



**Paramedic Licensure & Military Spouse/Domestic  
Partner License Provisions Rule Advisory Committee  
July 10, 2023  
10:00 a.m. – 12:00 p.m.**

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<b>RAC MEMBER ATTENDEES (all attendance via Zoom)</b>	
Alicia Bond	State EMS Committee Member, Medical Director for EMS agencies in Jackson County and Rogue Comm. College
Dan Brattain	CAL-ORE Life Flight; OSAA President
Drew Norris	Bend Fire and Rescue
Gregg Lander	Chemeketa Community College Program Director, Paramedic
Heather Land	Treasure Valley Paramedics
Jeff Mathia	Pacific West Ambulance General Manager and Paramedic
Jeffrey Dana	Paramedic, RN-Retired from Gresham Fire; Currently working at Cascade Locks
Jody Caprino	Teamsters Local 223
Marcus Allen	Mercy Flights Growth Innovations Manager
Michelle Claassen	Mt. Hood Community College
Rob McDonald	American Medical Response (AMR) Operations Manager
Ron Morgan	Oregon State Fire Fighters Council (OSFFC) District VP; Paramedic Tualatin Valley Fire & Rescue
Rusty Riis	Rogue Community College Chair and Clinical Coordinator for Jackson and Josephine Counties
Sabrina Ballew	Mobile Integrated Health (MIH) Coalition Chair; Paramedic; Community Paramedic; MIH Manager Mercy Flights
Sabrina Riggs	Oregon State Ambulance Association (OSAA)
Tiffany Peterson	WyEast Fire District
Tom Strecker	Medix Ambulance General Manager; Paramedic
<b>Other Interested Parties</b>	
Dick Whipple	Public – Mercy Flights
Garrett Mosher	Public – Oregon Fire Chiefs Association
Nicole Palmateer-Hazelbaker	Public – Oregon Fire Chiefs Association
Roger Johnson	Public – Sisters-Camp Sherman Fire District
Sheila Clough	Public – Mercy Flights
<b>Oregon Health Authority Staff</b>	
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
Rebecca Long	Public Health Division, EMS Program

## Welcome, Housekeeping and Agenda Review

Dana Selover introduced herself 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.

- RAC members were asked to identify themselves in the Chat by typing name and organization.
- Members of the public were reminded that the RAC is not a public meeting and therefore not subject to the public meeting 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 [rebecca.j.long@oha.oregon.gov](mailto:rebecca.j.long@oha.oregon.gov) at the conclusion of the meeting who will share with staff.
- Information posted in the Chat and the recording is public record. Please refrain from talking amongst selves.
- 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.
- 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.

D. Selover thanked RAC members for their input to date and submitting comments. It was noted that the OHA is looking for balance between workforce relief and the future of paramedicine in the U.S. It was noted as national trends change, rules may be reconsidered.

D. Selover briefly reviewed agenda items.

## Rule Review

D. Selover noted that the text highlighted in yellow is revised text from the initial proposed draft.

D. Selover shared that as changes were considered, the OHA considered the current licensing cycle for EMS providers. It was noted that based on the changes drafted, staff will need to work with the licensing management system vendor to be able to track Transitional Paramedic licenses which will be on a separate track from other EMS providers. It was further noted that final, draft rules will need to be reviewed by the Department of Justice for legal sufficiency.

### **OAR 333-265-0025 – Application Process**

(7)(c) - The time frame to achieve obtaining an associate degree was changed from 24 months to 48 months.

(8) – Language was determined not necessary and removed.

### **OAR 333-265-0027 – Transitional Paramedic License**

(1) - Rule text was modified to remove duplicative references and refers to 0025.

(1)(c) - Specifies the process for applying for a Transitional Paramedic license.

- It was noted that the fee for the Transitional Paramedic license (\$50) was added back given the request to continue to monitor compliance.

(1)(c)(A) through (C) - Text was added based on previous discussions about accountability. An applicant for a Transitional Paramedic license will need to be sponsored by a licensed ambulance service and the sponsoring agency's EMS Medical Director will serve as the applicant's EMS Medical Director. An applicant must agree to obtain an associate degree with the 48 months specified by rule.

- It was noted that the agency must play an active role in designing a plan for the transitional licensee. Examples shared of a licensee who may only need 8 credits versus someone who may need 32. The support needed and milestone achievements will vary.

(3)(a) through (c) – Because the timeline was extended for a persons to hold a Transitional Paramedic license, renewal language has been added and clarifies that a Transitional Paramedic must renew their license prior to expiration, and they must comply with current continuing education requirements. A Transitional Paramedic who lets their license expire will not be eligible for reinstatement.

(5) – Additional accountability measures were added by requiring a Transitional Paramedic licensee to provide to both the OHA and the sponsoring agency an annual progress report on the progress made towards obtaining a degree (number of education courses taken and the number of credits remaining to obtain a degree.) It will be up to the employer to add any additional accountability measures.

- It was noted that forms will be created to make submission of such reports easy for both the licensee and the OHA.

(6) – Text was added clarifying that the OHA may take enforcement action for failing to comply with the rule.

D. Selover asked for comments on the sections noted above.

- RAC member noted that the Oregon State Ambulance Association as stated in previous meetings does not feel the degree requirement is necessary and is an unnecessary burden with the ongoing workforce crisis. Furthermore, Oregon is an outlier with the associate degree requirement. RAC member further recognized that the changes to the rule will be helpful and appreciates the OHA's willingness to continue the conversation if needed. RAC member stated that the 48 month with additional 12 months for hardship is more appropriate and much more useful than the original draft. With respect to section (5), RAC member questioned whether submitting reports every two years versus annually would be more appropriate to match up with recertification cycle.
- D. Selover noted that the OHA will be watching the EMS Education Agenda for the Future closely to see what is suggested and she recognized that there are both proponents and opponents for degree requirements. The paramedicine role in health care industry is different and growing.

(7) – In addition to general clean up of language, the OHA clarified that a Transitional Paramedic who wants to revert to a lower level of license must be currently certified by the NREMT.

- Staff noted that a person must have previously been NREMT certified at the level of licensure being sought. Staff shared the importance of having the appropriate education

and being trained at the level sought given the difference in scope of practice and what Advanced EMTs (AEMT) can do versus Paramedics.

(8) – At the request of RAC members from previous meetings, the OHA has added language that a Transitional Paramedic licensee can extend the time limit for meeting the degree requirement for hardship. The rule outlines the steps necessary for applying for a hardship and limits the extension of time to no more than 12 months.

- The OHA will create a form for use by Transitional Paramedic licensees for hardship status.

(9) – The rule text clarifies that a Transitional Paramedic license cannot exceed a total of 60 months including the hardship status and there are no additional grace periods, extensions, waivers, or exceptions beyond the 60 months.

(10) – A broad definition for hardship status was added.

- D. Selover noted the intent is to have an applicant for hardship status share their circumstances. The intent is not to have a prescribed list of medical conditions or situations that would limit a person's ability to apply for hardship.
- The OHA doesn't believe that a narrow definition is needed as this rule shouldn't be frequently used.

D. Selover asked whether there were any comments or questions on sections (7), (8) and (9).

- RAC member stated via Chat appreciation for the hardship section.

#### **OAR 333-265-0030 – Fees for Licensure**

(1)(d) - As indicated previously the \$50 fee for applying for a Transitional Paramedic license has been added back for the additional work that is expected of OHA.

#### **OAR 333-265-0050 – Licensure by Reciprocity**

(3)(c)(B) – Rule text was modified changing the work experience requirement in lieu of education from three of the last five years, to two years out of the last five years at an advanced life support, first response Paramedic experience.

- Staff noted that if the intent is to be licensed as a Paramedic, it makes sense that this level of experience should be demonstrated.

#### **OAR 333-265-0060 – Provisional Paramedic License**

It was noted that due to the current providers who hold a Provisional Paramedic license, this rule cannot be repealed. This rule will be in effect only for purposes of current provisional licensees and upon adoption of the rule, no additional Paramedic Provisional licenses will be issued. A new section (1) was added to clarify this intent.

#### **OAR 333-265-0085 – Investigations**

(1)(d) – Additional language was added under investigations to clarify that the OHA may investigate a Transitional Paramedic licensee who has failed to submit annual progress reports as required by rule.

#### **OAR 333-265-0090 – Reverting to a Lower Level**

(2) – Language was modified for alignment and duplicative references were removed.

D. Selover noted that based on previous RAC discussions about accountability and sharing the burden of monitoring these individuals, the OHA has added additional rules specific to the licensed ambulance service (OAR 333-250).

### **OAR 333-250-0265 – Policies and Procedures**

(1)(r) – A licensed ambulance service that sponsors a Transitional Paramedic will be expected to have written policies and procedures relating to sponsoring Transitional Paramedics. The policy must include providing necessary information on the form prescribed by the OHA, expectation that Transitional Paramedic licensees must submit accurate, annual reports to the sponsoring agency on the status of meeting the requirements, notifying the sponsoring agency if a hardship status is being sought from the OHA, and steps that will be taken to ensure the success of the Transitional Paramedic licensee in obtaining a Paramedic license.

- It was noted that the OHA is responsible for licensing ambulance service agencies and has no oversight over non-transport agencies, such as fire agencies. As such, Transitional Paramedic licensees will only be allowed in licensed ambulance service agencies where the OHA may act if necessary.

### **OAR 333-250-0280 – Personnel File Documentation**

(5)(h) – A licensed ambulance service will be expected to maintain documentation in a Transitional Paramedic's personnel file the form required by OHA indicating sponsorship, EMS Medical Director oversight, and agreement that the Transitional Paramedic will obtain an associate degree in the specified time allowed by these rules.

D. Selover asked for RAC feedback on the additional rule elements:

- RAC member asked via Chat is there a time allowance to obtain National Registry if a person is coming from a state that did not require it or have been practicing so long, they have never had it? Is this under the transitional license or a consideration in reciprocity?
  - Staff responded that most states require National Registry certification for initial licensure as a minimum requirement. There needs to be a base standard to assess that a person meets certain expectations. The only way to do that is through National Registry certification.
  - Other health professions use similar types of certifications as a basis for licensure.
  - National EMS certification requirement for initial state licensure map can be found at: <https://www.nremt.org/maps>.

RAC member additionally shared via Chat that the National Registry is a good standard. The concern is that for people that are not current or coming from other states may need time to get the testing completed which delays hiring sometimes for months given travel time to test or take refreshers. In the Emergency Initial Provisional License rule, persons had 12 months to complete.

- RAC member via Chat indicated support for retaining annual progress reports and stated the reports do not have to be extensive or complicated but are helpful for people to have a reminder to stay on track.
- RAC member via Chat recommended that progress reports be submitted in concert with the two-year recertification schedule stating it is easier to administer for both the agency and OHA.
- RAC member via Chat noted grammatical error in hardship section that needs to be revised.
- RAC member commented on the changes suggested for OAR 333-250-0265 relating to ambulance service agency policies and procedures. There may be agencies that choose not to sponsor Transitional Paramedics and as such it would not make sense to require these agencies to have a policy and procedure relating to Transitional Paramedics. It was

recommended that the language be revised to include – "If you are sponsoring a Transitional Paramedic, ..."

- RAC member shared information on how the State of Washington handles the National Registry requirement. Anyone wishing to be licensed in Washington to have been certified by the National Registry as part of initial licensing but does not require current certification. They also require that anyone who is not Nationally Registered within last 12 months to take the National Registry assessment exam as part of initial licensure. It was recommended that OHA consider modeling Washington requirements given the number of people who have not retained their National Registry certification.

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

D. Selover noted that this new rule has been drafted based on two separate Oregon statutes ([ORS 670.400](#) and [ORS 676.308](#)) as well as a new federal law ([H.R. 7939 §19](#)) none of which align. As such there are three separate pathways that a military spouse or domestic partner may apply for licensure. It was noted that the federal legislation was written for spouses only and does not allow for domestic partners. It was noted that the federal legislation has a very broad impact to all Oregon licensing boards.

D. Selover reviewed the rule text and asked RAC members for comments on the military spouse rule.

- RAC member suggested via Chat that the term "aver" be fixed.
- No additional comments on the military spouse rule were shared.

#### **Statement of Need and Fiscal Impact**

D. Selover reviewed the Statement of Need and Fiscal Impact (SNFI).

- Statutes are listed which give the program the authority to write the rules.
- Statutes that are being implemented by the rule are listed.
- The need for the rule is pointed out including reference to community concerns raised and includes a summary of changes.
- A list of documents that the OHA referenced for purposes of the rules are listed along with web links.
- The OHA has provided an equity impact statement based on information shared during a legislative hearing and other resource documents.
- Data on the number of licensed providers and agencies is noted in addition to data on the number of current provisional licensees.
- Information has been shared on how the proposed revisions would allow a Transitional Paramedic licensee additional time to obtain an associate degree which spreads out costs over time.
- It was noted that general information on how the rules will affect licensed ambulance service agencies will need to be added.
- Cost of compliance to state agencies, local government and the public were shared.
- Effects on small businesses (50 or fewer employees) has been identified.

RAC member commented that on page 2, under Fiscal and Economic Impact, the third paragraph should reflect 'Transitional' Paramedic.

RAC member commented that the OSAA is getting feedback from members and asked when the deadline for final comments on the SNFI would be. D. Selover asked that all comments be received by 5:00 p.m., July 21, 2023.

RAC member via Chat indicated they will try and put together information for small business financial impact.

### **Workforce Activities**

D. Selover asked RAC members to share via Chat or send a follow-up email about looking at options for other creative workforce initiatives that might be considered and shared with the EMS Advisory Committee.

David Lehrfeld commented that the OHA will continue to work with the Legislature and the Professional Standards Unit has come up with these rules as a compromise. The OHA hopes that these rules take into consideration everyone's needs and is an adequate middle ground.

### **Next Steps**

D. Selover noted that staff will consider comments and make any necessary changes to the rules.

The rules will be sent out for public comment and interested parties will be notified along with instructions. An opportunity for oral comments will be provided via a public hearing, as well as written comment.

All licensees will be notified about the public comment period and information posted in the Oregon Bulletin. All comments will be responded to in the Public Hearing's Officer report.

The goal is to have rules in effect by October 2023.

Meeting adjourned at 11:10 a.m.