

## EMS Compact Data Use and Fees

Notes - The Compact fee model is based on a model used by the US Department of Health & Human Services, National Practitioner Data Bank for accessing discipline records for licensed health professionals: <https://www.npdb.hrsa.gov/hcorg/billingAndFees.jsp>

### Fee Authorization

The Interstate Commission for EMS Personnel Practice (EMS Compact) is a multi-state governmental entity that does not receive federal funding or charge compact states a service fee. In accordance with the EMS Compact legislation, “The Commission may ... impose fees on other parties to cover the cost of the operations and activities of the Commission and its staff” (Section 10. E. 3).

### Data Privacy

As a governmental body, the EMS Compact is strongly committed to data privacy, security and protecting personal data. The EMS Compact does not sell data, nor does the EMS Compact sell proxy access to the data (for example, the Compact will not distribute emails, phone numbers, or USPS mail on behalf of any third-party).

Individual data elements contained in the database are classified as public or private. Public data elements associated with a National EMS ID may be disclosed, in accordance with ICEMSPP policies, if the National EMS ID is queried for the purposes of validating a license or privilege to practice status.

### Public Protection and Data

A foundational purpose of the EMS Compact is to enhance public protection. A core element of public protection is the ability for employers and the general public to validate an EMS Provider’s license and privilege to practice status. The EMS Compact’s National EMS Coordinated Database includes the ability to validate the EMS License and Privilege to Practice status for EMS personnel in a Compact State. The validation is limited to data categorized as Public Data, as defined by Compact rule, which may include the provider’s name, license level, status, expiration data. Additional data, categorized as public data by the data owner (Compact States), may be included by a Compact State. Is there any way a state could gain access to the whole database?

### Data Use and Access Fees

The EMS Compact website ([www.emscompact.gov](http://www.emscompact.gov)) provides a free license and privilege to practice validation service. The free validation tool provides the ability for anyone to validate the status of a single National EMS ID and view associated public data.

Individual Subscription - The EMS Compact will offer a subscription-based push notification service. For an annual fee (established by the ICEMSPP), individuals can subscribe to a push notification service. When information in the National EMS Coordinated Database associated with a single National EMS ID number is modified or updated, a push notification is sent to the subscriber. Push notifications may include text messages, email, or in-app notifications.

Examples of notifications may include: expiration or pending expiration of a license on record, change in license status (suspended, restricted, etc), change in privilege to practice status, etc.

Bulk Subscription - Designed for employers, the EMS Compact will offer a subscription-based push notification service. For an annual fee (established by the ICEMSPP), employers can subscribe to a bulk push notification service. Employers can subscribe to notifications for a list of National EMS ID Numbers. When information in the National EMS Coordinated Database associated with any of the National EMS ID numbers is modified or updated, a push notification is sent to the subscriber. Push notifications may include text messages, email, or in-app notifications. Examples of notifications may include: expiration or pending expiration of a license on record, change in license status (suspended, restricted, etc), change in privilege to practice status, etc.

### **Bulk Data Access**

Except as described in the Bulk Subscription Model, the EMS Compact will not accept or process data requests from any public, private, or governmental entity. The EMS Compact shall not distribute contact details (including email address, phone number, and mailing address information) for EMS personnel in the National EMS Coordinated Database.

The EMS Compact, may at the discretion and with the approval of the Executive Committee, generate a deidentified public use data file with summarized data. In order to assure confidentiality of EMS providers, the smallest geographic unit identified in each record in this file is a State. Not sure what we are saying here?

### **Official Governmental Business**

With the written authorization from the Executive Committee, to expeditiously communicate during a national disaster or state of emergency, the EMS Compact (ICESPP) may distribute an electronic or written communique in bulk to the EMS personnel in the National EMS Coordinated Database.

Proposed Rule:

#### **10.6 Access to Data**

- A. The public shall have access to query, via the submission of one or more National EMS ID numbers, the following data elements, collectively known as 'Public Data', for EMS personnel in the National EMS Coordinated Database:
  - a. Full Name;
  - b. Jurisdiction(s) of Licensure;
  - c. License Expiration date(s);
  - d. Licensure level(s); license number and status(es);
  - e. Public emergency and final disciplinary actions, as defined by contributing member state authority;
  - f. A change in the status of a disciplinary action or licensure encumbrance;
  - g. The status of EMS Compact Privilege to Practice;
  - h. National EMS Certification status.

- B. Access to Public Data shall be query-based and require the user to submit a valid National EMS ID number. If the National EMS ID Number is validated, the public data set information may be returned to the user. Users may subscribe to receive push notifications when data associated with the National EMS ID Number is updated and/or automated date-based reminders associated with a National EMS ID Number.
- C. Entities that have entered (or may be entering) into an employment or affiliations relationship with EMS provider(s) may submit National EMS ID numbers in bulk. If the National EMS ID Numbers are validated, the public data set information may be returned to the user. Users may subscribe to receive push notifications when data associated with the National EMS ID Number is updated and/or automated date-based reminders associated with a National EMS ID Number.
- D. The Commission shall not publicly disclose mailing addresses, email addresses, phone numbers, or other protected information.
- E. The Commission may impose an access fee to query the database, or to subscribe to notifications generated by the database.

#### 10.7 Data Access Fee

The Executive Committee shall publish, at least on an annual basis, a fee schedule to query the database, or to subscribe to notifications generated by the National EMS Coordinated Database.

#### 10.8 Integration of Data Sources

With authorization from the Executive Committee, the database administrator may incorporate non-compact data sources into the National EMS Coordinated Database to increase situational awareness for Compact States and enhanced public protection. Examples of non-compact data sources include, but are not limited to, United States Postal Service, HRSA Medicaid Exclusion File, Social Security Death Index, national sex offender registry, and healthcare certification and licensing boards.

#### WILD IDEA - RESOLUTION ON SHARING EMS PERSONNEL DATA

WHEREAS, the Interstate Commission for EMS Personnel Practice, respects the need to protect the privacy of Emergency Medical Services personnel;

WHEREAS, there is also a need to ensure public protection through the responsible and legal sharing of licensure data;

WHEREAS, EMS personnel are an essential element of the nation's critical infrastructure;

WHEREAS, some entities have elected to sell data to data warehouses for the creation of marketing, profiling, or predictive tools used to surveil, track, and target individuals;

WHEREAS, **doxing** healthcare professionals - a practice that weaponizes publicly available sensitive data to threaten personal lives, careers, and safety - is on the rise nationally;

WHEREAS, otherwise publicly available information - including address and contact information - can be weaponized against EMS personnel;

WHEREAS, some entities are circumventing privacy by selling proxy access to email addresses, phone numbers, mailing addresses, and employer information, by distributing mailings - for a fee - on behalf of third parties; now, therefore be it

RESOLVED, that the Interstate Commission for EMS Personnel Practices reaffirms the expectation of privacy, and the required responsibility of the protecting sensitive data;

RESOLVED, that the Interstate Commission for EMS Personnel Practice recognizes EMS personnel are an essential element of national critical infrastructure, and specifically protecting the email addresses, private phone numbers, and home addresses of the thousands of individual EMS providers is an essential component of national operational readiness;

RESOLVED, that personal data contained in the National EMS Coordinated Database shall only be used for official government purposes, and shall never be used for marketing, solicitation, or unofficial purposes;

RESOLVED, that by way of example, the Interstate Commission for EMS Personnel Practice, is calling on national EMS associations, EMS labor organizations, EMS certification bodies, and other related entities storing EMS provider data to reaffirm their commitment to these principles by signing a joint resolution to prevent doxxing, and protect the privacy of personal data and our nation's essential EMS workforce.