



**Paramedic Licensure & Military Spouse/Domestic
Partner License Provisions Rule Advisory Committee
June 21, 2023
9:00 a.m. – 12:00 p.m.**

RAC MEMBER ATTENDEES	
Alicia Bond – via Zoom	State EMS Committee Member, Medical Director for EMS agencies in Jackson County and Rogue Comm. College
Amy Hanifan for Frank Ehrmantraut – via Zoom	Polk County Fire District
Dan Brattain – In person	CAL-ORE Life Flight; OSAA President
Darrek Mullins – via Zoom	Lane Community College Clinical Coordinator; Captain, Firefighter, Critical Care Paramedic Western Lane Fire & EMS Authority
Derek Clevenger – via Zoom	Retired US Army Master Sergeant; PALS ACLS Instructor for Cascade Training Centers; former Mayor of Aumsville
Drew Norris – via Zoom	Bend Fire and Rescue
Eric Swanson – In person	State EMS Committee; Adventist Health Tillamook President
Gregg Lander – In person	Chemeketa Community College Program Director, Paramedic
Heather Land – via Zoom	Treasure Valley Paramedics
Jason Jantzi – via Zoom	Special Districts Association of Oregon; Risk Management Consultant for public safety entities
Jeff Mathia – via Zoom	Pacific West Ambulance General Manager and Paramedic
Jeffrey Dana – In person	Paramedic, RN-Retired from Gresham Fire; Currently working at Cascade Locks
Jerry Cole – via Zoom	Columbia River Fire & Rescue EMS Chief; Columbia County Transporting Agency
Marcus Allen – via Zoom	Mercy Flights Growth Innovations Manager
Rob McDonald – In person	American Medical Response (AMR) Operations Manager
Ron Morgan – In person	Oregon State Fire Fighters Council (OSFFC) District VP; Paramedic Tualatin Valley Fire & Rescue
Rusty Riis – via Zoom	Rogue Community College Chair and Clinical Coordinator for Jackson and Josephine Counties
Sabrina Ballew – via Zoom	Mobile Integrated Health (MIH) Coalition Chair; Paramedic; Community Paramedic; MIH Manager Mercy Flights
Sabrina Riggs – In person	Oregon State Ambulance Association (OSAA)
Scott Spaulding – via Zoom	Confederated Tribes of Warm Springs Fire Chief
Tom Strecker – In person	Medix Ambulance General Manager; Paramedic
Other Interested Parties	
Brandon Klocko	Public
Sydney Fitzgibbons – via Zoom	Public

Oregon Health Authority Staff	
Amani Atallah	Public Health Division, EMS Program
Dana Selover	Public Health Division, Health Care Regulation & Quality Improvement
David Lehrfeld	Public Health Division, EMS Program
Justin Hardwick	Public Health Division, EMS Program
Leslie Huntington	Public Health Division, EMS Program
Mellony Bernal	Public Health Division, Health Care Regulation & Quality Improvement
Rebecca Long	Public Health Division, EMS Program

Welcome, Housekeeping and Agenda Review

Mellony Bernal introduced self and welcomed attendees to the Rule Advisory Committee the meeting to review rules relating to paramedic licensure & licensing provisions for a military spouse or domestic partner.

Instructions for RAC members participation in the meeting were reviewed as well as information for public attendees.

- It was noted that the RAC meeting will be recorded and all correspondence in the Chat is subject to disclosure and may be released in a public records request.
- Meeting notes from the June 6th meeting were emailed and are posted on the [EMS Rulemaking Activity](#) website under ‘Rulemaking Advisory Committees in Progress.’
- RAC members participating by Zoom were instructed to type the word "Comment" in the Chat to indicate they want to speak to a particular issue or ask questions. These persons will be called upon by staff. RAC members not wanting to speak but wishing to share information for consideration were asked to type into the Chat “For Your Information” or “For the Record” and type the information they wanted to share for consideration.
- Members of the public were reminded that the RAC is not a public meeting and therefore not subject to the public meeting’s law. Members of the public may attend but may not participate or offer public comment. It was noted that the public may provide comments or information to mellony.c.bernal@oha.oregon.gov at the conclusion of the meeting who will share with staff.
- It was further noted that after the RAC process has concluded, there will be an opportunity to provide oral public comments at a public hearing or to send written public comments during the public comment period. Information about the notice of proposed rulemaking and public hearing will be shared by email.

RAC members were asked to identify themselves in the Chat by typing name and organization.

D. Selover reviewed agenda and noted that recent federal legislation relating to military spouses was passed. Due to the federal legislation, the Department of Justice (DOJ) is reviewing current Oregon laws to determine what impact the federal legislation will have on Oregon laws as well as proposed rules. The rule specific to military spouse and domestic partner license provisions will be postponed until the Oregon Health Authority (OHA) receives guidance from the DOJ.

Recap June 6th RAC Discussion

D. Selover thanked members for their participation and asked RAC members present in the room to introduce themselves.

D. Selover noted that the EMS and Trauma Systems program is still waiting to hear from the Department of Justice (DOJ) on how the new federal law will impact Oregon laws and the proposed rule. She further noted that these laws impact not only EMS but all health professional regulatory boards.

D. Selover remarked that an additional meeting of this RAC has been scheduled for Monday, July 10th at 10:00 a.m. This additional meeting will allow time for:

- Staff to consider any DOJ guidance and whether additional rule changes will be necessary for purposes of the military spouse rule.
- The RAC to consider final proposed changes to the rules including the military spouse rule.
- The RAC to consider and comment on the Statement of Need and Fiscal Impact (SNFI) as well as the equity impact.

D. Selover noted that in today's meeting additional discussion will occur regarding recommendations and an overview of the SNFI.

D. Selover briefly recapped the June 6th meeting:

- There is support for maintaining the degree requirement as well as support for eliminating the requirement.
- Educational institutions shared activities they are doing now and planning to do.
- Challenges identified from the Paramedic perspective – getting licensed, getting education, and practicing paramedicine.
- Challenges identified from the employer perspective – struggles with recruitment and retention, finding resources to meet demand both in ordinary circumstances and during surge, interest in solutions.

D. Selover shared that from the state perspective, the program must think about both EMS today (stressor faced by both EMS providers and EMS organizations) and EMS in the future. Actions taken today may result in negative consequences in the future.

Note - At approximately 9:15 a.m. network connections were lost, and the meeting was postponed until conference call capabilities were established at approximately 10:15 a.m.

Meeting was reconvened and D. Selover shared that staff attended the National Association of State EMS Officials meeting in Nevada. All states reported that they are experiencing significant workforce issues. It was noted that the Office of EMS at the National Highway Transportation Safety Administration is working on the EMS education vision for the future as part of the [EMS Agenda 2050](#) and the state is looking forward to participating in that process and how education will change. Pre-hospital providers, especially Paramedics, take on many different roles than just 9-1-1 response.

Rule Review

D. Selover lead the RAC through the changes to the rules:

333-265-0025 – Application process

Language was added separating Paramedic licensure from the other provider types for purposes of application submittal. Additional text was added referring persons to the Transitional Paramedic License rule if degree requirements are not met.

333-265-0027 – Transitional Paramedic License

Revises processes for obtaining a Paramedic license while working towards obtaining a degree. This rule was the basis of the June 6th discussion.

333-265-0028 – Application for Licensure by Military Spouse or Domestic Partner

This rule was not discussed as the EMS and Trauma Systems Program is waiting for guidance from the Department of Justice.

333-265-0030 – Fees for Licensure

Because the transitional license proposal includes removing an active oversight role by the state, the extra fee normally charged to someone seeking a provisional license was removed. Depending on any changes to accountability by the state, this fee may need to be added back.

333-265-0050 – Licensure by Reciprocity

This rule was amended to add reference to the Transitional Paramedic License pathway.

333-265-0050 – Paramedic Provisional Licensure

Paramedic provisional rule would be repealed and replaced with the transitional paramedic rule.

333-265-0085 – Investigations

This rule clarifies that the EMS and Trauma Systems Program may investigate if it has reason to believe that the EMS provider licensed as a transitional Paramedic is not taking steps to meet the requirements. D. Selover noted that this may change based on discussions about accountability.

333-265-0090 – Reverting to a Lower Level of EMT Licensure

Rule was amended to allow a person holding a transitional Paramedic license to revert to a lower license classification. Staff noted that the language drafted was intended to align with the current rule. This rule gives providers an option, especially from a hiring perspective, where persons may be licensed as a Paramedic but are applying for a job in the fire service as an EMT.

- RAC member asked whether only the Transitional Paramedic must have current national certification in order to qualify to revert to lower classification. It was noted that under -0050 (Reciprocity) a person who is currently licensed, for example as a Paramedic, who wants to revert to an EMT classification, is eligible but must have held the National Certification as an EMT at one time.
- Follow-up question was raised whether a person licensed as a Paramedic could revert to an EMT-Intermediate. It was noted that a person licensed as a Paramedic is eligible to revert to any lower classification without having held the National Certification.
- RAC member indicated that based on how the rule is written it would appear that a person would have to revert to lower classification at the national level before they could revert at the state level.
- RAC member asked if an individual must possess the NREMT license at a lower level, would NREMT require the individual to redo all of their testing, including hands-on testing, if they were to seek a lower certification, and then want to go back up?
- Discussion ensued and it was noted that two classifications cannot be held at the same time with the National Registry and the rule text will be reconsidered.

RAC member inquired how the EMT-Intermediate classification will be affected by these rules. For example, a National Registered Paramedic who does not hold a degree, wants to come to Oregon as an EMT-Intermediate. Is this possible?

- Staff noted that in order to be licensed as an EMT-Intermediate, the individual must have taken and passed an Oregon approved Intermediate course.
- A person must be Nationally Registered as an AEMT in order to be able to take an EMT-Intermediate course.

RAC member asked via Chat whether a person who had never held the National Registry certification but was licensed in another state could take a 48-hour refresher instead to satisfy requirements?

- Staff noted that current rules for initial Oregon licensure require an individual to be Nationally Registered and a 48-hour refresher course would not be allowed.
- RAC member noted via Chat that the Emergency Initial Provisional rule requires that a person either have a current license or certification in another state or current certification by the National Registry.

333-265-0110 – Continuing Education

This rule was amended to note that a Transitional Paramedic is also subject to the continuing education requirements.

D. Selover asked whether any RAC members had questions prior to proceeding. RAC member stated that a person in the military traditionally is Nationally Registered at the EMT level and may not perform the same duties as they would outside of the military. How does the state quantify whether a military person has been working within the licensed EMS provider role?

- Staff noted that currently persons seeking licensure as a Paramedic who do not hold a degree, must submit signed documentation from their employer or US Military with orders showing they have been operating at the Paramedic level for three of the last five years.
- RAC member noted that a person in the military could be Nationally Registered as paramedic, hold the Military Occupational Specialty combat medic specialist (aka MOS 68 Whiskey) but their duties have been working in a supply room.
- Staff acknowledged that this could happen and it's the responsibility of licensee to be honest and forthright. It was further noted that attesting to competencies is common among licensing boards.
- RAC member suggested that the process could be clarified by ensuring orders are submitted that specify duties or provide a copy of a JST transcript.

Length of time to obtain degree

Based on previous discussions, it was noted that two years is not long enough to obtain a degree and if more time is needed there should be some oversight or accountability. Staff noted that licenses are good for two years and allowing for two license cycles would be better for alignment. It was also noted that for individuals that come in mid-license cycle, additional consideration would be needed. Staff further commented that the preference is to have employers and providers be accountable for progress which would allow the state to not have to charge the extra fee. Accountability options could include agreement with an employer and employer responsible for periodic check-ins.

- RAC member via Chat indicated agreement that agencies should be responsible for holding employees accountable and not the state.

- RAC member remarked that the Oregon State Ambulance Association (OSAA) stance continues to be that the degree requirement is an unnecessary burden, especially given the workforce challenges. Appreciation was expressed that if the requirement is retained, additional time is needed to obtain the degree and four years, or two license cycles would be better. It was further stated that accountability can be handled at the employer level and no additional oversight by OHA would be needed. However, it was noted that even four years remains a burden for workforce recruitment and continues to be a requirement that 48 other states in the nation do not require. If the state moves forward with lengthening the time necessary to obtain degree and recruitment continues to be a barrier, the state should reconsider the requirement.
- RAC member stated opposition to the current proposed rule change as well as extending the degree requirement beyond two years. The rule should remain as written. Any national accredited EMS program that issues credit for their programs, at the time of completion it is about 60-65% of the weight to complete with an associate degree. It was suggested that some employers do not ask for, nor ensure that, continuing education requirements are met by providers. Extending the requirement beyond two years essentially eliminated requirement for a degree. Higher education is the future. Other health care professionals are facing similar work force shortage and are not decreasing the education required. Reducing education places patients at risk. If changed, accountability needs to be retained by the state in order to take necessary actions.
- RAC member via Chat stated that if the time period is extended to two license cycles (four years), then at the time of recertification, transitional licensees should have to submit to the state, as part of renewal, evidence of progress toward a degree. There needs to be some protection for paramedics and the process against a national employer hiring people, giving them no support to obtain the degree, and then offering them employment out of state at the end of the transitional license period. Accountability to agencies alone is not sufficient
- RAC member stated agreement with OSAA's position that a degree is not necessary as illustrated by bordering states who are providing great EMS service. RAC member indicated alignment with extending to four years and even five years would be preferred. Employers have a lot of impetus to make sure the provider is successful so that they can be retained for the life of their career and therefore accountability should be at employer level not the state. RAC member further noted that the state should consider hardships that arise even for transitional licensees that make it impossible for a person to work and go to school.
- RAC member shared that the tracking should occur at the employer level as compliance is currently tracked. They further suggested that the rule language state 'at least two license cycles' to address those individuals that come in mid-cycle.
- RAC member remarked that educational institutions have a vested financial interest in retaining the degree requirement and that it does not go beyond a two-year cycle. Staff noted that the purpose of the Statement of Need and Fiscal Impact (SNFI) is to identify the financial interests of every affected person which includes individual providers, educational institutions, and employers.)
- RAC member noted that everyone has a financial interest including fire departments. RAC member agreed with OSAA position and at the very least the degree requirement should be paused, and individuals grandfathered in. Increase the degree requirement to four years is a compromise. It was further noted that all the decisions made impact life and death situations and the number of Paramedics available in this state. Adding one more Paramedic to every agency impacts response times.

- RAC member indicated the quality of EMS has grown in this state due to degree requirement and having higher education and clinical thinking skills. It was suggested that maybe there should be no length of time for completing degree and that providers must be actively working to meet requirement. It was further stated that employers managing accountability would be a nightmare. Agreement was shared that colleges are giving credit for Paramedic license of almost 50% of that two years so now four years is given to someone to complete one year of college credits.
- RAC member indicated that as discussed Oregon would be shifting people out-of-state to get their paramedic certificate and then come back to Oregon and have four years to obtain degree. There has to be oversight from OHA on transitional licensees. There is a real concern that private ambulance companies will bring people in and as providers are not able to meet requirement the company will them into other positions. Transcripts should be submitted in order to obtain renewal – many people may wait until year four to go to school. This is creating a timeline that goes beyond what is really happening in the field. Removing the degree requirement altogether is not supported. Low wages, poor working conditions, and poor benefits play a role in the workforce shortage and not the degree requirement.
- RAC member stated that states without degree requirements are struggling with workforce just as much as those with a degree requirement. Ohio (no degree state) recently shared that they used to train about 2500 new EMTs annually, and that number has dropped to 250. This is not a degree related problem. Data shared by staff at the last meeting show number of licenses going up. If expanding the time frame to obtain degree, language needs to be considered to ensure that people who are in transition cannot revert by meeting the three of last five-year requirement. RAC member echoed concerns that large companies would be able to manipulate the time frame by moving employees out of state or to other operations. It was stated that Mercy Flights strongly agrees with keeping the degree requirement and keeping the proposed rule at two years to obtain.
- Comments posted on the Chat included:
 - There are new innovative approaches to paramedic education in Oregon. There is a recognition that Oregon needs more paramedics. Educational institutions and many local EMS agencies are actively increasing support and enrollment for paramedic majoring students. This is happening in other industries, such as nursing. Educational institutions do not profit; they are all government-funded agencies. Statements stating “vested interests” are misdirected.
 - The staffing shortage is nation and world-wide, by keeping the degree requirements Oregon creates some of the most highly trained and recruited Paramedics across the nation and countries. If we remove the degree requirements, we limit our Paramedics education, skills, and recruitable. As MIH and CP becomes more of practice, this education is fundamental in developing our workforce and delivery model of healthcare.
 - The degree requirement doesn't contribute to alleviating the shortage. Given that the degree isn't required to be a degree in EMS specifically, disagree with statement above. An individual possessing a political science degree is equally as qualified based on the current ruleset. Having worked with Paramedic's across multiple states and countries worldwide, this statement is not accurate and is conjecture. What it does do is create a barrier to entry and incentivize potential paramedics to seek programs or employment without said barriers. If there was no financial incentive for a two-year degree program, how can the distinct lack of certificate level programs in Oregon for individuals that already possess degrees be explained.

- RAC member noted that the Paramedic shortage is real and is across the nation. From the rural perspective, it is impossible for a person to come in and get an associate degree in two years. Extra time, such as the four years, is therefore needed. RAC member further agreed with previous comment about making considerations for hardships. As an accredited employer, it was noted that this would be something they tracked. It costs a lot of money to train new employees, so there is a vested interest in retention.
- RAC member noted that educational institutions would lose money on teaching Paramedics. Teaching EMTs is what keeps programs afloat. Persons that educate Paramedics are all Paramedics and the goal of these programs is to ensure that you have someone with knowledge that can treat patients. There needs to be both state and agency accountability as there is a lot of variances on how well agencies do with tracking so language should be reconsidered.
- Staff noted that not all of the persons eligible for a transitional paramedic license may be affiliated with an agency and should be taken into consideration.
 - Some states require an agency affiliation even to get a license.
 - Should the transitional paramedic be required to have an agency sponsor?
 - RAC members were encouraged to share specific rule language as to what the requirements should be. Any accountability held by OHA will result in some form of a fee.
 - What types of processes are already in place for agencies that are accredited by CAAS?
- RAC member suggested OHA produce an attestation and at each recertification period, the transitional paramedic would need to provide a progress report. Upon review, any concerns noted by the OHA could be addressed by contacting the agency. Staff remarked that the question becomes, once information is received, what happens with it – FYI only or action necessary?
- RAC member stated, ‘never collect data that you’re never going to use.’ If a transitional paramedic promises to complete requirements within four years, why does the state or even the employer need to follow them? If they fail to meet the requirement after four years, they can apply for lower license or reapply to Paramedic program. The onus is on the provider not the state or the employer.
- In terms of oversight, RAC member stated it is similar to maintaining CE and perhaps language should be added in terms of progress towards obtaining education is subject to audit.
- RAC member via Chat indicated that if the degree requirement was to go to four-year cycle, a license should not be renewed at two-year renewal if the person had not made any progress since they would be unlikely to be successful.
- RAC member via Chat indicated agreement with a hardship extension availability and agree with two cycles or as long as the individual is working towards degree if the requirement must be kept. Support a break in requirement in order to replenish the workforce.

Work experience

D. Selover noted that the rule language allowing work experience in lieu of education (three of the last five years) is not a perfect number but was used to try and prevent loopholes. **Follow-up – ORS 682.218 requires rules be adopted to allow an applicant for licensure by indorsement and EMS provider to substitute experience and certification by the National Registry for education requirements imposed by the authority.** She asked RAC members to comment:

- RAC member stated that while the degree requirement may not be contributing to workforce shortage, it is a barrier. Workforce experience is similar – why two of three or three of five? Consider two years of current, active full-time work experience in an ALS system out-of-state.
- RAC member concurred that two years of experience in the field makes someone far more qualified than have a degree in a topic that does not relate to EMS.
- RAC member noted that if a two-year experience requirement is added, the need for the degree would be eliminated. If the state believes the degree requirement is valuable that would not be a practical number since a two-year gap would be created from when they get a license to when they must have a degree. A minimum of four- or five-years' experience should be considered.
- RAC member concurred with above statement and asked what kind of experience would they be coming in with – two years' experience with an agency with 300 calls or 3000 calls? Staff noted that there is not many of these and is reviewed on a case-by-case basis. Rural agencies and call volume needs to be considered.
- RAC member asked for data on how many Paramedic licenses were issued based on work experience in the last few years and what kind of experience was considered. Staff noted that some persons have had license applications denied based on resumes. (Example provided of traveling providers working for contracted companies hopping from state to state and taking vital signs in an ambulatory surgery center or administering vaccines during emergency.) Staff further noted they are looking at the scope of duties in the setting worked.
- RAC member stated that part of reviewing the rules is to talk about how to address workforce challenges. OHA does have good checks and balances in place already so two years' work experience should be considered.
- Via Chat, RAC members stated:
 - Two years seems reasonable;
 - There is no number of years that is equivalent to a degree. In a busy system with high-level protocols perhaps, but it depends on the system the person has worked in;
 - Five calls in a year is still more experience than no actual calls sitting in a classroom;
 - Agree with the two years. Also, this allows us to hopefully better capture Paramedics who may have just stepped out of the industry for a few years and have rejoined EMS and have two recent years with many years of experience in the past.
 - Work experience is helpful though all experience should count. Support two years especially coming out of covid and the emergency licensees that were available because some returned for a couple of years.
 - Agree with the two years if the experience is in a prehospital setting and is current within the last five years.
 - Work experience needs to be three years or greater for the reasons of the degree requirement.
 - Creating rules to support a degree requirement only reinforces that we are more interested in forcing people to go through a specific program than we are with bringing the best people into the system.
 - Creating rules to support a degree requirement reinforces that we are more interested in creating a critically thinking clinician that provides the best care possible and brings credibility to the profession.
- RAC member noted that if the intent it to get people into the workforce, if working in a location with very few people, they probably have a higher scope of practice but less calls. Why not have the employers who hire assess the skills? Would it be possible to lower to two

years of four and put the onus on companies that hire to see if person has needed skills. Staff responded that EMS Medical Directors are already responsible for ensuring that every licensee can do what they say they can do.

Staff noted that the work experience was created as an avenue for people to have another avenue to "hit the ground running" in Oregon when they had experience but no degree. If a transitional license is created, and allows all applicants an avenue to "hit the ground running" then is there even a need for the work experience provision?

D. Selover noted that while the agency strives for consensus, it is clear that there are persons on both sides and the agency needs to try and strike a balance. The agency will be required to respond to each comment received during the public comment period.

Statement of Need and Fiscal Impact

D. Selover briefly reviewed the questions on the Statement of Need and Fiscal Impact (SNFI) and noted the SNFI was drafted based on the initial proposed rule and will need to be updated. The RAC was asked to consider the questions and the impacts to consumers (patients), educational institutions, practicing paramedics, and employers and be prepared to discuss on July 10, 2023.

Next Steps

- An additional meeting has been scheduled for July 10, 2023 from 10:00 a.m. until 12:00 p.m.
- Meeting minutes will be drafted and distributed.
- RAC members were asked to submit to mellony.c.bernal@oha.oregon.gov suggested rule text or any other additional information for consideration.
- RAC members were also asked to consider the questions on the Statement of Need and Fiscal Impact. A revised version will be distributed later next week.

Meeting adjourned at 11:53 a.m.