

**311A.020 Powers and duties of board -- Executive director and deputy executive director -- Persons employed by board -- Transfer of personnel funds and equipment to Kentucky Community and Technical College System -- Personnel committee.**

- (1) The board shall:
  - (a) Exercise all of the administrative functions of the state not regulated by the Board of Medical Licensure or Cabinet for Health and Family Services in the regulation of the emergency medical services system and the practice of emergency medical services, and emergency medical services training institutions, with the exception of employment of personnel as described in subsections (5) and (6) of this section;
  - (b) Issue any licenses or certifications authorized by this chapter;
  - (c) Oversee the operations and establish the organizational structure of the Office of the Kentucky Board of Emergency Medical Services, which is created and shall be attached to the board for administrative purposes. The office shall be headed by the executive director appointed under paragraph (d) of this subsection and shall be responsible for:
    1. Personnel and budget matters affecting the board;
    2. Fiscal activities of the board, including grant writing and disbursement of funds;
    3. Information technology, including the design and maintenance of databases;
    4. Certification and recertification of emergency medical responders;
    5. Certification and recertification of emergency medical technicians and advanced emergency medical technicians;
    6. Licensure and relicensure of ambulances, ambulance services, and mobile integrated healthcare programs;
    7. Licensure and relicensure of paramedics;
    8. Certification and recertification of advanced practice paramedics;
    9. Certification and recertification of EMS educators;
    10. Investigation of and resolution of quality complaints and ethics issues; and
    11. Other responsibilities that may be assigned to the executive director by the board;
  - (d) Employ an executive director and deputy executive director and fix the compensation. The executive director and deputy executive director shall serve at the pleasure of the board, administer the day-to-day operations of the Office of the Kentucky Board of Emergency Medical Services, and supervise all directives of the board. The director and deputy executive director shall possess a baccalaureate degree and shall have no less than five (5) years of experience in public administration or in the administration of an emergency medical services program;

- (e) Employ or contract with a physician licensed in Kentucky who is board certified in emergency medicine and fix the compensation. The physician shall serve at the pleasure of the board and as the medical advisor to the Kentucky Board of Emergency Medical Services and the staff of the board;
- (f) Employ or contract with an attorney licensed to practice law in Kentucky and fix the compensation. The attorney shall serve at the pleasure of the board and have primary assignment to the board;
- (g) Employ personnel sufficient to carry out the statutory responsibilities of the board.
  1. Personnel assigned to investigate an emergency medical responder program complaint or regulate the emergency medical responder programs shall be certified emergency medical responders, emergency medical technicians, advanced emergency medical technicians, or licensed paramedics.
  2. Personnel assigned to investigate an emergency medical technician program complaint or regulate the emergency medical technician program shall be certified emergency medical technicians, advanced emergency medical technicians, or paramedics.
  3. Personnel assigned to investigate an advanced emergency medical technician program complaint or regulate the advanced emergency medical technician program shall be certified advanced emergency medical technicians or paramedics.
  4. Personnel assigned to investigate a paramedic program complaint or regulate the paramedic program shall be licensed paramedics.
  5. A person who is employed by the board who is licensed or certified by the board shall retain his or her license or certification if he or she meets the in-service training requirements and pays the fees specified by administrative regulation.
  6. A person who is employed by the board may instruct in emergency medical subjects in which he or she is qualified, with the permission of the board. All instruction shall be rendered without remuneration other than his or her state salary and the employee shall be considered as on state duty when teaching.
  7. A person who is employed by the board may render services for which the person is qualified at a declared disaster or emergency or in a situation where trained personnel are not available until those personnel arrive to take over the patient, or where insufficient trained personnel are available to handle a specific emergency medical incident. All aid shall be rendered without remuneration other than the employee's state salary and the employee shall be considered as on state duty when rendering aid. In cases specified in this paragraph, the state medical advisor shall serve as the emergency medical services medical director for the employee;

- (h) Establish committees and subcommittees and the membership thereof. Members of committees and subcommittees do not need to be members of the board;
  - (i) Enter into contracts, apply for grants and federal funds, and disburse funds to local units of government as approved by the General Assembly. All funds received by the board shall be placed in a trust and agency account in the State Treasury subject to expenditure by the board;
  - (j) Administer the Emergency Medical Services for Children Program; and
  - (k) Establish minimum curriculum and standards for emergency medical services training.
- (2) The board may utilize materials, services, or facilities as may be made available to it by other state agencies or may contract for materials, services, or facilities.
  - (3) The board may delegate to the executive director, by written order, any function other than promulgation of an administrative regulation specified in this chapter.
  - (4) Except for securing funding for trauma centers, the board shall not serve as the lead agency relating to the development or regulation of trauma systems, but shall be a partner with other state agencies in the development, implementation, and oversight of such systems.
- (5)
    - (a) The Kentucky Community and Technical College System shall employ personnel for the work of the board, and the personnel in the positions described in this section and all other persons in administrative and professional positions shall be transferred to the personnel system of the Kentucky Community and Technical College System on July 12, 2006, in the appropriate classification to carry out the mission of the board. All employees transferred under this paragraph shall have all employment records and months of service credit transferred to the Kentucky Community and Technical College System. Employees of the board transferred under this paragraph who subsequently return to state employment under KRS Chapter 18A shall have their employment records and months of service credit under the Kentucky Community and Technical College System transferred back to the KRS Chapter 18A personnel system, and the employment records and months of service credit shall be used in calculations for all benefits under KRS Chapter 18A.
    - (b) New employees hired or contracted after July 12, 2006, shall be employed or contracted by the Kentucky Community and Technical College System.
- (6) The board shall appoint a personnel committee consisting of the chair of the board, one (1) physician member of the board, one (1) ambulance service provider member of the board, one (1) additional member of the board selected by the chair of the board, and one (1) representative of the Kentucky Community and Technical College System administration. The personnel committee shall conduct an annual job performance review of the executive director, the medical advisor, and the board attorney that conforms with the personnel standards of the Kentucky Community and Technical College System and includes a recommendation for or

against continued employment to be presented to the personnel office of the Kentucky Community and Technical College System.

- (7) All state general fund moneys appropriated to the board, all federal funds, all moneys collected by the board, and all equipment owned by the board shall be transferred to the Kentucky Community and Technical College System on July 1, 2006.
- (8) The board shall develop a proposed biennial budget for all administrative and operational functions and duties in conjunction with the Kentucky Community and Technical College System budget submission process. The Kentucky Community and Technical College System shall not make changes to the budget proposal submitted by the board, but may submit written comments on the board's budget proposal to the board and other agencies in the budget submission process.

**Effective:** June 27, 2019

**History:** Amended 2019 Ky. Acts ch. 100, sec. 3, effective June 27, 2019. -- Amended 2006 Ky. Acts ch. 243, sec. 2, effective July 12, 2006. -- Amended 2005 Ky. Acts ch. 99, sec. 593, effective June 20, 2005. -- Created 2002 Ky. Acts ch. 211, sec. 3, effective July 15, 2002.

**Legislative Research Commission Note (7/12/2006).** 2006 Ky. Acts ch. 243, sec. 2, contained a reference to the "Kentucky Community and Technical System" in subsection (8) of this statute. The Reviser of Statutes has corrected that reference to read "Kentucky Community and Technical College System" under the authority of KRS 7.136 in accordance with KRS 164.580, which established the Kentucky Community and Technical College System.