
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 489

Session of
1975

INTRODUCED BY BERLIN, GALLAGHER, BURNS, A. P. KELLY, COHEN AND
MANDERINO, FEBRUARY 18, 1975

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
FEBRUARY 18, 1975

AN ACT

1 Regulating the licensing, inspection and operation of ambulance
2 services, providing standards for the certification of
3 ambulances and ambulance personnel, providing for renewal and
4 revocation of licenses and providing penalties.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Definitions.--As used in this act or in any
8 regulations adopted thereunder:

9 "Ambulance" means any motor vehicle that is specially
10 designed, constructed, or modified and equipped, and any
11 aircraft which is specially designed, constructed, or modified
12 and equipped and is used or intended to be used, maintained or
13 operated for the purpose of rendering emergency medical care to,
14 and transportation of patients.

15 "Ambulance service" means regularly engaging in the business
16 or service of providing emergency medical care and
17 transportation of patients within the Commonwealth.

18 "Department" means the Department of Health of the

1 Commonwealth of Pennsylvania.

2 "Emergency medical technician" means an individual who is
3 certified by the Department of Health as having successfully
4 completed an approved course of instruction in emergency medical
5 care.

6 "Invalid coach" means any land or air vehicle that is
7 maintained, operated, and intended to be used only to transport
8 persons routinely who are convalescent, or otherwise
9 nonambulatory, and do not require medical treatment while in
10 transit.

11 "Local emergency health services council" means an
12 organization which is representative of the health professions
13 and major public and voluntary agencies, organizations, and
14 institutions concerned with providing emergency health care; and
15 whose functions are to conduct comprehensive emergency health
16 services planning and to cause implementation of comprehensive
17 emergency health services programs within its defined area of
18 the Commonwealth, and which is consistent with the guidelines
19 adopted pursuant to the Highway Safety Act of 1966, P.L.89-564,
20 as amended.

21 "Patient" means any individual who is sick, injured, wounded
22 or otherwise incapacitated or helpless.

23 "Rescue vehicle" means any motor vehicle which is designed
24 and equipped for rescue operations and which is not used for
25 emergency medical care and transport of patients.

26 "Secretary" means the Secretary of Health of the Commonwealth
27 of Pennsylvania or his duly appointed representative.

28 "State emergency health services council" means the
29 Pennsylvania Emergency Health Services Council which is a
30 statewide organization representative of the health professions

1 and major public and voluntary agencies, organizations, and
2 institutions concerned with providing emergency health care; and
3 functions to conduct comprehensive emergency health services
4 planning and cause implementation of comprehensive emergency
5 health services programs.

6 Section 2. General Provisions.--The secretary shall have the
7 power and duty to:

8 (1) With the advice of the State emergency health service
9 council establish and certify minimum standards for ambulance
10 vehicles and equipment thereon.

11 (2) For training of ambulance technicians establish and
12 certify minimum standards with the advice of the State emergency
13 health service council.

14 (3) With the advice of the council establish minimum
15 standards for licensure of ambulance services.

16 (4) Make inspections of ambulance services or designate a
17 health agency or organization to conduct such inspections of
18 their ambulances, equipment, and personnel certificates to
19 determine compliance with this act and any regulations
20 promulgated pursuant thereto, in the absence of an inspection by
21 an emergency health services council or a local hospital
22 certified in accordance with rules and regulations promulgated
23 pursuant hereto.

24 (5) Promulgate rules and regulations in accordance with the
25 provisions of the act of July 31, 1968 (P.L.769, No.240), known
26 as the "Commonwealth Documents Law," and pursuant to this act.

27 Section 3. License Required to Operate an Ambulance
28 Service.--(a) One year after the effective date of this act, no
29 person, either as an owner, agent or otherwise, shall furnish,
30 operate, conduct, maintain, advertise or otherwise engage in or

1 profess to be engaged in providing ambulance service upon the
2 highways, or any public place in the Commonwealth of
3 Pennsylvania unless that person holds a currently valid license
4 to operate an ambulance service issued by the secretary pursuant
5 to this act.

6 (b) The secretary shall issue a license to any person who
7 makes application thereto within one year after the effective
8 date of this act and who was providing ambulance service on the
9 effective date of this act when a determination has been made as
10 provided herein that the service with respect to vehicles,
11 equipment and training will be in compliance with the
12 requirements of this act or any regulations adopted pursuant
13 thereto.

14 (c) Additional licenses shall be issued when the secretary
15 finds upon investigation that the service with respect to
16 vehicles, equipment and training will be in compliance with the
17 requirements of this act or any regulations adopted pursuant
18 thereto and upon proof by the applicant that there is an
19 existing public need for such additional ambulance service.

20 (d) Applications for ambulance service licenses hereunder
21 shall be made upon such forms prepared or prescribed by the
22 secretary and shall contain information as shall be deemed
23 reasonably necessary to a fair determination of compliance with
24 this act.

25 (e) Holders of licenses to operate an ambulance service
26 shall not discontinue service until 90 days after the holder
27 notifies the secretary in writing that the service is to be
28 discontinued. Notice to the secretary shall include a notarized
29 statement that the licensee has notified the chief executive
30 officer of each political subdivision in the licensee's

1 ambulance service area of his intent to discontinue ambulance
2 service, and that the intent to discontinue ambulance service
3 has been advertised in newspapers of general circulation in the
4 licensee's ambulance service area.

5 (f) A license to operate an ambulance service is not
6 transferable and shall remain valid for a period of two years,
7 unless removed or suspended by the secretary; except that,
8 during the two year period subsequent to the effective date of
9 this act, the secretary may issue licenses valid for a period
10 not to exceed three years.

11 (g) The secretary shall issue a temporary license for
12 operation of an ambulance service when the secretary deems it in
13 the public interest to do so. Such temporary license shall be
14 valid for a period not to exceed 90 days, and shall be renewable
15 with the advice of the State emergency health service council
16 and secretary.

17 Section 4. Certificate for Vehicle Required.--(a) One year
18 after the effective date of this act, no person, either as
19 owner, agent or otherwise, shall operate an ambulance upon the
20 highways, or other public place, unless that person holds a
21 currently valid certificate issued by the secretary for each
22 vehicle used as an ambulance.

23 (b) Before a certificate may be issued for a vehicle to be
24 operated as an ambulance, the licensee of the ambulance service
25 shall make application to the secretary on forms provided by the
26 department.

27 (c) A certificate shall be issued in conformity with any of
28 the methods provided herein that the vehicle for which the
29 certificate is to be issued meets the requirements for
30 ambulances as to design and engineering criteria, medical

1 equipment, radio communications, supplies and sanitation as set
2 forth in regulations adopted pursuant hereto. Said regulations
3 shall provide that each ambulance shall be designed, constructed
4 and equipped so as to afford maximum safety and comfort, and to
5 avoid aggravation of the patient's condition, exposure to
6 complications, and threats to survival.

7 (d) Such ambulance certificate shall be kept in the
8 ambulance for which the certificate was issued. Ambulance
9 certificates are not transferable and shall remain valid for a
10 period of two years, unless suspended or revoked by the
11 secretary, except that, during the two-year period subsequent to
12 the effective date of this act, the secretary may issue
13 certificates valid for a period not to exceed three years.

14 (e) The secretary may issue temporary certificates for
15 vehicles not meeting standards, as set forth in this section,
16 valid for a period not to exceed 90 days when the secretary
17 determines the public interest will be served thereby. Temporary
18 certificates shall be renewable at the discretion of the
19 secretary.

20 (f) Rules and regulations promulgated pertaining to vehicle
21 design and engineering criteria for ambulances shall apply only
22 to new ambulances acquired by any licensee after January 1,
23 1978. All ambulances shall meet the design and engineering
24 criteria established by the department after January 1, 1981.

25 (g) Rules and regulations promulgated pertaining to
26 equipment placed in or on the ambulance, medical supplies and
27 radio communication equipment shall become effective after
28 January 1, 1978.

29 Section 5. Certification of Emergency Medical Technicians.--

30 (a) The secretary with the advice of the State council shall

1 promulgate rules and regulations setting forth the
2 qualifications for certification of emergency medical
3 technicians. The secretary with the advice of the State
4 emergency health services council shall prescribe a course of
5 instruction the content of which shall be the same as that
6 currently prescribed by the Federal agency responsible for
7 establishing such requirements as a prerequisite to
8 certification: Provided, however, That persons who prior to the
9 effective date of this act have been certified as having
10 completed or who have been recertified in a course of
11 instruction of emergency care shall submit to and pass a written
12 and practical challenge examination to attain certification as
13 an emergency medical technician.

14 (b) Applicants for certification as emergency medical
15 technicians shall apply to the secretary on forms prescribed by
16 the secretary and shall provide such information as the
17 secretary shall deem necessary for compliance with this act.

18 (c) Emergency medical technician certifications shall not be
19 transferable and shall be valid for a period of three years
20 unless suspended or revoked by the secretary.

21 (d) Emergency medical technician certification may be
22 renewed after successful completion of a course of instruction
23 as prescribed by the secretary such course not to exceed 20
24 hours.

25 (e) The secretary may issue temporary emergency medical
26 technician certifications valid for a period not to exceed 90
27 days when the secretary finds that it will be in the public
28 interest to do so. Temporary emergency medical technician
29 certifications shall be renewable at the discretion of the
30 secretary.

1 Section 6. Emergency Medical Technician Required on
2 Ambulances.--After January 1, 1978, each licensed ambulance
3 service shall require that an ambulance when operated in
4 response to a call for assistance, except for routine transfer
5 of convalescent or other nonemergency cases, shall be staffed by
6 at least two persons, one of whom is an emergency medical
7 technician. After January 1, 1980, all ambulances when operated
8 in response to a call for assistance, except for routine
9 transfer of convalescent or other nonemergency cases, shall be
10 staffed by at least two persons, both of whom shall be emergency
11 medical technicians.

12 If, however, after reasonable effort to secure the minimum
13 staff required by this section, such staff cannot be secured, a
14 licensed ambulance service may permit an ambulance to respond to
15 an emergency call for assistance.

16 Section 7. Advisory Council.--For the purpose of assisting
17 the secretary in developing standards for use in the
18 administration of this act, the Pennsylvania Emergency Health
19 Services Council shall be the advisory council.

20 Standards relative to training, ambulance design and
21 engineering criteria, ambulance equipment, inspections and other
22 matters related to ambulance service shall be developed by the
23 secretary with the advice of the Pennsylvania Emergency Health
24 Services Council Board. Council members shall serve without
25 compensation, save for mileage and expenses, for which they
26 shall be reimbursed.

27 There shall be a special committee elected from the ranks of
28 the council which shall be the official spokesman for the
29 council. The committee shall be composed of 15 members; five of
30 whom shall be professionals. The professional members shall be

1 three physicians, one registered nurse and one hospital
2 administrator. The ten nonprofessional members shall be
3 representatives of volunteer ambulance services, volunteer fire
4 department ambulance services and ambulance services provided by
5 funeral directors, municipalities and other profit and nonprofit
6 corporations.

7 Section 8. Revocation of Licenses and Certificates.--(a) The
8 secretary may and is hereby authorized to suspend or revoke a
9 license or certificate issued hereunder. Upon determining that a
10 violation of this act or rules and regulations promulgated
11 thereunder exists, the secretary shall issue a notice of
12 violation. Such notice shall specify the nature of the
13 violation, order the violation abated and shall specify a
14 reasonable time for compliance. If, after such reasonable time
15 for compliance the secretary determines that such violation
16 persists, the secretary shall afford the holder of the license
17 or certification an opportunity for an administrative hearing to
18 be conducted by the department. If, after the departmental
19 hearing the secretary rules that the license or certification
20 shall be suspended or revoked, appeals may be taken as provided
21 by law.

22 (b) Upon suspension, revocation or termination of a license,
23 the ambulance service shall cease operations and no person shall
24 permit or cause such ambulance service to continue.

25 (c) Upon suspension, revocation or termination of an
26 ambulance certificate, such vehicle shall cease to be operated
27 as an ambulance.

28 (d) Upon suspension, revocation or termination of an
29 ambulance technician certification, that person shall cease
30 providing service as such.

1 Section 9. Records and Reports.--(a) The licensee of an
2 ambulance service shall complete a written report of each trip
3 upon such form and in such manner as the secretary shall
4 prescribe and provide without fees, a summary of such reports to
5 be submitted to the secretary every three months.

6 (b) The provisions of this section shall apply with equal
7 force in case such patient shall die before being transported in
8 such ambulance or dies while being transported therein or at any
9 time prior to the acceptance of the patient into the
10 responsibility of the hospital or medical or other authority if
11 the patient is still under the care or responsibility of the
12 ambulance service.

13 (c) The licensee of each ambulance service shall forward a
14 complete report of accidents involving an ambulance to the
15 secretary within ten days after such accident. Accidents
16 resulting in bodily injury or death to any person or damage to
17 the property of any one person in excess of \$250 shall be
18 reported upon such forms as the secretary may prescribe. This
19 report shall not relieve the licensee from complying with
20 reporting of accidents as prescribed in the act of April 29,
21 1959 (P.L.58, No.32), known as "The Vehicle Code."

22 (d) The provisions of this section shall take effect
23 immediately.

24 Section 10. Inspections.--(a) Each ambulance service, its
25 ambulances, equipment and personnel certificates shall be
26 inspected by an authorized inspection agency as hereinafter
27 provided, or by the secretary; such inspections to be conducted
28 from time to time as deemed appropriate and necessary by the
29 authorized inspection agency or by the secretary, but not less
30 than once every two years.

1 (b) Any local emergency health services council designated
2 by the secretary may conduct an inspection required in this act,
3 as provided in accordance with rules and regulations promulgated
4 pursuant hereto. A local council which elects to do so and which
5 is certified in accordance with rules and regulations
6 promulgated pursuant hereto, shall be designated by the
7 secretary as an authorized inspection agency in the area of its
8 service.

9 (c) Any local hospital which is certified in accordance with
10 rules and regulations promulgated pursuant hereto, may also
11 conduct such inspections. A hospital which elects to do so shall
12 be designated by the secretary as an authorized inspection
13 agency.

14 (d) Inspections made by an authorized inspection agency
15 shall be made in a manner prescribed by and on forms provided by
16 the secretary.

17 (e) Upon completion of an inspection, the authorized
18 inspection agency shall transmit a copy of the inspection report
19 to the secretary. When an inspection report shows that an
20 ambulance service, its vehicles and equipment are in compliance
21 with the requirements of this act and rules and regulations
22 promulgated pursuant hereto, the secretary shall issue or renew
23 a license or certificates as provided for in this act. When the
24 inspection report shows that an ambulance service, its vehicles
25 or equipment are not in compliance with this act and rules and
26 regulations promulgated pursuant hereto, the secretary shall
27 notify both the ambulance service and the authorized inspection
28 agency of such noncompliance, and shall order the authorized
29 inspection agency to reinspect that ambulance service, its
30 vehicles or equipment within 30 days of its receipt of such

1 order. The authorized inspection agency shall then transmit a
2 copy of the reinspection report to the secretary. When a
3 reinspection report shows that the ambulance service, its
4 vehicles or equipment are in compliance with this act and rules
5 and regulations promulgated pursuant hereto, the secretary shall
6 issue or renew a license or certificates as provided for in this
7 act. When a reinspection report shows continued noncompliance,
8 the secretary shall issue a notice of violation as provided for
9 in section 8 of this act.

10 (f) Where there is no authorized inspection agency, the
11 secretary shall conduct the inspections required in this act.
12 The secretary may also terminate the authorization of any
13 authorized inspection agency to conduct an inspection if it
14 fails to comply with the provisions of this act or rules and
15 regulations promulgated pursuant hereto.

16 (g) Such inspections shall not relieve the licensee of
17 complying with motor vehicle inspections as required by the act
18 of April 29, 1959 (P.L.58, No.32), known as "The Vehicle Code."

19 Section 11. Exemptions.--The following vehicles are exempted
20 from the provisions of this act:

21 (1) Privately owned vehicles not ordinarily used in the
22 business of transporting patients.

23 (2) A vehicle rendering service as an ambulance in case of
24 an emergency when certified ambulances based in the locality of
25 the emergency are insufficient to render services required.

26 (3) Ambulances located or headquartered outside the
27 Commonwealth transporting patients from locations beyond the
28 limits of the Commonwealth to locations within the Commonwealth.

29 (4) Ambulances and ambulance services owned and operated by
30 an agency of the United States.

1 (5) Invalid coaches.

2 (6) Rescue vehicles.

3 Section 12. Penalties.--(a) Any person convicted of
4 operating any ambulance service which does not have a currently
5 valid license or has a license which is under suspension or
6 revocation shall, upon conviction thereof in a summary
7 proceeding be sentenced to pay a fine of not more than \$50 and
8 costs of prosecution and, in default of such fine and costs, the
9 person shall undergo imprisonment of not more than ten days.

10 Violations on separate days are considered separate and distinct
11 offenses. All fines recovered under the provisions of this act
12 shall be paid to the State Treasurer of the Commonwealth.

13 (b) Any person convicted of operating any ambulance which
14 does not have a currently valid certificate or has a certificate
15 which is under suspension or revocation shall, upon conviction
16 thereof in a summary proceeding, be sentenced to pay a fine of
17 not more than \$50 and costs of prosecution and, in default of
18 such fine and costs, the person shall undergo imprisonment of
19 not more than ten days. Violations on separate days are
20 considered separate and distinct offenses. All fines recovered
21 under the provisions of this act shall be paid to the State
22 Treasurer of the Commonwealth.

23 Section 13. Making False Ambulance Requests.--It shall be
24 unlawful for any person to wilfully summon an ambulance or
25 wilfully report that an ambulance is needed when such person
26 does not have good cause to believe that the services of an
27 ambulance are needed. Every person convicted of wilfully
28 violating this section shall, upon conviction in a summary
29 proceeding, be sentenced to pay a fine not exceeding \$500 or
30 imprisonment not exceeding two years, or both.

1 Section 14. Fees.--There shall be no fee for licenses or
2 certification.

3 Section 15. Effective Date.--This act shall take effect
4 immediately.