

BEFORE THE BOARD OF MEDICAL EXAMINERS
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of ARM) NOTICE OF PUBLIC HEARING ON
24.156.2720 pertaining to ECP training) PROPOSED AMENDMENT
courses)

TO: All Concerned Persons

1. On May 13, 2020, at 1:00 p.m., a public hearing will be held via remote conferencing to consider the proposed amendment of the above-stated rule. Because there currently exists a state of emergency in Montana due to the public health crisis caused by the coronavirus, there will be no in-person hearing. Interested parties may access the remote conferencing platform by dialing 406-444-4647 (local) or 1-833-681-5958 (toll free) and entering meeting ID 3075649 when directed to do so.

2. The Department of Labor and Industry (department) will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Medical Examiners no later than 5:00 p.m., on May 6, 2020, to advise us of the nature of the accommodation that you need. Please contact Samuel Hunthausen, Board of Medical Examiners, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2360; Montana Relay 1 (800) 253-4091; TDD (406) 444-2978; facsimile (406) 841-2305; or dlibsmed@mt.gov (board's e-mail).

3. The rule proposed to be amended is as follows, stricken matter interlined, new matter underlined:

24.156.2720 ECP TRAINING COURSES (1) and (2) remain the same.
(3) Upon written request from the medical director of an AEMT or paramedic course, the board or its designee may approve substitution of patient simulators for up to 50 percent of the live patient requirements specified under (2)(b) and (c).
(3) through (8) remain the same but are renumbered (4) through (9).
(9) (10) Requests for extension of required course completion times stated in ~~(8)(c)~~ (9)(c) must be submitted in writing and may be granted by the board or its designee.

AUTH: 50-6-203, MCA
IMP: 50-6-203, MCA

REASON: The board determined it is reasonably necessary to amend this rule in response to the COVID-19 pandemic. The current rule requires that ECP training courses contain a clinical component with skills performed on live patients. The board is amending this rule to enable many advanced emergency medical

technicians (AEMT) to matriculate from their training courses by permitting some clinical experience with patient simulators.

The board has increasingly received requests to allow for simulated patients in place of some or all the live patients required during the clinical portion of the AEMT and paramedic courses. The requests are increasing because instructors are finding it more difficult to find opportunities for hands-on training with live patients both in rural settings and more recently during the COVID-19 national and state declared emergencies. Those declared emergencies are straining and will continue to strain the number of healthcare providers available.

Additionally, most training facilities are now prohibiting students as a way to reduce disease transmission, and it is not possible for students to interact with live patients and complete the clinical component of their courses. If students are not allowed to complete the courses with patient simulators, they will not be eligible for licensure. The board has determined that allowing substitution of up to 50 percent of live patients for patient simulators will ensure individuals are trained safely and effectively while allowing students to meet their clinical requirements.

4. Concerned persons may present their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to the Board of Medical Examiners, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406) 841-2305, or e-mail to dlibsmed@mt.gov, and must be received no later than 5:00 p.m., May 15, 2020.

5. An electronic copy of this notice of public hearing is available at www.medicalboard.mt.gov (department and board's web site). Although the department strives to keep its web sites accessible at all times, concerned persons should be aware that web sites may be unavailable during some periods, due to system maintenance or technical problems, and that technical difficulties in accessing a web site do not excuse late submission of comments.

6. The board maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this board. 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 that the person wishes to receive notices regarding all board administrative rulemaking proceedings or other administrative proceedings. The request must indicate whether e-mail or standard mail is preferred. Such written request may be sent or delivered to the Board of Medical Examiners, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; faxed to the office at (406) 841-2305; e-mailed to dlibsmed@mt.gov; or made by completing a request form at any rules hearing held by the agency.

7. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

8. Regarding the requirements of 2-4-111, MCA, the board has determined that the amendment of ARM 24.156.2720 will not significantly and directly impact small businesses.

Documentation of the board's above-stated determination is available upon request to the Board of Medical Examiners, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2360; facsimile (406) 841-2305; or to dlibsdmed@mt.gov.

9. Samuel Hunthausen, Executive Officer, has been designated to preside over and conduct this hearing.

BOARD OF MEDICAL EXAMINERS
ANA DIAZ, Ph.D.
PRESIDENT

/s/ DARCEE L. MOE
Darcee L. Moe
Rule Reviewer

/s/ BRENDA NORDLUND
Brenda Nordlund, Acting Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State April 7, 2020.