

Section 43 establishes a procedure for exempting those who rent a single family dwelling from the requirements of the act. Section 36 already establishes such a procedure, and there is no need for this additional provision. Consequently, I have vetoed section 43.

Veto
Message

Section 47 provides that this act shall not apply to any lease or periodic tenancy entered into prior to the effective date of the act. Many tenancies are entered on a periodic basis and there is no sufficient reason to exempt existing tenancies from the provisions of this act. Accordingly, I have vetoed this section.

With the exceptions noted above, I have approved the remainder of Substitute Senate Bill No. 2226."

CHAPTER 208

[Engrossed Substitute Senate Bill No. 2365]

EMERGENCY MEDICAL CARE AND HEALTH
SERVICES

AN ACT Relating to emergency medical care and health services; creating a new chapter in Title 18 RCW; prescribing penalties; and establishing effective dates.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. The legislature finds that a state-wide program of emergency medical care is necessary to promote the health, safety, and welfare of the citizens of this state. The intent of the legislature is that the secretary of the department of social and health services develop and implement a program to promote immediate prehospital treatment for victims of motor vehicle accidents, suspected coronary illnesses, and other acute illness or trauma.

The legislature further recognizes that emergency medical care and transportation methods are constantly changing and conditions in the various regions of the state vary markedly. The legislature, therefore, seeks to establish a flexible method of implementation and regulation to meet those conditions.

NEW SECTION. Sec. 2. The legislature further declares its intention to supersede all ordinances, regulations, and requirements promulgated by counties, cities and other political subdivisions of the state of Washington, insofar as they may provide for the regulation of emergency medical care, first aid, and ambulance services which do not exceed the provisions of this chapter; except

that (1) license fees established in this chapter shall supersede all license fees of counties, cities and other political subdivisions of this state; and, (2) nothing in this chapter shall alter the provisions of RCW 18.71.020, 18.71.200, 18.71.210 and 18.71.220.

NEW SECTION. Sec. 3. Unless a different meaning is plainly required by the context, the following words and phrases as used in this chapter shall have the following meanings:

(1) "Secretary" means the secretary of the department of social and health services.

(2) "Department" means the department of social and health services.

(3) "Committee" means the emergency medical and ambulance review committee.

(4) "Ambulance" means an emergency vehicle designed and used to transport the ill and injured and to provide facilities and equipment to treat patients before and during transportation.

(5) "First aid vehicle" means a vehicle primarily designed and used to carry first aid equipment and individuals trained in first aid or emergency medical procedure.

(6) "Emergency medical technician" means a person who has successfully completed a prescribed course of instruction and who has achieved a demonstrable level of performance and competence to treat victims of severe injury or other emergent condition.

(7) "Ambulance operator" means a person who owns one or more ambulances and operates them as a private business.

(8) "Ambulance director" means a person who is a director of a service which operates one or more ambulances provided by a volunteer organization or governmental agency.

(9) "First aid vehicle operator" means a person who owns one or more first aid vehicles and operates them as a private business.

(10) "First aid director" means a person who is a director of a service which operates one or more first aid vehicles provided by a volunteer organization or governmental agency.

(11) "Emergency medical care" or "emergency medical service" means such medical treatment and care which may be rendered to persons injured, sick, or incapacitated at the scene of such injury, sickness, or incapacitation or in the ambulance.

(12) "Medical equipment" means such facilities and equipment to be used in the treatment of persons injured, sick or incapacitated carried by ambulance or first aid vehicle.

(13) "Communications system" means a radio or landline network connected with a dispatch center which makes possible the alerting and coordination of personnel, equipment, and facilities.

NEW SECTION. Sec. 4. There is created an emergency medical and ambulance review committee of nine members to be appointed by the

governor with the advice and consent of the senate. Members of the committee shall be persons knowledgeable in specific and general aspects of emergency medical services.

There shall be two members from fire departments providing ambulance or first aid service, one of whom shall represent a fire district and one of whom shall represent a fully paid municipal fire department; two persons representing private ambulance operators, one of whom shall provide service in a metropolitan area and one of whom shall provide service in a nonmetropolitan area; two who are licensed physicians; two who shall represent the consuming public, one of whom shall reside east of the crest of the Cascade mountain range and one of whom shall reside west of the crest of the Cascade mountain range; and, one member who is a hospital administrator.

Members shall be chosen from lists of nominees provided by interested associations in the fields to be represented. Members shall be appointed for a period of three years; except, that the first appointees shall serve for terms as follows: Five for three years, two for two years, and two for one year. Further, the terms of those members representing the same field shall not expire at the same time.

The committee shall elect a chairman and a vice-chairman whose terms of office shall be for one year each. The chairman shall be ineligible for reelection after serving two consecutive terms.

The committee shall meet on call by the governor, the secretary or the chairman.

All appointive members of the committee, in the performance of their duties, may be entitled to receive per diem as provided in RCW 43.03.050 and travel expenses as provided in RCW 43.03.060.

NEW SECTION. Sec. 5. The committee shall advise and assist the secretary on the identification of the requirements for prehospital emergency medical and ambulance services and practices and the formulation of implementation planning.

The secretary shall submit in writing to each member of the committee all the rules and regulations, other than procedural matters, proposed by him for adoption in accordance with the procedures of chapter 34.04 RCW. Unless, within thirty days of such notification, five of the members of the committee notify the secretary in writing of their disapproval of such proposed rules and regulations and their reasons therefore, such rules and regulations shall be adopted by the secretary in accordance with the procedures of chapter 34.04 RCW.

NEW SECTION. Sec. 6. (1) The secretary shall designate at least eight planning and service areas so that all parts of the state are within such an area. These designations are to be made on the basis of convenience and efficiency of delivery of needed emergency

medical services.

(2) The secretary shall conduct a public hearing in a major city of each planning and service area at least sixty days prior to the formulation of a comprehensive plan for prehospital emergency medical services. Such hearing shall (a) afford an opportunity for participation by those interested in the determination of the need for, and the location of ambulances and first aid vehicles and (b) provide a public forum that affords a full opportunity for presenting views on any relevant aspect of prehospital emergency medical services.

NEW SECTION. Sec. 7. The secretary shall prepare and adopt a comprehensive plan for prehospital emergency medical services in the state for persons injured as a result of motor vehicle accidents, suspected coronary victims, or persons suffering other acute illnesses or trauma. This plan shall include, but not be limited to the following: (1) The training of individuals in cardiopulmonary resuscitation, basic and advanced first aid, emergency medical technician, paramedic, and other programs for the development of prehospital emergency medical services personnel in the major city of each planning and service area; (2) the future development of rules and regulations for certification and licensure of prehospital emergency medical services personnel; and, (3) the study of prehospital emergency medical services needs, such as facilities, vehicles, equipment, communications and personnel in the state.

The secretary shall encourage communities to support the care and services required to meet the provisions of this plan or to develop such care and service. If any community is unable to provide the facilities, vehicles, equipment and personnel required, the secretary shall inform the committee thereof and the committee shall take such further action as it deems advisable consistent with the provisions of this chapter.

NEW SECTION. Sec. 8. (1) It shall be the duty of the secretary, pursuant to the policy set forth in this chapter, to prescribe minimum requirements for:

- (a) Ambulances;
- (b) First aid vehicles; and
- (c) Communication equipment.

These requirements shall be reviewed regularly.

(2) The secretary shall also prescribe, pursuant to the policy set forth in this chapter, minimum requirements for training of all first aid and ambulance personnel rendering emergency medical care or first aid.

(3) The secretary shall also cooperate with and assist the other agencies of state government and political subdivisions of the state of Washington who provide first aid and emergency medical

training to ensure that this training is available in each planning and service area of the state pursuant to the policy set forth in this 1973 act.

(4) The secretary shall also prescribe minimum requirements for liability insurance to be carried by ambulance operators except that this requirement shall not apply to self-insured public bodies.

NEW SECTION. Sec. 9. The secretary shall establish standards for emergency medical communications for use in connection with the delivery of emergency medical services. He shall, in conjunction with other agencies of state government and political subdivisions of the state of Washington, encourage establishment of a state-wide communication system utilizing presently available facilities and such additional facilities as they become available; except, that each ambulance and first aid vehicle licensed under provisions of this chapter shall be equipped with transmitting and receiving equipment.

NEW SECTION. Sec. 10. Upon the establishment of this chapter, the secretary may grant variance from standards only when compliance can be expected to create prohibitive costs or cause substantial reduction or loss of existing service. Variance may be granted for a period of not more than one year. The variance may be renewed upon approval of the committee.

NEW SECTION. Sec. 11. The secretary shall specify the level of knowledge required to qualify as an emergency medical technician and shall issue a certificate of qualification to those applicants who pass a written and practical examination given under the secretary's direction, or who provide proof of having graduated, with satisfactory performance, from a course of instruction, of not less than eighty hours, approved by the secretary. Reciprocity may be arranged, in granting emergency medical technician certificates, with a national certifying organization whose standards are at least equal to those established by the secretary.

A fee shall be established; except, that no fee shall be required of active volunteer fire fighters or volunteer ambulance personnel for such certificate. —V

The certificate shall be valid for a period of three years and may be renewed at expiration upon proof that the holder has attended a refresher course recognized by the department, or upon passing an examination such as given to new applicants.

NEW SECTION. Sec. 12. The secretary shall issue a certificate of advanced first aid qualification to those applicants who provide proof of advanced Red Cross training or its equivalent. The certificate shall be valid for a period of three years, and may be renewed at expiration upon proof that the holder has received a recognized Red Cross refresher course or its equivalent, or upon

passing an examination such as that given new applicants.

A fee shall be established for such certificate; except, that law enforcement officers, fire fighting personnel, or other governmental personnel required to have advanced first aid qualification as a qualification for employment shall be exempt from this fee.

NEW SECTION. Sec. 13. An ambulance operator, ambulance director, first aid vehicle operator or first aid director may not operate a service in the state of Washington without holding a license for such operation, issued by the secretary when such operation is consistent with the comprehensive plan established pursuant to section 7 of this 1973 act, indicating the general area to be served and the number of vehicles to be used, with the following exceptions:

- (1) The United States government;
- (2) Ambulance operators and ambulance directors providing service in other states when bringing patients into this state;
- (3) Owners of businesses in which ambulance or first aid vehicles are used exclusively on company property but occasionally in emergencies may bring patients to hospitals not on company property;
- (4) Operators of vehicles pressed into service for transportation of patients in emergencies when licensed ambulances are not available or cannot meet overwhelming demand.

The license shall be valid for a period of three years and shall be renewed on request provided the holder has consistently complied with the regulations of the department and the department of motor vehicles and provided also that the needs of the area served have been met satisfactorily. The license shall not be transferable.

A license fee shall be required for ambulance operators and first aid operators.

NEW SECTION. Sec. 14. The secretary shall approve the issuance of an ambulance license for each vehicle so designated. The license shall be for a period of one year and may be reissued on expiration if the vehicle and its operation meet requirements in force at the time of expiration of the license period. The license may be revoked if the ambulance is found to be operating in violation of the regulations promulgated by the department or without required equipment. The license shall be terminated automatically if the vehicle is sold or transferred to the control of anyone not currently licensed as an ambulance operator or ambulance director. The ambulance license number shall be prominently displayed on each vehicle.

A fee shall be established for vehicles operated by an ambulance operator.

Licensed ambulances shall be inspected periodically by the

secretary at the location of the ambulance station. Inspection shall include adequacy and maintenance of medical equipment and supplies and the mechanical condition of the vehicle including its mechanical and electrical equipment.

NEW SECTION. Sec. 15. Any ambulance operated as such shall operate with sufficient personnel for adequate patient care, at least one of whom shall be an emergency medical technician under standards promulgated by the secretary. The emergency medical technician shall have responsibility for its operation and for the care of patients both before they are placed aboard the vehicle and during transit. If there are two or more emergency medical technicians operating the ambulance, a nondriving medical technician shall be in command of the vehicle. The emergency medical technician in command of the vehicle shall be in the patient compartment and in attendance to the patient.

The driver of the ambulance shall have at least a certificate of advance first aid qualification issued by the secretary pursuant to section 12 of this 1973 act.

NEW SECTION. Sec. 16. The secretary shall approve the issuance of a first aid vehicle license for each vehicle so designated. The license shall be for a period of one year and may be reissued on expiration if the vehicle meets requirements in force at the time of expiration of the license period. The license may be revoked if the vehicle is found to be operating in violation of regulations promulgated by the department or without required equipment. The license shall be terminated automatically if the vehicle is sold or transferred to the control of anyone not currently licensed as a first aid vehicle operator or first aid director. The first aid vehicle license number shall be prominently displayed on each vehicle.

A fee shall be established for vehicles operated by a first aid vehicle operator.

Licensed first aid vehicles shall be inspected periodically by the secretary at the location of the first aid vehicle station. Inspection shall include adequacy and maintenance of medical equipment and supplies and the mechanical condition of the vehicle, including mechanical and electrical equipment.

NEW SECTION. Sec. 17. The first aid vehicle shall be operated by at least one person certificated pursuant to section 12 of this 1973 act and under standards promulgated by the secretary.

The first aid vehicle may be used for transportation of patients only when it is impossible or impractical to obtain an ambulance or when a wait for arrival of an ambulance would place the life of the patient in jeopardy; except, that the vehicle shall be under the command of a person certificated pursuant to section 12 of this 1973 act other than the driver and shall be in attendance to the

patient.

NEW SECTION. Sec. 18. Other vehicles not herein defined by this 1973 act shall not be used commercially or by public services for transportation of patients who must be carried on a stretcher and who required attention en route, except that such transportation may be used when directed by a physician, or when a disaster creates casualties in numbers that cannot be served by ambulances, or when any casual transportation of the infirm from his home or a health facility for routine medical treatment or care or for recreational and social purposes is desired.

NEW SECTION. Sec. 19. Any person who shall violate any of the provisions of this chapter and for which a penalty is not provided shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in any sum not exceeding one hundred dollars, or may be imprisoned in the county jail not exceeding six months.

NEW SECTION. Sec. 20. If any provision of this 1973 act, or the application thereof to any person or circumstance is held invalid, this invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

NEW SECTION. Sec. 21. The administrative procedure act, chapter 34.04 RCW, shall wherever applicable govern the rights, remedies, and procedures respecting the administration of this chapter.

NEW SECTION. Sec. 22. The provisions of sections 1 through 8, inclusive, 11, 12, 20, 21, 22, and 23 of this 1973 act shall take effect on July 1, 1973. The provisions of sections 9, 10, and 13 through 19, inclusive, shall take effect on January 1, 1976.

NEW SECTION. Sec. 23. There is added to Title 18 RCW a new chapter as set forth in sections 1 through 21 of this 1973 act.

Passed the Senate March 9, 1973.

Passed the House April 9, 1973.

Approved by the Governor April 25, 1973, with the exception of one item each in Section 4 and Section 11 which are vetoed.

Filed in Office of Secretary of State April 26, 1973.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to two items, Substitute Senate Bill No. 2365 entitled:

Veto
Message

"AN ACT Relating to emergency medical care and health services."

This act will provide that the citizens of our state will be able to receive standardized higher quality emergency medical services. Section four of the act establishes an emergency medical and ambulance review committee consisting of nine members appointed by the Governor. Section four also provides that, of the nine members on the committee, two must be from fire departments, two must be private ambulance owners, two must be licensed physicians, two must be from the consuming public and one must be a hospital administrator. While representation on the committee from such groups is both worthwhile and needed, the requirement that only such members may be appointed could well work to the disadvantage of the public should it prove worthwhile to appoint individuals from other interested areas in the future.

Section eleven of the act provides for the granting of a certificate of qualification as an emergency medical technician and requires a fee to be established, paid by the applicant, for the certificate. The section exempts volunteer fire fighters and volunteer ambulance personnel from the requirement of paying the fee. Such exemption is both laudable and in the public interest; however, it does not take into account the numerous other types of volunteer personnel which would desire and need the certificate of qualification and should be equally exempt from the payment of a fee. Deletion of the item referring to fire fighters and ambulance personnel will allow all volunteer personnel to be exempt from the fee.

Accordingly, for the reasons set out above, I have determined to veto the two items in sections four and eleven of this act. With those exceptions, Substitute Senate Bill No. 2365 is approved."

CHAPTER 209

[Engrossed Substitute Senate Bill No. 2600]

ALCOHOLIC BEVERAGE CONTROL

AN ACT Relating to intoxicating liquor; adding a new section to chapter 66.08 RCW; amending section 67, chapter 62, Laws of 1933 ex. sess. and RCW 66.08.070; amending section 7, chapter 62, Laws of 1933 ex. sess. as last amended by section 1,