemaking shall include:
  - 1. The proposed time, date, and location of the meeting in which the rule will be considered and voted upon;
  - 2. The text of the proposed rule or amendment and the reason for the proposed rule;
  - 3. A request for comments on the proposed rule from any interested person; and
  - 4. The manner in which interested persons may submit notice to the Commission of their intention to attend the public hearing and any written comments.
- F. Prior to adoption of a proposed rule, the Commission shall allow persons to submit written data, facts, opinions, and arguments, which shall be made available to the public.
- G. The Commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:
  - 1. At least twenty-five (25) persons;
  - 2. A governmental subdivision or agency; or
  - 3. An association having at least twenty-five (25) members.
- H. If a hearing is held on the proposed rule or amendment, the Commission shall publish the place, time, and date of the scheduled public hearing.
  - 1. All persons wishing to be heard at the hearing shall notify the executive director of the Commission or other designated member in writing of their desire to appear and testify at the hearing not less than five (5) business days before the scheduled date of the hearing.
  - 2. Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.





3. No transcript of the hearing is required, unless a written request for a transcript is made, in which case the person requesting the transcript shall bear the cost of producing the transcript. A recording may be made in lieu of a transcript under the same terms and conditions as a transcript. This subsection shall not preclude the Commission from making a transcript or recording of the hearing if it so chooses.
4. Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the Commission at hearings required by this section.
- I. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the Commission shall consider all written and oral comments received.
- J. The Commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.
- K. If no written notice of intent to attend the public hearing by interested parties is received, the Commission may proceed with promulgation of the proposed rule without a public hearing.
- L. Upon determination that an emergency exists, the Commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in the Compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety (90) days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:
  1. Meet an imminent threat to public health, safety, or welfare;
  2. Prevent a loss of Commission or member state funds;
  3. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
  4. Protect public health and safety.
- M. The Commission or an authorized committee of the Commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the Commission. The revision shall be subject to challenge by any person for a period of thirty (30) days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing, and delivered to the chair of the Commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the Commission.

### **SECTION 13. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT**

- A. Oversight
  1. The executive, legislative, and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.
  2. All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of this compact which may affect the powers, responsibilities or actions of the Commission.
  3. The Commission shall be entitled to receive service of process in any such proceeding, and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the Commission shall render a judgment or order void as to the Commission, this Compact, or promulgated rules.
- B. Default, Technical Assistance, and Termination
  1. If the Commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the Commission shall:
    - a. Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default and/or any other action to be taken by the Commission; and
    - b. Provide remedial training and specific technical assistance regarding the default.
  2. If a state in default fails to cure the default, the defaulting state may be terminated from the Compact upon an affirmative vote of a majority of the member states, and all rights, privileges and benefits conferred by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.
  3. Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the Commission to the governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.



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4. A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.
  5. The Commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the Commission and the defaulting state.
  6. The defaulting state may appeal the action of the Commission by petitioning the U.S. District Court for the District of Columbia or the federal district where the Commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.
- C. Dispute Resolution
1. Upon request by a member state, the Commission shall attempt to resolve disputes related to the compact that arise among member states and between member and non-member states.
  2. The Commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.
- D. Enforcement
1. The Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.
  2. By majority vote, the Commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the Commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.
  3. The remedies herein shall not be the exclusive remedies of the Commission. The Commission may pursue any other remedies available under federal or state law.

## **SECTION 14. DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR EMS PERSONNEL PRACTICE AND ASSOCIATED RULES, WITHDRAWAL, AND AMENDMENT**

- A. The compact shall come into effect on the date on which the compact statute is enacted into law in the tenth member state. The provisions, which become effective at that time, shall be limited to the powers granted to the Commission relating to assembly and the promulgation of rules. Thereafter, the Commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the compact.
- B. Any state that joins the compact subsequent to the Commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the Commission shall have the full force and effect of law on the day the compact becomes law in that state.
- C. Any member state may withdraw from this compact by enacting a statute repealing the same.
  1. A member state's withdrawal shall not take effect until six (6) months after enactment of the repealing statute.
  2. Withdrawal shall not affect the continuing requirement of the withdrawing state's EMS authority to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.
- D. Nothing contained in this compact shall be construed to invalidate or prevent any EMS personnel licensure agreement or other cooperative arrangement between a member state and a non-member state that does not conflict with the provisions of this compact.
- E. This Compact may be amended by the member states. No amendment to this Compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

## **SECTION 15. CONSTRUCTION AND SEVERABILITY**

This Compact shall be liberally construed so as to effectuate the purposes thereof. If this compact shall be held contrary to the constitution of any state member thereto, the compact shall remain in full force and effect as to the remaining member states. Nothing in this compact supersedes state law or rules related to licensure of EMS agencies.

1           **Recognition of Emergency Medical Services Personnel**  
2                           **Licensure Interstate Compact (REPLICA)**

3  
4           **Interstate Commission for Emergency Medical Services**  
5                           **(EMS) Personnel Practice**

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9   **Title of Rule:**                   Rule on Rulemaking

10 **Drafted:**                         June 21, 2017

11 **Effective:**                        TBD

12 **Amended:**                       **October 8, 2017**

13 **History of Rule:**

14                                       **Introduced for public hearing on August 3, 2017**

15                                       **Public hearing on October 8, 2017, amended**

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16 **Chapter 1:**                        Rulemaking

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18 **Authority:**                       **Section 10:** Establishment of an Interstate Commission for  
19                                        EMS Personnel Practice

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21                                       **Section 12:** Rulemaking

22  
23 **1.0 Purpose:**                   **Pursuant to Section 12,** the Interstate Commission for EMS  
24                                        Personnel Practice shall promulgate reasonable rules in order  
25                                        to effectively and efficiently achieve the purposes of REPLICA.  
26                                        The rule will become effective upon passage by the EMS  
27                                        Interstate Commission for EMS Personnel Practice –  
28                                        Recognition of EMS Personnel Licensure Interstate Compact  
29                                        (REPLICA)

30 **1.1 Definition(s):** (a) **“Commission”** means: the national administrative body of  
31                                        which all states that have enacted the Compact are members.  
32                                        (b) **“Compact”** means: Recognition of Emergency Medical  
33                                        Services Personnel Licensure Interstate Compact.  
34                                        (c) **“Commissioner”** means: as the appointed delegate from  
35                                        each state as described in Section 10.B.1. of the Compact.  
36                                        (d) **“Member State”** means: a state that has enacted this  
37                                        Compact.  
38

1 (e) **“Rule”** means: a written statement by the Interstate  
2 Commission promulgated pursuant to Section 12 of this  
3 Compact that is of general applicability; implements,  
4 interprets, or prescribes a policy or provision of the Compact;  
5 or is an organizational, procedural, or practice requirement of  
6 the Commission and has the force and effect of statutory law in  
7 a member state and includes the amendment, repeal, or  
8 suspension of an existing rule.

9 (f) **“State”** means: means any state, commonwealth, district, or  
10 territory of the United States.

11  
12 **1.2 Proposed rules or amendments:** to the rules shall be adopted by majority  
13 vote of the members of the Commission in the following manner:

14  
15 (a) Proposed new rules and amendments to existing rules shall be submitted to  
16 the Commission office for referral to the Rules Committee as follows:

17  
18 (1) Any Commissioner may submit a proposed rule or rule amendment  
19 for referral to the Rules Committee during the next scheduled  
20 Commission meeting. This proposal shall be made in the form of a  
21 motion and approved by a majority vote of a quorum of the Commission  
22 members present at the meeting;

23 (2) Standing Committees of the Commission may propose rules or rule  
24 amendments by majority vote of that Committee;

25  
26 **1.3 The Rules Committee:** shall prepare a draft of all proposed rules and provide  
27 the draft to all Commissioners for review and comments. Based on the comments  
28 made by the Commissioners the Rules Committee shall prepare a final draft of the  
29 proposed rule(s) or amendments for consideration by the Commission not later  
30 than the next Commission meeting.

31  
32 **1.4 Prior to promulgation and adoption of a final rule:** In accordance with  
33 Section 12 of the Compact, the Commission shall publish the text of the proposed  
34 rule or amendment prepared by the Rules Committee not later than 60 days prior to  
35 the meeting at which the vote is scheduled, on the official web site of the  
36 Commission and in any other official publication that may be designated by the  
37 Commission for the publication of its rules. All written comments received by the  
38 Rules Committee on proposed rules shall be posted on the Commission’s website  
39 upon receipt. In addition to the text of the proposed rule or amendment, the reason  
40 for the proposed rule shall be provided.

41  
42  
43 **1.5 Each administrative rule or amendment shall state:**

44  
45 (a) The place, time, and date of the scheduled public hearing;

- 1 (b) The manner in which interested persons may submit notice to the  
2 Commission of their intention to attend the public hearing and any  
3 written comments; and  
4 (c) The name, position, physical and electronic mail address, telephone, and,  
5 telefax number of the person to whom interested persons may respond  
6 with notice of their attendance and written comments.  
7

8 **1.6 Public Hearings:** Every public hearing shall be conducted in a manner  
9 guaranteeing each person who wishes to comment a fair and reasonable  
10 opportunity to comment. In accordance with Section 12.H. of the Compact,  
11 specifically:  
12

13 (a) If a hearing is held on the proposed rule or amendment, the Commission  
14 shall publish the place, time, and date of the scheduled public hearing.

15 (b) All persons wishing to be heard at the hearing shall notify the  
16 Chairperson of the Commission or other designated member in writing of  
17 their desire to appear and testify at the hearing not less than five (5)  
18 business days before the scheduled date of the hearing.

19 (c) Hearings shall be conducted in a manner providing each person who  
20 wishes to comment a fair and reasonable opportunity to comment orally or  
21 in writing.

22 (d) No transcript of the public hearing is required, unless a written request  
23 for a transcript is made; in which case the person or entity making the  
24 request shall pay for the transcript. A recording may be made in lieu of a  
25 transcript under the same terms and conditions as a transcript. This  
26 subsection shall not preclude the Commission from making a transcript or  
27 recording of the public hearing.

28 (e) Nothing in this section shall be construed as requiring a separate hearing  
29 on each rule. Rules may be grouped for the convenience of the Commission  
30 at hearings required by this section.

31 (f) Following the scheduled hearing date, or by the close of business on the  
32 scheduled hearing date if the hearing was not held, the Commission shall  
33 consider all written and oral comments received.

34 (g) The Commission shall, by majority vote of a quorum of the  
35 Commissioners, take final action on the proposed rule and shall determine  
36 the effective date of the rule, if any, based on the rulemaking record and the  
37 full text of the rule.  
38

39 **1.7 Status of Rules upon adoption of Compact additional member states:** Any  
40 state that joins the Compact subsequent to the Commission's initial adoption of the  
41 rules shall be subject to the rules as they exist on the date on which the Compact  
42 becomes law in that state. Any rule that has been previously adopted by the  
43 Commission shall have the full force and effect of law on the day the Compact  
44 becomes law in that state.

1 **1.8 Emergency Rulemaking:** Upon determination that an emergency exists, the  
2 Commission may consider and adopt an emergency rule that shall become effective  
3 immediately upon adoption, provided that the usual rulemaking procedures  
4 provided in the Compact and in this section shall be retroactively applied to the rule  
5 as soon as reasonably possible, in no event later than (90) ninety days after the  
6 effective date of the rule. An emergency rule is one that must be made effective  
7 immediately in order to:

- 8
- 9 (a) Meet an imminent threat to public health, safety, or welfare;
- 10 (b) Prevent a loss of federal or state funds;
- 11 (c) Meet a deadline for the promulgation of an administrative rule that is
- 12 established by federal law or rule; or
- 13 (d) Protect public health and safety.
- 14

3 **ADMINISTRATIVE RULES**

4  
5 **ADOPTED BY THE COMMISSION:** JUNE 13, 2023  
6 **EFFECTIVE:** JUNE 13, 2023  
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8 **SECTION 1. Purpose and Authority**

9 These rules are promulgated by the Interstate Commission for Emergency Medical Services  
10 Personnel Practice pursuant to the Recognition of Emergency Medical Services Personnel Licensure  
11 Interstate Compact (REPLICA). These rules shall become effective upon adoption by the  
12 Commission. Nothing in the compact or these rules authorizes an individual to practice in a non-  
13 member state.

14 **SECTION 2. Definitions**

15 For the purposes of the rules adopted by the Interstate Commission for Emergency Medical Services  
16 Personnel Practice, the following definitions shall apply. Terms not specifically defined in these rules  
17 shall have the definitions as set forth in the compact.

- 18 2.0 “**Adverse Action**” means: any administrative, civil, equitable or criminal action permitted by  
19 a state’s laws which may be imposed against licensed EMS personnel by a state EMS  
20 authority or state court, including, but not limited to, actions against an individual’s license  
21 such as revocation, suspension, probation, consent agreement, monitoring or other limitation  
22 or encumbrance on the individual’s practice, letters of reprimand or admonition, fines,  
23 criminal convictions and state court judgments enforcing adverse actions by the state EMS  
24 authority.
- 25 2.1 “**Commission**” means: the national administrative body of which all states that have enacted  
26 the Compact are members.
- 27 2.2 “**Commissioner**” means: the appointed delegate from each state as described in Section  
28 10.B.1. of the Compact.
- 29 2.3 “**Compact**”, hereinafter “the Compact” means: The Recognition of Emergency Medical  
30 Services Personnel Licensure Interstate Compact (REPLICA) as enacted by a Member State.
- 31 2.4 “**Compact Data Participation Agreement**” means: the agreement established between the  
32 Commission and the Coordinated Database Administrator.
- 33 2.5 “**Conditions of Practice**” means: the circumstances under which an individual is authorized  
34 to practice in a remote state under a privilege to practice.
- 35 2.6 “**Coordinated Database**” means: the information system established and maintained by the  
36 Commission as set forth in the compact.
- 37 2.7 “**Coordinated Database Administrator**” means: the contractor, person or employee named  
38 by the Commission to provide oversight and management of the coordinated database.
- 39 2.8 “**EMS Agency**” means: an organization that is authorized by a state EMS authority to operate



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40 an ambulance service, or non-transport service.

41 **2.9 “License”** means: the authorization by a state for an individual to practice as an EMT,  
42 AEMT, Paramedic, or a level in between EMT and Paramedic.

43 **2.10 “Member State”** means: a state that has enacted the Compact.

44 **2.11 “National EMS ID number”** means: a randomly generated, unique 12-digit identification  
45 number issued by the National Registry of EMTs.

46 **2.12 “Notify the Commission”** means: communication whether written, verbal or through  
47 submission of information through the coordinated database. For the purposes of these rules,  
48 submission of information to the coordinated database shall be deemed to have satisfied any  
49 requirements under the Compact to a home state or member state. Nothing in the Commission  
50 rules shall be construed as prohibiting the sharing of information directly between member  
51 states, assuming all other requirements for submission to the coordinated database are  
52 satisfied.

53 **2.13 “Non-Member State”** means: a state, territory or jurisdiction of the United States that has not  
54 enacted the Compact.

55 **2.14 “Privilege to Practice”** means: an individual’s authority to deliver emergency medical  
56 services in remote states as authorized under this compact.

57 **2.15 “Rule”** means: a written statement by the Commission promulgated pursuant to Section 12 of  
58 the Compact that is of general applicability; implements, interprets, or prescribes a policy or  
59 provision of the Compact; or is an organizational, procedural, or practice requirement of the  
60 Commission and has the force and effect of statutory law in a member state and includes the  
61 amendment, repeal, or suspension of an existing rule.

62 **2.16 “State”** means: any state, commonwealth, district, or territory of the United States.

63 **2.17 “State EMS Authority”** means: the board, office, or other agency with the legislative  
64 mandate to license EMS personnel.

65 **2.18 “Subject”** means: an individual who is under investigation by a state EMS authority for  
66 alleged misconduct.

### 67 SECTION 3. Not Used

### 68 SECTION 4. Privilege to Practice

69 **4.0 Recognition of privilege to practice.** A remote state shall recognize the privilege to practice  
70 of an individual who is licensed in another member state, provided that:

71 A) the home state complies with section 3 of the Compact; and

72 B) the individual is performing EMS duties that are assigned by an EMS agency that is  
73 authorized in the remote state (for purposes of this section, such duties shall include  
74 the individual's travel to, from and between the location(s) in the remote state at which  
75 the individual's assigned EMS duties are to be performed); and

76 C) the results of the individual’s criminal history background check are documented by  
77 all home states where the individual is licensed as qualified; and

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- 78 D) the individual has an unrestricted license issued by the home state wherein the EMS  
79 agency for which the individual is practicing in the remote state; and  
80 E) the individual's privilege to practice has not been restricted or revoked by any member  
81 state (except as provided in section 4.2 of these rules).

### 82 4.1 Notification of privilege to practice status

- 83 A) Home states shall notify the Commission of the privilege to practice status for each  
84 individual licensed by the home state to the Commission as described in section 11.4  
85 of these rules as unrestricted, restricted, suspended, revoked or denied.  
86 B) When a home state restricts, suspends, or revokes an individual's license, the home  
87 state shall notify the Commission of the individual's eligibility to request restoration  
88 of the privilege to practice on the adverse action order as:  
89 (i) Eligible for privilege to practice restoration. The home state EMS authority  
90 where the action was taken authorizes the individual to request reinstatement  
91 of the privilege to practice in remote states, or  
92 (ii) Ineligible for privilege to practice restoration. The home state EMS authority  
93 where the action was taken does not authorize the individual to request  
94 reinstatement of the privilege to practice in remote states.

### 95 4.2 Restoration of privilege to practice. The restoration of the privilege to practice shall only 96 occur when:

- 97 (A) the home state license is restored or unrestricted; or  
98 (B) the privilege to practice restoration is authorized as stated in section 4.1(B)(i) of these  
99 rules and  
100 (i) the remote state restores the privilege to practice or removes the restriction of  
101 the privilege to practice; and  
102 (ii) the individual whose license or privilege to practice in any member state is  
103 restricted, suspended, or revoked has submitted a request to each remote state  
104 wherein the individual wishes to have a privilege to practice.

### 105 4.3 Individuals licensed in non-reporting home states. Individuals licensed in a home state that 106 does not collect and submit all elements of the uniform data set are not eligible to practice in a 107 remote state under the privilege to practice until the home state has submitted all elements of 108 the uniform data set in the manner prescribed by the Commission.

### 109 4.4 Scope of practice. An individual providing patient care in a remote state under the privilege 110 to practice shall function within the scope of practice authorized by his or her home state 111 unless or until modified by the appropriate authority in the remote state.

- 112 (A) Each member state EMS authority that chooses to modify the scope of practice of  
113 individuals who are functioning in the state under a privilege to practice must report  
114 the specific modifications to the Commission for publication as described in these  
115 rules.

116

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- 117 (B) If the statutes and rules in the remote state allows further modification of the scope of  
118 practice, an EMS agency may further modify an individual's scope of practice.
- 119 (C) If the EMS authority of the member state in which patient care is provided specifies a  
120 scope of practice that the EMS agency must follow, the individual will follow the  
121 scope of practice for the EMS agency for which the individual is providing patient  
122 care.
- 123 **4.5 Notification.** A member state shall notify the Commission of any scope of practice  
124 modifications or limitations for individuals (from another member state) providing patient  
125 care in the state under the privilege to practice.
- 126 **4.6 Publication of scope of practice.** The Commission shall publish the scope of practice  
127 limitations and modifications for all member states in the Commission's standards manual  
128 that is incorporated in these rules.
- 129 (A) Updates to the standards manual will be published each year on July 1.
- 130 (B) The standards manual will be made available on the Commission website.
- 131 **4.7 Individual responsibility.** An individual providing patient care in a remote state under the  
132 privilege to practice is responsible for adhering to the scope of practice modifications or  
133 limitations for that remote state as described in the most current version of the Commission's  
134 standards manual.

### 135 SECTION 5. Not Used

### 136 SECTION 6. Not Used

### 137 SECTION 7. Not Used

### 138 SECTION 8. Adverse Actions

#### 139 8.0 Investigation.

- 140 (A) Member states may collaborate in investigating alleged individual misconduct.
- 141 (B) In those cases where the subject is licensed by one or more member states and  
142 therefore has more than one home state, the responsibility for the investigation shall  
143 fall to the home state that licenses, certifies, commissions, or otherwise authorizes the  
144 agency or appropriate authority for which the subject was providing patient care when  
145 the alleged misconduct occurred.
- 146 (C) Upon discovery that an individual is under investigation in another member state, the  
147 member state may contact the investigating member state and request investigative  
148 documents and information.
- 149 (D) This section shall not be construed as limiting any member state's authority to  
150 investigate any conduct within that state, or to investigate any licensee.

#### 151 8.1 Reporting of adverse actions.

- 152 (A) A remote state that imposes adverse action against an individual's privilege to  
153 practice, shall notify the Commission as soon as possible, but no later than two (2)

154 business days after the imposition of the adverse action.

155 (B) A home state that imposes adverse action against an individual's license shall notify  
156 the Commission as soon as possible, but no later than two (2) business days after the  
157 imposition of the adverse action and notify the individual in writing that the  
158 individual's remote state privilege to practice is revoked.

159 (C) Member states are not required to report any other information regarding adverse  
160 actions to the Commission other than what is available in the public record of the  
161 reporting member state though nothing herein shall prohibit a member state from  
162 sharing with another member state, or a non-member state, such additional  
163 information as the member state concludes is appropriate.

164 **SECTION 9. Not Used**

165 **SECTION 10. Coordinated Database – General**

166 **10.0 Method of data submission.** Member states shall submit the uniform data set described in  
167 section 11 of these rules to the coordinated database in accordance with the Compact Data  
168 Participation Agreement.

169 (A) **Data ownership.** All data submitted by a member state to the coordinated database  
170 remains the property of the member state. Any use of the data in the coordinated  
171 database other than that expressly allowed by the Commission is prohibited.

172 (B) A member state may designate member state information that may not be shared with  
173 the public without the express permission of the contributing state.

174 **10.1 Access to the coordinated database.** Member states shall have access to the uniform data set  
175 submitted by other member states.

176 **10.2 Implementation.** A member state shall have thirty (30) days to initially provide the member  
177 state's uniform data set to the coordinated database. In the event a member state does not  
178 collect one or more elements of the uniform data set, the member state shall initially submit  
179 all elements currently collected within thirty (30) days and shall collect and submit any  
180 missing elements within eighteen (18) months.

181 **10.3 Maintenance of uniform data set.** The accuracy of information maintained in the  
182 coordinated database, to the extent it is possible, shall be the responsibility of member states.

183 **10.4 Correction of records.** In the event an individual assert that the individual's uniform data set  
184 information is inaccurate, the individual shall provide evidence in a manner determined by the  
185 individual's home state that substantiates such claim. A home state shall verify and submit to  
186 the Commission an amendment to correct the uniform data set of an individual.

187 **SECTION 11. Coordinated Database - Uniform Data Set.**

188 Member states must submit the following uniform data set to the coordinated database at the  
189 frequency indicated.

190  
191 **11.0 Identifying information.** The following information for each individual who is licensed must  
192 be reported within ten (10) business days of completion of licensure application process. Any

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193 changes must be reported within ten (10) business days of the change being processed by the  
194 member state.

- 195 (A) Full legal name (first, middle, last); and
- 196 (B) suffix (if applicable); and
- 197 (C) date of birth (month, day, year); and
- 198 (D) identification number (one or both of the following):
  - 199 (i) Social Security Number
  - 200 (ii) National EMS ID number.

201 **11.1 Licensure data.** The following information for each individual who is licensed in the member  
202 state must be reported within ten (10) business days of completion of licensure process. Any  
203 changes must be reported within ten (10) business days of the change being processed by the  
204 member state.

- 205 (A) State of licensure; and
- 206 (B) license level; and
- 207 (C) effective date of license; and
- 208 (D) expiration date of license; and
- 209 (E) license number; and
- 210 (F) license status (if applicable, i.e. inactive, temporary, etc.)

211 **11.2 Significant investigative information.** The following information must be reported as soon  
212 as possible, but no later than two (2) business days of the member state completing the  
213 preliminary inquiry:

- 214 (A) subject's identifying information as stated in section 11.0 of these rules; and
- 215 (B) declaration of the existence of an investigation or pending adverse action related to the  
216 incident or act of misconduct.

217 **11.3 Adverse actions imposed on an individual's license.** The following information must be  
218 reported as soon as possible, but no later than two (2) business days of imposition of the  
219 adverse action. Any changes to the status of the adverse action must be reported as soon as  
220 possible, but no later than two (2) business days of the change being processed by the member  
221 state:

- 222 (A) subject's identifying information as stated in section 11.0 of these rules; and
- 223 (B) summary description of the incident or act of misconduct; and
- 224 (C) declaration of the existence of a criminal investigation or pending criminal charges  
225 related to the incident or act of misconduct; and
- 226 (D) declaration of the action taken by the member state; and
- 227
- 228 (E) effective date of the action taken; and

- 229 (F) duration of the action.
- 230 **11.4 Privilege to practice status.** The information as described in section 4.1 of these rules for  
231 each individual licensed by the member state must be reported within one (1) month of the  
232 effective date of the privilege to practice status. Any changes to the privilege to practice status  
233 must be reported as soon as possible, but no later than two (2) business days of the change  
234 being processed by the member state.
- 235 **11.5 Non-confidential alternative program participation information.** To the extent allowed by  
236 a member state's laws, non-confidential information concerning an individual's participation  
237 in an alternative program will be reported.
- 238 (A) Any denial of applications for licensure. The following information must be reported  
239 within one month of the denial:
- 240 (B) applicant's identifying information as stated in section 11.0 of these rules; and
- 241 (C) summary of the reason for denial; and
- 242 (D) declaration of the existence of a criminal investigation or pending criminal charges  
243 related to the denial; and
- 244 (E) declaration of the duration of the denial.
- 245 **11.6** (Section repealed April 9, 2021)
- 246 **11.7 Other acts of misconduct or criminal convictions.** Individual acts of misconduct or criminal  
247 convictions that a member state becomes aware of, from sources other than the FBI  
248 background check that may result in action against an individual's license or privilege to  
249 practice in any member state must be reported as soon as possible, but no later than two (2)  
250 business days of discovery by the state making the discovery.
- 251 **11.8 Compliance with 28 C.F.R. §20.3.** Nothing in these Rules shall require or permit the sharing  
252 or reporting of Criminal History Record Information as that term is defined in 28 C.F.R. §20.3  
253 in a manner that is prohibited by law.

## 254 SECTION 12. Rulemaking

- 255 **12.0 Proposed rules or amendments.** Proposed rules or amendments to the rules shall be adopted  
256 by majority vote of the members of the Commission. Proposed new rules and amendments to  
257 existing rules shall be submitted to the Commission office for referral to the rules committee  
258 as follows:
- 259 (A) Any Commissioner may submit a proposed rule or rule amendment for referral to the  
260 rules committee during the next scheduled Commission meeting. This proposal shall  
261 be made in the form of a motion and approved by a majority vote of a quorum of the  
262 Commission members present at the meeting.
- 263 (B) Standing committees of the Commission may propose rules or rule amendments by  
264 majority vote of that Committee.
- 265 **12.1 Preparation of draft rules.** The rules committee shall prepare a draft of all proposed rules  
266 and provide the draft to all Commissioners for review and comments. Based on the comments  
267 made by the Commissioners the Rules Committee shall prepare a final draft of the proposed



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268 rule(s) or amendments for consideration by the Commission not later than the next  
269 Commission meeting.

270 **12.2 Publication of draft rules.** Prior to promulgation and adoption of a final rule (in accordance  
271 with Section 12 of the Compact) the Commission shall publish the text of the proposed rule or  
272 amendment prepared by the rules committee not later than sixty (60) days prior to the meeting  
273 at which the vote is scheduled, on the official website of the Commission and in any other  
274 official publication that may be designated by the Commission for the publication of its rules.  
275 All written comments received by the rules committee on proposed rules shall be posted on  
276 the Commission's website upon receipt. In addition to the text of the proposed rule or  
277 amendment, the reason for the proposed rule shall be provided.

278 **12.3 Notification.** Each administrative rule or amendment shall state:

- 279 (A) The place, time, and date of the scheduled public hearing, if any;
- 280 (B) The manner in which interested persons may submit notice to the Commission of their  
281 intention to attend the public hearing and any written comments; and
- 282 (C) The name, position, physical and electronic mail address, telephone, and telefax  
283 number of the person to whom interested persons may respond with notice of their  
284 attendance and written comments.

285 **12.4 Public Hearings.** Every public hearing shall be conducted in a manner guaranteeing each  
286 person who wishes to comment a fair and reasonable opportunity to comment. In accordance  
287 with Section 12.H. of the Compact, specifically:

- 288 (A) If a hearing is held on the proposed rule or amendment, the Commission shall publish  
289 the place, time, and date of the scheduled public hearing.
- 290 (B) All persons wishing to be heard at the hearing shall notify the Chairperson of the  
291 Commission or other designated member in writing of their desire to appear and  
292 testify at the hearing not less than five (5) business days before the scheduled date of  
293 the hearing.
- 294 (C) Hearings shall be conducted in a manner providing each person who wishes to  
295 comment a fair and reasonable opportunity to comment orally or in writing.
- 296 (D) No transcript of the public hearing is required, unless a written request for a transcript  
297 is made; in which case the person or entity making the request shall pay for the  
298 transcript. A recording may be made in lieu of a transcript under the same terms and  
299 conditions as a transcript. This subsection shall not preclude the Commission from  
300 making a transcript or recording of the public hearing.
- 301 (E) Nothing in this section shall be construed as requiring a separate hearing on each rule.  
302 Rules may be grouped for the convenience of the Commission at hearings required by  
303 this section.
- 304 (F) Following the scheduled hearing date, or by the close of business on the scheduled  
305 hearing date if the hearing was not held, the Commission shall consider all written and  
306 oral comments received.
- 307 (G) The Commission shall, by majority vote of a quorum of the Commissioners, take final

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308                    action on the proposed rule and shall determine the effective date of the rule, if any,  
309                    based on the rulemaking record and the full text of the rule.

310            **12.5 Status of rules upon adoption of additional member states.** Any state that joins the  
311            Compact subsequent to the Commission's initial adoption of the rules shall be subject to the  
312            rules as they exist on the date on which the Compact becomes law in that state. Any rule that  
313            has been previously adopted by the Commission shall have the full force and effect of law on  
314            the day the Compact becomes law in that state.

315            **12.6 Emergency Rulemaking.** Upon determination that an emergency exists, the Commission  
316            may consider and adopt an emergency rule that shall become effective immediately upon  
317            adoption, provided that the usual rulemaking procedures provided in the Compact and in this  
318            section shall be retroactively applied to the rule as soon as reasonably possible, in no event  
319            later than ninety (90) days after the effective date of the rule. An emergency rule is one that  
320            must be made effective immediately in order to:

- 321            (A)    Meet an imminent threat to public health, safety, or welfare;
- 322            (B)    Prevent a loss of federal or state funds;
- 323            (C)    Meet a deadline for the promulgation of an administrative rule that is established by  
324            federal law or rule; or
- 325            (D)    Protect public health and safety.

326    **SECTION 13. Not Used**

327    **SECTION 14. Not Used**

328    **SECTION 15. Not Used**



# INTERSTATE COMMISSION FOR EMS PERSONNEL PRACTICE

## Bylaws

Adopted: October 17, 2017

Amended: June 13, 2023, November 15, 2023

### ARTICLE I.

#### COMMISSION PURPOSE, FUNCTION AND BYLAWS

##### Section 1. Purpose

Pursuant to the terms of the Recognition of Emergency Medical Services (EMS) Personnel Licensure Interstate Compact (the "Compact"), The Interstate Commission for EMS Personnel Practice (the "Commission") is established as a body politic and an instrumentality of the compact states to fulfill the objectives of the Compact through a means of joint cooperative action among the Member States: to develop a comprehensive process that complements the existing licensing and regulatory authority of the State EMS Authority and extends to EMS personnel a Privilege to Practice across state boundaries in Member States, thereby providing immediate legal recognition to EMS personnel and ensuring the safety of patients.

##### Section 2. Functions.

In pursuit of the fundamental objectives set forth in the Compact, the Commission shall, as necessary or required, exercise all of the powers and fulfill all of the duties as provided by the Compact. The Commission's activities shall include, but are not limited to, the following: the promulgation of binding rules and operating procedures; equitable distribution of the costs, benefits and obligations of the Compact among the Member States; enforcement of Commission Rules, Operating Procedures and Bylaws; provision of dispute resolution; sharing of licensure history of Member State EMS personnel and coordination of significant investigatory information; and the collection and dissemination of information concerning the activities of the Compact, as provided by the Compact, or as determined by the Commission to be warranted by, and consistent with, the objectives and provisions of the Compact. The provisions of the Compact shall be reasonably and liberally construed to accomplish the purposes and policies of the Compact.

##### Section 3. Bylaws.

As required by the Compact, these Bylaws shall govern the management and operations of the Commission. As adopted and subsequently amended, these Bylaws shall remain at all times subject to, and limited by, the terms of the Compact.

## **ARTICLE II.**

### **MEMBERSHIP**

The Commission Membership shall be comprised as provided by the Compact. Each Member State shall have and be limited to one appointed voting representative. The appointees shall be the Commissioners of the Member States. Each Member State shall forward the names of its Commissioners to the Commission chairperson. The Commission chairperson or their designee shall promptly advise the State EMS Authority of the Member State of the need to appoint a new Commissioner whenever a vacancy occurs.

## **ARTICLE III.**

### **OFFICERS**

#### Section 1. Election and Succession.

The officers of the Commission shall include a chairperson, vice chairperson, secretary, and treasurer. The officers shall be duly appointed Commissioners. Officers shall be elected by the Commission at the full Commission meeting held in the last quarter of each year or any special meeting as provided by the bylaws. The chairperson and treasurer shall be elected in even numbered calendar years and the vice-chairperson and secretary shall be elected in odd numbered calendar years. All terms shall be two years. Officers shall take office immediately following the close of the meeting at which they are elected. No commissioner shall serve more than two (2) full consecutive terms in a single elected office. Fulfilling an incomplete term is not considered part of the term limit. At the end of their term, officers are eligible for re-election. The elected officers shall serve without compensation or remuneration, except as provided by the Compact.

#### Section 2. Removal of Officers.

Any officer may be removed from office by a majority vote of the Commission.

#### Section 3. Duties

The officers shall perform all duties of their respective offices as provided by the Compact and these Bylaws. Such duties shall include, but are not limited to, the following:

**Chairperson.** The chairperson shall call and preside at all meetings of the Commission and in conjunction with the Executive Committee, the chairperson shall prepare agendas for such meetings. The chairperson shall make appointments to all committees of the Commission, and, in accordance with the Commission's directions, or subject to ratification by the Commission, shall act on the Commission's behalf during the interims between Commission meetings as delegated by the Commission.

**Vice Chairperson.** The vice chairperson shall, in the absence or at the direction of the chairperson, perform any or all of the duties of the chairperson. In the event of a vacancy in the office of chairperson, the vice chairperson shall serve as acting chairperson until a new chairperson is elected by the Commission.

**Secretary.** The secretary shall keep minutes of all Commission meetings and shall act as the custodian of all documents and records pertaining to the status of the Compact and the business of the Commission.

**Treasurer.** The treasurer shall act as custodian of all Commission funds and shall be responsible for monitoring the administration of all fiscal policies and procedures set forth in the Compact or adopted by the Commission. Pursuant to the Compact, the treasurer shall execute such bond as may be required by the Commission covering all officers, Commissioners and Commission personnel, as determined by the Commission, who may be responsible for the receipt, disbursement, or management of Commission funds.

#### Section 4. Costs and Expense Reimbursement.

Subject to the availability of budgeted funds, the officers shall be reimbursed for any actual and necessary costs and expenses incurred by the officers in the performance of their duties and responsibilities as officers of the Commission.

#### Section 5. Vacancies

Upon the resignation, removal, or death of an officer of the Commission before the next annual meeting of the Commission, a majority of the Executive Committee shall appoint a successor to hold office either (1) for the unexpired portion of the term of the officer whose position shall so become vacant if there is under a year left in the term or (2) until the next regular or special meeting of the Commission at which the vacancy is filled by majority vote of the Commission should greater than a year remain on the original term with said election being for the unexpired portion of the term of the vacant position.

#### Section 6. Resignation

An officer may resign at any time by filing a written resignation with the chairperson.

### **ARTICLE IV.**

#### **COMMISSION OFFICES AND PERSONNEL**

##### Section 1. Commission Staff and Offices.

Contractual arrangements may be made with a professional management firm to act or serve as an authorized agent on behalf of the Commission. The management firm must be approved by the Commission and serves under a contract that is legal and binding under law. The Commission may contract for administrative and management functions and tasks that further the purposes and objectives of the Compact but that do not replace the powers of the Commission as delineated by these bylaws. The management firm designates one professional employee as executive director. The executive director an ex-officio member of the Commission without voting rights.

- A. Operations: The Executive Committee oversees management firm operations and, from time to time, receives reports on the administration of the organization.
- B. Obligation: The management firm must be bonded if the person or firm performs any fiduciary or financial functions on behalf of the Commission.
- C. Meeting Attendance: The executive director is required to attend the Commission meetings and present reports of activities carried out on behalf of the Commission.

### **ARTICLE V.**

#### Qualified Immunity, Defense and Indemnification

The members, officers and authorized agents such as an executive director, other personnel acting on behalf of the Commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities; provided that nothing in this paragraph shall be construed to protect any such person from suit and/or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person.

The Commission shall defend any member, officer and other authorized agent of the Commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and

provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

The Commission shall indemnify and hold harmless any member, officer and other authorized agent of the Commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

## **ARTICLE VI.**

### **MEETINGS OF THE COMMISSION**

#### Section 1. Meetings and Notice.

The Commission shall meet at least once each calendar year at a time and place to be determined by the Commission. Commissioners may participate in meetings by telephone or other means of virtual participation. Additional meetings may be scheduled at the discretion of the chairperson and must be called upon the request of a majority of Commissioners, as provided by the Compact. All Commissioners shall be given written notice of Commission meetings at least thirty (30) days prior rules will be considered and voted on by the Commission. Final agendas shall be provided to all Commissioners no later than ten (10) days prior to any meeting of the Commission. Thereafter, additional agenda items requiring Commission action may not be added to the final agenda. Discussion items not requiring action may be added to the agenda at any time upon a majority vote of the Commissioners. All Commission meetings shall be open to the public except as set forth in the Compact Section 10, B, 5. Public notice will be made to announce the meeting at least 30 days prior to any meeting. A meeting may enter closed session if the Commission determines by a majority vote of the Commissioners present that there exists at least one of the conditions for closing a meeting, as provided by the Compact or authorized Rules.

#### Section 2. Quorum.

A majority of Commissioners shall constitute a quorum for the transaction of business, except as otherwise required in these bylaws. The presence of a quorum must be established before any vote of the Commission can be taken.

#### Section 3. Voting.

Each Commissioner is entitled to one vote. A Commissioner shall vote on such member's own behalf and shall not delegate such vote to another Commissioner. Except as otherwise required by the Compact or these Bylaws, any question submitted to a vote of the Commission shall be determined by a simple majority.

#### Section 4. Procedure.

Matters of parliamentary procedure not covered by these bylaws shall be determined by the chairperson.

#### Section 5. Public Participation in Meetings.

With the exception as written under Section 12 of the Compact, upon prior written request to the Commission, any person who desires to present a statement on a matter that is on the agenda shall be afforded an opportunity to present an oral statement to the Commission at a time designated on the meeting's agenda.

Commission meetings will have a designated time for public comment on items not on the agenda. The chairperson may limit the time and manner of any such statements.



The chairperson may, depending on the circumstances, afford any person who desires to present a statement on a matter that is on the agenda an opportunity to be heard absent a prior written request to the Commission. The chairperson may limit the time and manner of any such statements at any open meeting and at the beginning of the meeting.

## **ARTICLE VII.**

### **COMMITTEES**

#### Section 1. Executive Committee.

The Commission may establish an Executive Committee which shall be empowered to act on behalf of the Commission during the interim between Commission meetings, except for rulemaking or amendment of the Compact or these bylaws. The Executive Committee shall be composed of all officers of the Commission, the immediate past chairperson and one member At-Large. A Commissioner-At-Large will be elected by the membership of the Commission as a whole to an initial two- year term. The At-Large position will be elected concurrent with the chairperson and Treasurer.

The immediate past chairperson is a non-voting member of the Executive Committee. The procedures, duties, budget, and tenure of such an Executive Committee shall be determined by the Commission. The power of such an Executive Committee to act on behalf of the Commission shall be subject to any limitations imposed by the Compact. Public notice of all Executive Committee meetings must be made at least three (3) days prior to the meeting date and the meeting agenda must be made public 24 hours prior to the meeting date.

#### Section 2. Committees.

The Commission may establish such Committees as it deems necessary to advise it concerning the fulfillment of its objectives, which may include but not be limited to a Budget-Finance Committee, Technology Committee, Bylaws and Rules Committee and Communications and Education and Training Committee. The composition, procedures, duties, budget and tenure of such committees shall be determined by the Commission. The Commission may dissolve any committee it determines is no longer needed.

## **ARTICLE VIII.**

### **FINANCE**

#### Section 1. Fiscal Year.

The Commission's fiscal year shall begin on July 1 and end on June 30.

#### Section 2. Budget.

The Commission shall operate on an annual budget cycle and shall, in any given year, adopt budgets for the following fiscal year or years as provided by the Compact.

#### Section 3. Accounting and Audit.

The Commission will arrange for an independent audit or financial review at least once a year or as required by the Compact. The results of the audit or financial review are presented as part of the Treasurer's report during the annual meeting of the Commission.

The Commission's internal accounts, any documents related to any internal audit, and any documents related to the independent audit shall be confidential; provided, that such materials shall be made available:

- i) in compliance with the order of any court of competent jurisdiction;

- ii) pursuant to such reasonable rules as the Commission shall promulgate; and
- iii) to any Commissioner of a Member State, or their duly authorized representatives.

#### Section 4. Debt Limitations.

The Commission shall monitor its own and its committees' affairs for compliance with all provisions of the Compact, its rules, and these bylaws governing the incursion of debt and the pledging of credit.

#### Section 5. Travel Reimbursements.

Subject to the availability of budgeted funds and unless otherwise provided by the Commission, Commissioners shall be reimbursed for any actual and necessary expenses incurred pursuant to their attendance at all duly convened meetings of the Commission or its committees as provided by the Compact.

### **ARTICLE IX**

#### **WITHDRAWAL, DEFAULT AND TERMINATION**

Member States may withdraw from the Compact only as provided by the Compact. The Commission may terminate a Member State as provided by the Compact.

### **ARTICLE X**

#### **ADOPTION AND AMENDMENT OF BYLAWS**

Any bylaw may be adopted, amended or repealed by a majority vote of Commissioners, provided that written notice and the full text of the proposed action is provided to all Commissioners at least thirty (30) days prior to the meeting at which the action is to be considered. Failing the required notice, a two-third (2/3rds) majority vote of Commissioners shall be required for such action.

### **ARTICLE XI**

#### **DISSOLUTION OF THE COMPACT**

The Compact shall dissolve effective upon the date of the withdrawal or the termination by default of a Member State which reduces Membership in the Compact to one Member State as provided by the Compact.

Upon dissolution of the Compact, the Compact becomes null and void and shall be of no further force or effect, and the business and affairs of the Commission shall be concluded in an orderly manner and according to applicable law. Each Member State in good standing at the time of the Compact's dissolution shall receive a pro rata distribution of surplus funds based upon a ratio, the numerator of which shall be the amount of its last paid annual assessment, and the denominator of which shall be the sum of the last paid annual assessments of all Member States in good standing at the time of the Compact's dissolution. A Member State is in good standing if it has paid its assessments timely.