

HSCC 330 Legal and Legislative Aspects of Health Care

Legal Issues in Vehicle
Operations and Equipment

HSCC 330 Vehicle Operations 1

Objectives

- Upon completion of this section, the student should be able to:
 - identify ambulance provider license requirements and issues
 - identify the risks inherent in EMS vehicle operation
 - identify the risks inherent in EMS equipment operation
 - identify techniques to assist in avoiding litigation due to vehicle and equipment issues

HSCC 330 Vehicle Operations 2

EMS Provider License

- Provider license required
- Operating without a license is a misdemeanor

HSCC 330 Vehicle Operations 3

License Requirements

- Intent and ability
- Application for ambulance permit
- Written plan
- SOP's for maintenance of ambulances

HSCC 330 Vehicle Operations 4

Length of Licensure

- Six years, unless:
 - Administrative sanction
 - Closure
 - Change of ownership
 - Failure to comply

HSCC 330 Vehicle Operations 5

Ambulance Permit

- For each ambulance
- Must meet requirements
- Credentialed personnel
- Valid for 4 years
- Open to inspection
- Department may suspend or revoke

HSCC 330 Vehicle Operations 6

Personnel Requirements

- Each ambulance must have:
 - At least one EMT

Exemptions to Ambulance Provider License

- Privately owned vehicles
- Major catastrophe or emergency
- Ambulance based outside NC
- Government ambulances

EMS Vehicles and the Law

- State statutes
 - disregard traffic lights
 - exceed the speed limit
 - use restricted roadways
- No blanket immunity

Negligence Law

- Duty to other drivers
- Higher standard of care
- All 4 elements of negligence must be present for the injured party to recover damages

Lights and Sirens

- 69% of ambulances in fatal crashes
 - 12,000/year
 - 60,000 caused by EMS vehicles
- Many times there are more than one responding unit

Warning Devices

- Special equipment
- Authorization for use
- Two-way radio

Speed Limit

- Posted speed limit in NC does not apply to public and private ambulances when:
 - Operated in emergencies
 - Operated with due regard for safety of others

Vehicle Maintenance

- Prevents lawsuits
- Increase efficiency
- Eliminates breakdowns
- Improve customer relations

Vehicle Checks

- Fluid/tires
- Brakes/steering
- Horns/sirens
- Electrical
- Safety equipment
- Inspections

Infectious Disease

- Requires appropriate decontamination steps before unit goes back in service

Weapons

- Not permitted on ambulance except:
 - Law enforcement officer
 - Safety flares
 - Not in patient compartment
 - Packaged correctly

Equipment Failure

- Problems and pitfalls are not limited to the vehicle
- Products liability
- Consequences
 - damages
 - equipment? human?
 - training
 - failure to check equipment

Avoiding Lawsuits

- Fully stocked ambulances
- Equipment in good working order
- Equipment serviced
- Protocols
- Expiration dates
- Batteries

Equipment Considerations

- Trained personnel
- Maintenance records
- Current equipment
- Preventative maintenance

Personnel Considerations

- Human error
- Qualifications
 - state, service, or insurance company
- Appropriate license
- Valid license
- Drivers' records
- Driver standards

Driver Training

- EVOC
- CEVO
- Involve drivers in education

In conclusion. . .