

Legend: (Proposed Amendment(s))

Single Underline = Proposed new language

**[Bold, Print, and Brackets]** = Current language proposed for deletion

Regular Print = Current language

(No change.) = No changes are being considered for the designated subdivision

§157.33. Certification.

(a) Certification requirements. A candidate for emergency medical services (EMS) certification shall:

(1) be at least 18 years of age;

(2) have a high school diploma or GED certificate:

(A) the high school diploma must be from a school accredited by the Texas Education Agency (TEA) or a corresponding agency from another state. Candidates who received a high school education in another country must have their transcript evaluated by a foreign credentials evaluation service that attests to its equivalency. A home school diploma is acceptable **[if it is accompanied by a letter of acceptance into a regionally accredited college]**;

(B) an emergency care attendant (ECA) who provides emergency medical care exclusively as a volunteer for a licensed provider or registered FRO is exempt from paragraph (2) of this subsection.

(3) have successfully completed a Department of State Health Services (department)-approved course; and

(4) The candidate has completed a state approved jurisprudence examination to determine the knowledge on state EMS laws, rules, and policies.

(5) **[(4)]** submit an application, meeting the requirements in §157.3 of this title (relating to Processing EMS Provider Licenses and Applications for EMS Personnel Certification and Licensing), and the following nonrefundable fees as applicable:

(A) \$60 for emergency care attendant (ECA) or emergency medical technician (EMT);

(B) \$90 for AEMT **[EMT-intermediate (EMT-I)]** or EMT-paramedic (EMT-P); and

(C) EMS volunteer--no fee. However, if such an individual receives compensation during the certification period, the exemption ceases and the individual shall pay a prorated fee to the department based on the number of years remaining in the certification period

when employment begins. The nonrefundable fee for ECA or EMT certification shall be \$15 per each year remaining in the certification. The nonrefundable fee for AEMT [EMT-I] or EMT-P shall be \$22.50 per each year remaining in the certification. Any portion of a year will count as a full year; **[and]**

(6) **[(5)]** provide evidence of current active or inactive National Registry certification at the appropriate level. National Registry First Responder certification is considered the appropriate corresponding certification level for an ECA; and [.]

(7) [(6)] submit fingerprints through the state approved fingerprinting service to undergo an FBI fingerprint criminal history check.

(b) Length of certification. A candidate who meets the requirements of subsection (a) of this section shall be certified for four years beginning on the date of issuance of a certificate and wallet-size certificate. A candidate must verify current certification before staffing an EMS vehicle. Certification may be verified by the applicant's receipt of the official department identification card, by using the department's certification website, **or by contacting the department directly**].

(c) Scheduling authority for certification examinations.

**[(1) The department has final authority for scheduling all certification examination sessions.]**

(1) [(2)] Examinations shall be administered at regularly scheduled times in various locations across the state.

(2) [(3)] The candidate shall be responsible for making appropriate arrangements for the examination.

(3) [(4)] The department is not required to set special examination schedules for a single candidate or for a specific group of candidates.

(d) Time limits for completing requirements.

(1) An initial candidate for certification shall complete all requirements for certification no later than two years after the candidate's course completion date. The application will expire two years from the date the mailed application is postmarked, or the date a faxed, online submission or hand-delivered application is received at the department.

(A) The National Registry certification described in subsection (a)(5) of this section must remain current until the final requirement for state certification is met.

(B) The applicant shall update the application if any changes occur between the time of original submission and the time the final requirement for certification is met.

(2) A candidate who does not complete all requirements for certification within two years of the candidate's initial course completion date must meet the requirements of subsection (a) of this section, including the completion of another initial course to achieve certification.

(e) Non-transferability of certificate. A certificate is not transferable. A duplicate certificate may be issued if requested with a nonrefundable fee of \$10.

(f) A candidate may apply for a lower level than the level of National Registry certification held.

(g) Voluntary downgrades.

(1) An individual who holds a current Texas EMS certification or paramedic license may be certified at a lower level voluntarily for the remainder of the certification period by submitting an application for the lower level certification and the applicable nonrefundable fee as required in subsection (a)(4) of this section.

(2) On the date the downgrade is final, the previous higher level of certification/license shall be surrendered. To regain the original higher level of certification, the candidate shall follow late recertification procedures according to §157.34(d) of this title (relating to Recertification), within one year after the surrender date.

(h) Inactive certification. A certified EMT, AEMT [**EMT-I**], or EMT-P may make application to the department for inactive certification at any time during the certification period or within one year after the certificate expiration date.

(1) The request for inactive certification shall be accompanied by a nonrefundable fee of \$30 in addition to the regular nonrefundable fee in subsection (a)(4)(A) and (B) of this section. If the final requirement is completed during the one-year period after expiration, the application fees listed in §157.34(d) of this title will be required. Volunteers are not exempt from inactive fees.

(2) Period of inactive certification.

(A) The inactive certification period shall begin upon date of issuance of the notice of inactive certification and remain in effect until the end of the original active certification period for those candidates who are currently certified. The candidate's active certification is surrendered upon issuance of the notice of inactive certification.

(B) If the candidate is within the final year of active certification and chooses to renew with inactive certification, the inactive certification begins on the first day after the expiration of the current active certificate and shall remain in effect for four years.

(C) If the candidate applies during and/or completes the final requirement for inactive certification within one year after the expiration of active certification, the inactive certification period shall remain in effect for four years from the date of issuance of the notice of inactive certification.

(3) While on inactive certification, a person shall not practice other than to act as a bystander rendering first aid or cardiopulmonary resuscitation (CPR) or the use of an Automated External Defibrillator in the capacity of a layperson. Practicing in any other capacity for compensation or as a volunteer shall be cause for denial of reentry and decertification.

(4) An individual shall not simultaneously hold inactive and active certification.

(i) Reciprocity.

(1) A person who is currently certified by the National Registry but did not complete a department-approved course may apply for the equal or lower level Texas certification by submitting a reciprocity application and a nonrefundable fee of \$120.

(A) Applicants holding National Registry AEMT **[EMT-intermediate]** certification may be required to **[must]** submit written verification of proficiency of AEMT **[EMT-intermediate]** skills from an approved education program.

(B) National Registry first responder certification is not eligible for reciprocity at the ECA level.

(C) A candidate will not be eligible for reciprocity if the National Registry certification expires prior to the completion of all requirements for certification as listed in this section.

(D) A candidate who meets the requirements of this section shall be certified for four years beginning on the date of issuance of a certificate and wallet-size certificate.

(E) The candidate has completed a state approved jurisprudence examination to determine the knowledge on state EMS laws, rules, and policies.

(2) A person currently certified by another state may apply for equal or lower level Texas certification by submitting a reciprocity application and a nonrefundable fee of \$120.

(A) The candidate must pass the National Registry assessment exam.

(B) Applicants holding AEMT **[EMT-intermediate]** out-of-state certification must submit written proof of proficiency on all of the AEMT **[EMT-intermediate]** skills signed by a Texas certified EMS coordinator or instructor.

(C) All applicants shall submit fingerprints through the state approved fingerprinting service to undergo an FBI fingerprint criminal history check.

(D) The applicant has completed a state approved jurisprudence examination to determine the knowledge on state EMS laws, rules, and policies.

(E) [(C)] Reciprocity is not allowed for the ECA level.

(F) [(D)] A candidate will not be eligible for reciprocity if the out-of-state certification expires prior to the completion of all requirements for certification as listed in this section.

(G) [(E)] A candidate who meets the requirements of this section shall be certified for four years beginning on the date of issuance of a certificate and wallet-size certificate.

(3) Personnel receiving department issued certification through reciprocity must recertify prior to the expiration of the certificate by following the requirements in §157.34 of this title.

(j) Equivalency.

(1) Candidates meeting the following criteria may apply for certification only through the equivalency process as described in this subsection:

(A) an individual who completed EMS training outside the United States or its possessions;

(B) an individual who is certified or licensed in another healthcare discipline;

(C) an individual whose department issued EMS certification or license has been expired for more than one year; or

(D) an individual who has held department issued inactive certification for more than four years.

(2) A candidate applying for certification by equivalency shall:

(A) submit a copy of the curriculum and work history completed by the candidate to a regionally accredited post secondary institution approved by the department to sponsor an EMS education program for its review;

(B) obtain a course completion document that verifies that the program is satisfied that all curriculum requirements have been met. Evaluations of curricula conducted by post secondary educational institutions under this subsection shall be consistent with the institution's established policies and procedures for awarding credit by transfer or advanced placement; and

(C) the candidate may then apply for initial certification with the department as described in subsection (a) of this section.

(D) The applicant has completed a state approved jurisprudence examination to determine the knowledge on state EMS laws, rules, and policies.

(k) For all applications and renewal applications, the department is authorized to collect subscription and convenience fees, in amounts determined by the Texas Online Authority, to recover costs associated with application and renewal application processing through Texas Online.

(l) Responsibilities of the EMS personnel. During the license period, the EMS Personnel responsibilities shall include:

(1) making accurate, complete and/or clearly written patient care reports documenting a patient's condition upon arrival at the scene and patient's status during transport, including signs, symptoms, and responses during duration of transport as per EMS provider's approved policy;

(2) reporting to the employer, appropriate legal authority or the department, of abuse or injury to a patient or the public within 24 hours or the next business day after the event;

(3) following the approved medical director's protocol and policies;

(4) taking precautions to prevent the misappropriation of medications, supplies, equipment, personal items, or money belonging to the patient, employer or any person or entity;

(5) maintaining skill and knowledge to perform the duties or meet the responsibilities required of current level of EMS certification; and

(6) notifying the department of a current and/or valid mailing address within 30 days of any changes.