

311A.175 Exceeding scope of practice -- Discipline prohibited for refusal to exceed scope of practice.

- (1) No first responder shall perform any act or procedure which exceeds the scope of practice of a first responder as specified in this chapter and in administrative regulations promulgated by the board.
- (2) No emergency medical technician shall perform any act or procedure which exceeds the scope of practice of an emergency medical technician as specified in this chapter and in administrative regulations promulgated by the board.
- (3) No paramedic shall perform any act or procedure which exceeds the scope of practice of a paramedic as specified in this chapter, administrative regulations promulgated by the board, protocol, standing order, or other document approved by the board.
- (4) A first responder, emergency medical technician, or paramedic is presumed to know the standards of practice for his or her level of certification or licensure.
- (5) It is the legal duty of a first responder, emergency medical technician, or paramedic to refuse to perform any act or procedure which is beyond his or her scope of practice regardless of whether that act or procedure is ordered by a physician, physician assistant, medical director, advanced practice registered nurse, registered nurse, or supervisor.
- (6) No employer or organization for which a first responder, emergency medical technician, or paramedic has volunteered shall reprimand, discipline, or dismiss a first responder, emergency medical technician, or paramedic who has refused to perform an act or procedure which the first responder, emergency medical technician, or paramedic knows is in violation of the provisions of this section. Violation of this section by an employer or by an organization for which a first responder has volunteered shall be grounds for a legal action for wrongful discipline or wrongful discharge, as appropriate.
- (7) The provisions of this section shall not apply to an order to perform an act or procedure:
 - (a) For which a license or certification by the board is not required and which otherwise do not constitute the unlawful practice of medicine; or
 - (b) For which no license or certification is required and does not involve medical care or treatment; or
 - (c) For which a license or certification issued by an agency other than the board is required and the first responder, emergency medical technician, or paramedic holds such a license or certification.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 85, sec. 51, effective July 15, 2010. -- Created 2002 Ky. Acts ch. 211, sec. 32, effective July 15, 2002.