

1 10A NCAC 13P .0203 is readopted with changes as published in 31:11 NCR 1059 as follows:

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3 **10A NCAC 13P .0203 SPECIAL SITUATIONS**

4 (a) Upon ~~application of citizens~~ written request from an EMS system or systems, tribal government, or federal  
 5 jurisdiction having recognized province in North Carolina, the North Carolina Medical Care Commission ~~shall~~ may  
 6 approve the furnishing and providing of ~~programs~~ services within the scope of practice of EMD, EMR, EMT, ~~EMT-~~  
 7 ~~I, [AEMT] AEMT, or EMT-P Paramedic~~ in North ~~Carolina by persons who have been approved to provide these~~  
 8 ~~services by an agency of a state adjoining North Carolina or federal jurisdiction.~~ Carolina.

9 (b) This approval shall be granted where the North Carolina Medical Care Commission concludes ~~that~~ there exists an  
 10 inability to address the criteria for EMS System development as set forth ~~the requirements enumerated~~ in Rule .0201  
 11 of this ~~Subchapter~~ Section and the deficiency cannot be ~~reasonably obtained by reason of~~ rectified due to insufficient  
 12 resources or because of a lack of geographical ~~access.~~ access within the respective EMS system or systems.

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14 *History Note: Authority G.S. 143-508(b);*

15 *Temporary Adoption Eff. January 1, 2002;*

16 *Eff. April 1, 2003;*

17 *Amended Eff. January 1, 2004. 2004;*

18 *Readopted Eff. April 1, 2017.*

1 10A NCAC 13P .0204 is readopted with changes as published in 31:06 NCR, pp. 478-480, as follows:

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3 **10A NCAC 13P .0204 EMS PROVIDER LICENSE REQUIREMENTS**

4 (a) Any firm, corporation, agency, ~~organization~~ organization, or association that provides non-transportation  
5 emergency medical services at the AEMT or Paramedic level shall be licensed by the Department as an EMS Provider  
6 by meeting and maintaining the criteria defined in Paragraph (b) of this Rule.

7 ~~(a)~~ (b) Any firm, corporation, agency, ~~organization~~ organization, or association that provides emergency medical  
8 transportation services shall be licensed as an EMS Provider by meeting and ~~continuously~~ maintaining the following  
9 criteria:

- 10 (1) ~~Be~~ be affiliated as defined in Rule ~~.0102(4)~~ .0102(3) of this Subchapter with each EMS System  
11 where there is to be a physical base of operation or where the EMS Provider will provide point-to-  
12 point patient transport within the system;
- 13 (2) ~~Present~~ present an application for a permit for any ambulance and EMS non-transporting vehicle  
14 that will be in service as required by ~~G.S. 131E-156; G.S. 131E-156,~~ and meet the requirements of  
15 ~~[Rule .0207, and .0213 of this Subchapter;]~~ Rules .0207 and .0213 of this Section;
- 16 (3) ~~Submit~~ submit a written plan detailing how the EMS Provider will furnish credentialed ~~personnel;~~  
17 personnel pursuant to G.S. 131E-158;
- 18 (4) ~~Where~~ where there are franchise ordinances pursuant to ~~G.S.~~ G.S. 153A-250 in effect that cover the  
19 proposed service areas of each EMS system of operation, provide written documentation reflecting  
20 ~~show the affiliation as defined in Rule .0102(4) of this Subchapter with each EMS System, as~~  
21 ~~required by Subparagraph (a)(1) of this Rule, by being granted~~ a current franchise to operate, or  
22 ~~present written documentation~~ of impending receipt of a franchise, from each county. In counties  
23 where there is no franchise ordinance in effect, present a signature from each EMS System  
24 representative authorizing the EMS Provider to affiliate ~~as defined in Rule .0102(4)~~ as defined in Rule .0102(3) ~~of~~  
25 ~~this Subchapter and~~ as required by ~~Paragraph (a)(1)~~ Subparagraph (b)(1) of this Rule;
- 26 (5) ~~Provide systematic, periodic~~ provide inspection, repair, cleaning, and ~~routine~~ maintenance of all  
27 EMS responding ground vehicles and maintain records for a period of time determined by the EMS  
28 System, and ~~made~~ make available for inspection by the OEMS ~~which verify~~ verifying compliance  
29 with this Subparagraph;
- 30 (6) ~~Collect~~ collect and within 24 hours electronically submit to the OEMS EMS Care data that uses the  
31 EMS data set and data dictionary as specified in "North Carolina College of Emergency Physicians:  
32 Standards for Medical Oversight and Data Collection," ~~incorporated by reference in accordance with~~  
33 ~~G.S. 150B-21.6, including subsequent amendments and additions. This document is available from~~  
34 ~~the OEMS, 2707 Mail Service Center, Raleigh, North Carolina 27699-2707, at no cost. Collection;"~~
- 35 (7) ~~Develop~~ develop and implement written operational protocols for the management of equipment,  
36 supplies supplies, and medications and maintain records for a period of time determined by the EMS

1 System, and [made] make available for inspection by the OEMS ~~which verify~~ verifying compliance  
2 with this Subparagraph. These protocols shall include a methodology:

- 3 (A) to assure that each vehicle contains the required equipment and supplies on each response;  
4 (B) for cleaning and maintaining the equipment and vehicles; and  
5 (C) to assure that supplies and medications are not used beyond the expiration date and stored  
6 in a temperature controlled atmosphere according to manufacturer's specifications.

7 ~~(b) In addition to the general requirements detailed in Paragraph (a) of this Rule, if providing fixed wing air medical  
8 services, affiliation as defined in Rule .0102(4) of this Subchapter with a hospital as defined in Rule .0102(30) of this  
9 Subchapter is required to ensure the provision of peer review, medical director oversight and treatment protocol  
10 maintenance.~~

11 ~~(c) In addition to the general requirements detailed in Paragraph (a) of this Rule, if providing rotary wing air medical  
12 services, affiliation as defined in Rule .0102(4) of this Subchapter with a Level I or Level II Trauma Center as defined  
13 in Rules .0102(35) and (36) of this Subchapter designated by the OEMS is required to ensure the provision of peer  
14 review, medical director oversight and treatment protocol maintenance. Due to the geographical barriers unique to  
15 the County of Dare, the Medical Care Commission exempts the Dare County EMS System from this Paragraph.~~

16 ~~(c)~~ (c) An EMS Provider may renew its license by presenting documentation to the OEMS that the Provider meets  
17 the criteria found set forth in Paragraphs (a) through (e) Paragraph (b) of this Rule.

18 (d) Air Medical Programs are exempt from the requirements [detailed] set forth in Subparagraphs (b)(1) and (b)(4)  
19 of this Rule.

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21 *History Note: Authority G.S. 131E-155.1(c); ~~143-508(d)(1), (d)(5);~~ 143-508(d)(1); 143-508(d)(5); 143-508  
22 (d)(13);  
23 Temporary Adoption Eff. January 1, 2002;  
24 Eff. April 1, 2003;  
25 Amended Eff. January 1, 2004;  
26 Amended Eff. March 3, 2009 pursuant to E.O. 9, Beverly Perdue, March 3, 2009;  
27 Pursuant to G.S. 150B-21(c), a bill was not ratified by the General Assembly to disapprove this ~~rule.~~  
28 rule;  
29 Readopted Eff. [April 1, 2017.] January 1, 2018.*