



**MONTANA
ADMINISTRATIVE
REGISTER**



DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

NOTICE OF PROPOSED RULEMAKING

MAR NOTICE NO. 2025-528.1

Summary

Amendment of ARM 37.104.501 and 37.104.518 pertaining to Emergency Medical Services

Hearing Date and Time

Tuesday, September 2, 2025, at 1:00 p.m.

Virtual Hearing Information

Join Zoom Meeting

<https://mt-gov.zoom.us/j/85257585900?pwd=jvS6CMzXaflZK6ClcqZueGwxLoIN28.1>

Meeting ID: 852 5758 5900 and Password: 684968

Dial by Telephone +1 646 558 8656

Meeting ID: 852 5758 5900 and Password: 684968

Find your local number: <https://mt-gov.zoom.us/j/85257585900?pwd=jvS6CMzXaflZK6ClcqZueGwxLoIN28.1>

Comments

Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may be submitted using the contact information below. Comments must be received by Friday, September 5, 2025, at 5:00 p.m.

Accommodations

The agency will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. Requests must be made by Tuesday, August 19, 2025, at 5:00 p.m.

Contact

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Rulemaking Actions

AMEND

The rules proposed to be amended are as follows, stricken matter interlined, new matter underlined:

37.104.501 DEFINITIONS

As used in this subchapter, the following definitions apply:

- (1) "Accrediting body" means a national or international organization which:
 - (a) reviews the facilities, vehicles, equipment, and operations of an ambulance service;
 - (b) uses trained site-surveyors with experience in medical transport at the level of accreditation and license;
 - (c) provides ambulance service accreditation for no more than three consecutive years without an updated inspection and reaccreditation;
 - (d) assures that ambulance services with identified deficiency standards will implement corrective action or improvement plans to correct any deficiencies; and
 - (e) provides transparency by making publicly available its standards, policies, procedures, and a list of accredited programs.

- (2) "Advanced emergency medical technician" has the meaning provided for under 37-3-102, MCA.
- (3) "Advanced life support (ALS)" means a level of care provided by an EMT with any endorsement issued by the board, an AEMT, or a paramedic.
- (4) "Advanced life support (ALS) kit" means, at a minimum, the equipment and supplies set forth under Table 5 of the Emergency Medical Services Rule Appendix.
- (5) "Advanced life support emergency medical service" means an ambulance service or nontransporting medical unit having capacity and licensed by the department to provide advanced life support 24 hours a day, seven days a week.
- (6) "Advisory committee" means the advisory committee specified in 50-6-324, MCA.
- (7) "Ambulance service" means an emergency medical service licensed by the department to utilize an ambulance for the transportation of patients.
- (8) "Automated external defibrillator (AED)" has the meaning provided for under 50-6-501, MCA.
- (9) "Basic life support (BLS)" means a basic life support level of care provided by an EMR or EMT that does not meet Advanced Life Support qualification.
- (10) "Basic life support emergency medical service" means an ambulance service or nontransporting medical unit capable of providing care at the basic life support level and licensed as a provider under ARM 37.104.509.
- (11) "Basic life support kit" means the equipment and supplies set forth under Table 4 of the Emergency Medical Services Rule Appendix.
- (12) "Board" means the Montana Board of Medical Examiners administratively attached to the Department of Labor and Industry.
- (13) "Emergency care provider (ECP)" has the meaning provided for under 37-3-102, MCA, and for the purposes of this chapter, includes registered nurses with supplemental training.
- (14) "Emergency medical responder (EMR)" has the meaning provided for under 37-3-102, MCA.
- (15) "Emergency medical service incident" means an instance in which an ambulance service or nontransporting medical unit is requested to provide services, including community integrated health or a mutual aid request, and with respect to which any of the following occur:
 - (a) a patient was assessed;
 - (b) medical care was rendered;
 - (c) a patient was transported;

- (d) a patient was pronounced dead at the scene;
 - (e) a patient was transferred to another licensed service;
 - (f) a patient was transferred from one medical facility to another; or
 - (g) the person or persons for whom emergency medical service was dispatched refused treatment, transport, or both.
- (16) "Emergency Medical Services Rule Appendix" means the department's Emergency Medical Services Rule Appendix (~~Version 1.0~~) (Version 1.1), which sets forth operational requirements for Emergency Medical Service providers. The department adopts and incorporates by reference the Appendix. A copy of the Appendix is available electronically at <https://dphhs.mt.gov/publichealth/EMSTS/ems/resources> and may also be obtained from the Department of Public Health and Human Services, Public Health and Safety Division, Emergency Medical Services and Trauma Systems Section, 1400 Broadway, P.O. Box 202951, Helena, MT 59620-2951.
- (17) "Emergency medical technician (EMT)" has the meaning provided for under 37-3-102, MCA.
- (a) An EMT is equivalent to the emergency medical technician-basic as required under 50-6-322, MCA.
- (18) "FAA" means the Federal Aviation Administration.
- (19) "Level of emergency medical service" means basic life support, basic life support with authorization for limited advanced life support, or advanced life support.
- (20) "Montana ECP Practice Guidelines" means the board-approved guidelines in ARM 24.156.2701.
- (21) "Montana EMS Registry" means the electronic repository of data submitted by Montana emergency medical service agencies that is administered by the department for quality improvement and public health reporting purposes.
- (22) "Paramedic" has the meaning provided for under 37-3-102, MCA.
- (23) "Patient care report" means an accurate and complete record of the response by an ambulance service or nontransporting medical unit to each emergency medical service incident.
- (24) "Permit" means the sticker affixed to a ground ambulance or a certificate placed in an air or ground ambulance indicating the ambulance vehicle has met the requirements of these rules.
- (25) "Provisional license" means a temporary emergency medical service license granted by the department that is valid for a maximum of 90 days.

- (26) "RN with supplemental training" means a registered nurse who has completed the supplemental training required to work on an ambulance or nontransporting medical unit.
- (27) "Safety and extrication equipment kit" means the equipment and supplies set forth under Table 6 of the Emergency Medical Services Rule Appendix.
- (28) "Service manager" means the individual identified on the Emergency Medical Services license application as the service manager and who is responsible for ensuring service operations are conducted in compliance with all applicable statutory and regulatory requirements.
- (29) "Service medical director" means a person who meets the requirements of a medical director as provided in ARM 24.156.2701 and provides offline medical direction for an emergency medical service pursuant to ARM 24.156.2732.
- (30) "Stipulations" mean those conditions specified by the department at the time of licensing which must be met by the applicant in order to be licensed as an emergency medical service.
- (31) "Supplemental training" means training for registered nurses approved by the service manager of an emergency medical service licensed at the basic life support level of service, or the service medical director for all other levels of service. A list of suggested training is set forth in Table 11 of the Emergency Medical Services Rule Appendix.
 - (a) The training must recognize the registered nurse's education and experience and result in emergency medical competency at the emergency medical service's license level.
- (32) "Temporary permit" means a written, non-transferable authorization of limited duration indicating an ambulance vehicle may be used by a licensed ambulance service until a permit can be issued.
- (33) "Transportation equipment kit" means the equipment and supplies set forth under Table 7 of the Emergency Medical Services Rule Appendix.
- (34) "Type of emergency medical service" means either an air ambulance fixed wing, air ambulance rotor wing, ground ambulance, or nontransporting medical unit.

Authorizing statute(s): 50-6-323, MCA

Implementing statute(s): 50-6-323, MCA

37.104.518 ADVISORY COMMITTEE

- (1) The purpose of the advisory committee is to advise the department consistent with 50-6-323, MCA, on matters including:
 - (a) the equipment and materials required for an emergency medical service;
 - (b) the data to be collected and submitted to the department;
 - (c) the information contained in an abbreviated patient encounter form submitted to a hospital; and
 - (d) in consultation with the Department of Labor and Industry or the board, patient care standards and guidelines and guidance on supplemental training for registered nurses.
- (2) The membership of the advisory committee consists of ~~17~~ 18 individuals appointed by the department director, taking into consideration the geography and demography of Montana, as follows:
 - (a) an emergency medical services fellowship trained or national board-certified emergency medical services physician who will serve as chair;
 - (b) two service medical directors, one of whom is employed by an emergency medical service serving a population greater than 20,000 persons;
 - (c) a representative from the Department of Labor and Industry;
 - (d) a representative from the department's Emergency Medical Services for Children Committee;
 - (e) a representative from the department's State Trauma Advisory Council;
 - (f) a service manager from a government-owned ground ambulance service;
 - (g) a service manager from a privately owned ground ambulance service;
 - (h) a service manager from a hospital-owned ground ambulance service;
 - (i) a service manager from a not-for-profit ground ambulance service;
 - (j) an ECP service manager of a nontransporting medical unit;
 - (k) an ECP service manager of an air ambulance;
 - (l) an ECP from a tribal emergency medical service provider;
 - (m) an ECP from a volunteer emergency medical service provider;
 - ~~(n)~~(n) an RN with supplemental training that is on an emergency medical service roster;
 - ~~(n)~~(o) a sworn officer representative from a law enforcement agency;

~~(p)~~(p) a representative of a 9-1-1 dispatch organization who is trained in emergency medical dispatch; and

~~(q)~~(q) a member of the public not affiliated with the emergency medical service system.

- (3) Individuals who are interested in serving on the advisory committee must submit to the department an application that is available on the department's web site along with a resume and letter of interest.
- (4) The membership term is three years with the initial terms of membership randomly assigned for the purpose of ensuring staggered terms. Members of the advisory committee may seek reappointment to serve additional terms.
- (5) The advisory committee will meet publicly at least twice each year and will conduct its business in person or, when appropriate, by electronic means.

Authorizing statute(s): 50-6-323, MCA

Implementing statute(s): 50-6-324, MCA

General Reasonable Necessity Statement

The Department of Public Health and Human Services (department) proposes to amend ARM 37.104.501 and 37.104.518 pertaining to licensure of emergency medical service providers. The proposed amendments were developed in consultation with the ambulance service advisory committee established under 50-6-324, MCA

ARM 37.104.501

The department proposes to amend this rule to adopt and incorporate by reference an updated version of the Emergency Medical Services Rule Appendix. The updated version of the appendix revises the types of equipment emergency medical service providers are required to carry or maintain. The proposed changes to the appendix are intended to reduce financial barriers and simplify equipment requirements while still ensuring patient and provider safety and appropriate level of care. The department also proposes to revise the appendix to update required minimum ambulance specifications to ensure patient safety. A copy of the proposed appendix is electronically available at:
<https://dphhs.mt.gov/publichealth/EMSTS/ems/resources>.

ARM 37.104.518

The department proposes to amend this rule setting forth the composition of the ambulance service advisory committee established under 50-6-324, MCA. The department proposes to

provide for an additional member of the committee consisting of a volunteer emergency medical service provider so that these providers are represented on the committee.

Effective Date

The department intends for these rule amendments to be applied retroactively to June 30, 2025.

Small Business Impact

Pursuant to 2-4-111, MCA, the class of small businesses probably affected by the proposed rules are those licensed as emergency medical service providers. The department does not anticipate the proposed rules will have a probable significant and direct effect on these small businesses.

Bill Sponsor Notification

The bill sponsor contact requirements do not apply.

Interested Persons

The department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by the department. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Written requests may be emailed, mailed, or otherwise delivered to the contact person above.

Rule Reviewer

Robert Lishman

Approval

Charles T. Brereton, Director
Department of Public Health and Human Services