

1 **NON-EMERGENCY PATIENT TRANSPORTATION SAFETY**
2 **AMENDMENTS**

3 2018 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Edward H. Redd**

6 Senate Sponsor: Curtis S. Bramble

8 **LONG TITLE**

9 **General Description:**

10 This bill amends the Utah Emergency Medical Services System Act.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ allows an emergency medical services provider to decline or delay a request for
14 non-emergency transportation under certain circumstances that would endanger the
15 patient or the provider; and

16 ▶ requires a hospital to hold a bed for a patient whose transportation is delayed or
17 declined under the provisions of this bill.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 ENACTS:

24 **26-8a-602**, Utah Code Annotated 1953

26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section **26-8a-602** is enacted to read:



28 **26-8a-602. Interfacility transportation of behavioral health unit and basic life**
29 **support patients.**

30 (1) As used in this section:

31 (a) "Basic life support patient" means a patient admitted into a hospital emergency
32 room, medical unit, or other hospital unit that:

33 (i) has stable vital signs;

34 (ii) does not have an IV in place;

35 (iii) has no advanced life support medications that will be required for monitoring or
36 administering during transport; and

37 (iv) does not require chemical or physical restraints.

38 (b) "Provider" means a ground ambulance or paramedic licensed under this chapter.

39 (2) A provider may refuse or delay a request for interfacility transportation if:

40 (a) the request is for the transportation of a basic life support patient;

41 (b) the request is made between the hours of 10:00 p.m. and 6:00 a.m.; and

42 (c) (i) the request is for a route that, at the time of the request, would require more than
43 30 miles of driving, as calculated from the patient's originating site to the patient's destination
44 site;

45 (ii) staffing levels or availability of equipment at the time of a request are below the
46 levels established by the department under Subsection (3); or

47 (iii) there are hazardous weather conditions, as defined by the department under
48 Subsection (3).

49 (3) The department shall make rules in accordance with Title 63G, Chapter 3, Utah
50 Administrative Rulemaking Act, to:

51 (a) establish a level of staffing or equipment availability necessary to support the needs
52 and expectations of a political subdivision's 911 ambulance or paramedic services between the
53 hours of 10:00 p.m. and 6:00 a.m.; and

54 (b) define hazardous weather conditions under which the interfacility transportation of
55 a non-emergent basic life support patient would result in substantial risk to the patient and the
56 provider.

57 (4) (a) Notwithstanding the requirements in Subsections [26-8a-402\(5\)\(c\)](#) and [\(6\)\(c\)](#), a
58 provider outside of the exclusive geographic service area may respond to a request for the

59 interfacility transportation of a basic life support patient if the provider that is licensed in the
60 exclusive geographic service area:

61 (i) delays or declines a request under Subsection (2); and

62 (ii) requests assistance under a mutual aid agreement.

63 (b) A request under Subsection (4)(a)(ii) qualifies as a time of unusual demand under
64 Subsection 26-8a-402(4)(a).

65 (5) If a provider refuses or delays a request under Subsection (2), the receiving health
66 care provider shall honor an affirmative request from the originating health care provider to
67 hold a bed for a patient whose transportation was refused or delayed from the time of the
68 notification until the earlier of:

69 (a) a notification from the originating health care provider to the receiving health care
70 provider that the bed is no longer needed; or

71 (b) 6:00 a.m. after the initial notification is given, plus a reasonable amount of time for
72 transportation from the originating site to the receiving site.

73 (6) If a health care provider makes a request to hold a bed under Subsection (5), the
74 originating health care provider shall provide regular updates to the receiving health care
75 provider on the status of the delayed transportation.

76 (7) Nothing in this section requires a provider to:

77 (a) delay or decline transportation under Subsection (2); or

78 (b) render assistance under a mutual aid agreement under Subsection (4).

Legislative Review Note
Office of Legislative Research and General Counsel