

HOUSE BILL No. 4979

September 17, 2013, Introduced by Reps. Tlaib, Kosowski, Darany, Hobbs and Cavanagh
and referred to the Committee on Local Government.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 20918 (MCL 333.20918), as amended by 2000 PA
375.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 20918. (1) Each hospital licensed under part 215 and each
2 freestanding surgical outpatient facility licensed under part 208
3 that operates a service for treating emergency patients 24 hours a
4 day, 7 days a week and meets standards established by medical
5 control authority protocols shall be given the opportunity to
6 participate in the ongoing planning and development activities of
7 the local medical control authority designated by the department
8 and shall adhere to protocols for providing services to a patient
9 before care of the patient is transferred to hospital personnel, to
10 the extent that those protocols apply to a hospital or freestanding

1 surgical outpatient facility. The department shall designate a
2 medical control authority for each Michigan county or part of a
3 county, except that the department may designate a medical control
4 authority to cover 2 or more counties if the department and
5 affected medical control authorities determine that the available
6 resources would be better utilized with a multiple county medical
7 control authority. In designating a medical control authority, the
8 department shall assure that there is a reasonable relationship
9 between the existing emergency medical services capacity in the
10 geographical area to be served by the medical control authority and
11 the estimated demand for emergency medical services in that area.

12 (2) A medical control authority shall be administered by the
13 participating hospitals. A medical control authority shall accept
14 participation in its administration by a freestanding surgical
15 outpatient facility licensed under part 208 if the freestanding
16 surgical outpatient facility operates a service for treating
17 emergency patients 24 hours a day, 7 days a week determined by the
18 medical control authority to meet the applicable standards
19 established by medical control authority protocols. Subject to
20 subsection (4), the participating hospitals shall appoint an
21 advisory body for the medical control authority that shall include,
22 at a minimum, a representative of each type of life support agency
23 and each type of emergency medical services personnel functioning
24 within the medical control authority's boundaries.

25 (3) With the advice of the advisory body of the medical
26 control authority appointed under subsection (2), a medical control
27 authority shall appoint a medical director of the medical control

1 authority. The medical director shall be a physician who is board
2 certified in emergency medicine by a national organization approved
3 by the department, or who practices emergency medicine and is
4 certified in both advanced cardiac life support and advanced trauma
5 life support by a national organization approved by the department,
6 and who meets other standards set forth in department rules. **A**
7 **MEDICAL CONTROL AUTHORITY'S MEDICAL DIRECTOR SHALL NOT ALSO BE A**
8 **DIRECTOR OF, BE AFFILIATED WITH, OR PERFORM DUTIES ASSIGNED TO AN**
9 **EMERGENCY MEDICAL SERVICES AGENCY THAT THE MEDICAL CONTROL**
10 **AUTHORITY SUPERVISES. THE DIRECTOR OF A MEDICAL CONTROL AUTHORITY**
11 **SHALL NOT BE AFFILIATED WITH OR RECEIVE A BENEFIT FROM AN ENTITY**
12 **THAT CONTRACTS TO PROVIDE SERVICES THAT ARE SUPERVISED BY THAT**
13 **MEDICAL CONTROL AUTHORITY.** The medical director is responsible for
14 medical control for the emergency medical services system served by
15 the medical control authority.

16 (4) No more than 10% of the membership of the advisory body of
17 a medical control authority shall be employees of the medical
18 director or of an entity substantially owned or controlled by the
19 medical director.

20 (5) A designated medical control authority shall operate in
21 accordance with the terms of its designation.

22 (6) Each life support agency and individual licensed under
23 this part is accountable to the medical control authority in the
24 provision of emergency medical services, as defined in protocols
25 developed by the medical control authority and approved by the
26 department under this part.