

**HOUSE . . . . . No. 4119**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Leigh Davis*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing an emergency medical services licensure compact.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Leigh Davis</i>	<i>3rd Berkshire</i>	<i>1/15/2025</i>
<i>John R. Gaskey</i>	<i>2nd Plymouth</i>	<i>7/10/2025</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>6/10/2025</i>
<i>Liz Miranda</i>	<i>Second Suffolk</i>	<i>5/22/2025</i>
<i>Kelly W. Pease</i>	<i>4th Hampden</i>	<i>5/27/2025</i>
<i>Justin Thurber</i>	<i>5th Bristol</i>	<i>7/23/2025</i>

**HOUSE . . . . . No. 4119**

By Representative Davis of Great Barrington, a petition (accompanied by bill, House, No. 4119) of Leigh Davis for legislation to establish an emergency medical services licensure compact. Public Health.

**The Commonwealth of Massachusetts**

In the One Hundred and Ninety-Fourth General Court  
(2025-2026)

An Act establishing an emergency medical services licensure compact.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 The General Laws are hereby amended by inserting after chapter 111O the following  
2 chapter:-

3 CHAPTER 111P.

4 EMERGENCY MEDICAL SERVICES PERSONNEL LICENSURE INTERSTATE  
5 COMPACT.

6 Section 1. Purpose.

7 In order to protect the public through verification of competency and ensure  
8 accountability for patient care related activities all states license emergency medical services  
9 (EMS) personnel, such as emergency medical technicians (EMTs), advanced EMTs and  
10 paramedics. This compact is intended to facilitate the day-to-day movement of EMS personnel  
11 across state boundaries in the performance of their EMS duties as assigned by an appropriate

12 authority and authorize state EMS offices to afford immediate legal recognition to EMS  
13 personnel licensed in a member state. This compact recognizes that states have a vested interest  
14 in protecting the public's health and safety through their licensing and regulation of EMS  
15 personnel and that such state regulation shared among the member states will best protect public  
16 health and safety. This compact is designed to achieve the following purposes and objectives:

17 (i) Increase public access to EMS personnel;

18 (ii) Enhance the states' ability to protect the public's health and safety, especially patient  
19 safety;

20 (iii) Encourage the cooperation of member states in the areas of EMS personnel licensure  
21 and regulation;

22 (iv) Support licensing of military members who are separating from an active duty tour  
23 and their spouses;

24 (v) Facilitate the exchange of information between member states regarding EMS  
25 personnel licensure, adverse action and significant investigatory information;

26 (vi) Promote compliance with the laws governing EMS personnel practice in each  
27 member state; and

28 (vii) Invest all member states with the authority to hold EMS personnel accountable  
29 through the mutual recognition of member state licenses.

30 Section 2. Definitions.

31 As used in this chapter, the following words shall, unless the context clearly requires  
32 otherwise, have the following meanings:

33 "Advanced Emergency Medical Technician" or "AEMT", an individual licensed with  
34 cognitive knowledge and a scope of practice that corresponds to that level in the National EMS  
35 Education Standards and National EMS Scope of Practice Model.

36 "Adverse action", any administrative, civil, equitable or criminal action permitted by a  
37 state's laws which may be imposed against licensed EMS personnel by a state EMS authority or  
38 state court, including, but not limited to, actions against an individual's license such as  
39 revocation, suspension, probation, consent agreement, monitoring or other limitation or  
40 encumbrance on the individual's practice, letters of reprimand or admonition, fines, criminal  
41 convictions and state court judgments enforcing adverse actions by the state EMS authority.

42 "Alternative program", a voluntary, non-disciplinary substance abuse recovery program  
43 approved by a state EMS authority.

44 "Certification", the successful verification of entry-level cognitive and psychomotor  
45 competency using a reliable, validated and legally defensible examination.

46 "Commission", the national administrative body of which all states that have enacted the  
47 compact are members.

48 "Emergency Medical Technician" or "EMT", an individual licensed with cognitive  
49 knowledge and a scope of practice that corresponds to that level in the National EMS Education  
50 Standards and National EMS Scope of Practice Model.

51 "Home state", a member state where an individual is licensed to practice emergency  
52 medical services.

53 "License", the authorization by a state for an individual to practice as an EMT, AEMT,  
54 paramedic or a level in between EMT and paramedic.

55 "Medical director", a physician licensed in a member state who is accountable for the  
56 care delivered by EMS personnel.

57 "Member state", a state that has enacted this compact.

58 "Paramedic", an individual licensed with cognitive knowledge and a scope of practice  
59 that corresponds to that level in the National EMS Education Standards and National EMS Scope  
60 of Practice Model.

61 "Privilege to practice", an individual's authority to deliver emergency medical services in  
62 remote states as authorized under this compact.

63 "Remote state", a member state in which an individual is not licensed.

64 "Restricted", the outcome of an adverse action that limits a license or the privilege to  
65 practice.

66 "Rule", a written statement by the interstate commission promulgated pursuant to section  
67 12 that is of general applicability; implements, interprets or prescribes a policy or provision of  
68 the compact; or is an organizational, procedural or practice requirement of the commission and  
69 has the force and effect of statutory law in a member state and includes the amendment, repeal or  
70 suspension of an existing rule.

71 "Scope of practice", defined parameters of various duties or services that may be  
72 provided by an individual with specific credentials. Whether regulated by rule, statute or court  
73 decision, it tends to represent the limits of services an individual may perform.

74 "Significant investigatory information", (1) investigative information that a state EMS  
75 authority, after a preliminary inquiry that includes notification and an opportunity to respond if  
76 required by state law, has reason to believe, if proved true, would result in the imposition of an  
77 adverse action on a license or privilege to practice; or (2) investigative information that indicates  
78 that the individual represents an immediate threat to public health and safety regardless of  
79 whether the individual has been notified and had an opportunity to respond.

80 "State", means any state, commonwealth, district or territory of the United States.

81 "State EMS authority", the board, office or other agency with the legislative mandate to  
82 license EMS personnel.

83 Section 3. Home state licensure.

84 (a) Any member state in which an individual holds a current license shall be deemed a  
85 home state for purposes of this compact.

86 (b) Any member state may require an individual to obtain and retain a license to be  
87 authorized to practice in the member state under circumstances not authorized by the privilege to  
88 practice under the terms of this compact.

89 (c) A home state's license authorizes an individual to practice in a remote state under the  
90 privilege to practice only if the home state:

91 (i) Currently requires the use of the National Registry of Emergency Medical Technicians  
92 (NREMT) examination as a condition of issuing licenses at the EMT and paramedic levels;

93 (ii) Has a mechanism in place for receiving and investigating complaints about  
94 individuals;

95 (iii) Notifies the commission, in compliance with the terms herein, of any adverse action  
96 or significant investigatory information regarding an individual;

97 (iv) No later than 5 years after activation of the compact, the commissioner of public  
98 health or the emergency medical services system advisory board established in section 13 of  
99 chapter 111C may obtain criminal offender record information pursuant to section 172 of chapter  
100 6 to evaluate applicants for a license;

101 (v) Conducts fingerprint-based checks of state and national criminal history databases by  
102 (A) the identification unit within the department of state police through the department of  
103 criminal justice information services, or its successor, for a state criminal records check and (B)  
104 the Federal Bureau of Investigation for a national criminal records check according to the  
105 policies and procedures established by the identification unit and the department of criminal  
106 justice information services; and

107 (vi) Complies with the rules of the commission.

108 Section 4. Compact privilege to practice.

109 (a) Member states shall recognize the privilege to practice of an individual licensed in  
110 another member state that is in conformance with section 3.

111 (b) To exercise the privilege to practice under the terms and provisions of this compact,  
112 an individual shall:

113 (1) Be at least 18 years of age;

114 (2) Possess a current unrestricted license in a member state as an EMT, AEMT,  
115 paramedic or state recognized and licensed level with a scope of practice and authority between  
116 EMT and paramedic; and

117 (3) Practice under the supervision of a medical director.

118 (c) An individual providing patient care in a remote state under the privilege to practice  
119 shall function within the scope of practice authorized by the home state unless and until modified  
120 by an appropriate authority in the remote state as may be defined in the rules of the commission.

121 (d) Except as provided in subsection (c), an individual practicing in a remote state will be  
122 subject to the remote state's authority and laws. A remote state may, in accordance with due  
123 process and that state's laws, restrict, suspend or revoke an individual's privilege to practice in  
124 the remote state and may take any other necessary actions to protect the health and safety of its  
125 citizens. If a remote state takes action it shall promptly notify the home state and the  
126 commission.

127 (e) If an individual's license in any home state is restricted or suspended, the individual  
128 shall not be eligible to practice in a remote state under the privilege to practice until the  
129 individual's home state license is restored.

130 (f) If an individual's privilege to practice in any remote state is restricted, suspended or  
131 revoked the individual shall not be eligible to practice in any remote state until the individual's  
132 privilege to practice is restored.

133 Section 5. Conditions of practice in a remote state.

134 An individual may practice in a remote state under a privilege to practice only in the  
135 performance of the individual's EMS duties as assigned by an appropriate authority, as defined in  
136 the rules of the commission and under the following circumstances:

137 (i) The individual originates a patient transport in a home state and transports the patient  
138 to a remote state;

139 (ii) The individual originates in the home state and enters a remote state to pick up a  
140 patient and provide care and transport of the patient to the home state;

141 (iii) The individual enters a remote state to provide patient care or transport within that  
142 remote state;

143 (iv) The individual enters a remote state to pick up a patient and provide care and  
144 transport to a third member state; or

145 (v) Other conditions as determined by rules promulgated by the commission.

146 Section 6. Relationship to Emergency Management Assistance Compact.

147 Upon a member state's governor's declaration of a state of emergency or disaster that  
148 activates the Emergency Management Assistance compact (EMAC), all relevant terms and  
149 provisions of EMAC shall apply and to the extent any terms or provisions of this compact

150 conflicts with EMAC, the terms of EMAC shall prevail with respect to any individual practicing  
151 in the remote state in response to such declaration.

152 Section 7. Veterans, service members separating from active duty military and their  
153 spouse.

154 (a) Member states shall consider a veteran, active military service member and member  
155 of the National Guard and Reserves separating from an active duty tour and a spouse thereof,  
156 who holds a current valid and unrestricted NREMT certification at or above the level of the state  
157 license being sought as satisfying the minimum training and examination requirements for such  
158 licensure.

159 (b) Member states shall expedite the processing of licensure applications submitted by  
160 veterans, active military service members and members of the National Guard and Reserves  
161 separating from an active duty tour and their spouses.

162 (c) All individuals functioning with a privilege to practice under this section remain  
163 subject to the adverse actions provisions of section 8.

164 Section 8. Adverse actions.

165 (a) A home state shall have exclusive power to impose adverse action against an  
166 individual's license issued by the home state.

167 (b)(1) If an individual's license in any home state is restricted or suspended, the  
168 individual shall not be eligible to practice in a remote state under the privilege to practice until  
169 the individual's home state license is restored.

170 (2) All home state adverse action orders shall include a statement that the individual's  
171 compact privileges are inactive. The order may allow the individual to practice in remote states  
172 with prior written authorization from both the home state and remote state's EMS authority.

173 (3) An individual currently subject to adverse action in the home state shall not practice  
174 in any remote state without prior written authorization from both the home state and remote  
175 state's EMS authority.

176 (c) A member state shall report adverse actions and any occurrences that the individual's  
177 compact privileges are restricted, suspended or revoked to the commission in accordance with  
178 the rules of the commission.

179 (d) A remote state may take adverse action on an individual's privilege to practice within  
180 that state.

181 (e) Any member state may take adverse action against an individual's privilege to practice  
182 in that state based on the factual findings of another member state, so long as each state follows  
183 its own procedures for imposing such adverse action.

184 (f) A home state's EMS authority shall investigate and take appropriate action with  
185 respect to reported conduct in a remote state as it would if such conduct had occurred within the  
186 home state. In such cases, the home state's law shall control in determining the appropriate  
187 adverse action.

188 (g) Nothing in this compact shall override a member state's decision that participation in  
189 an alternative program may be used in lieu of adverse action and that such participation shall  
190 remain non-public if required by the member state's laws. Member states shall require

191 individuals who enter any alternative programs to agree not to practice in any other member state  
192 during the term of the alternative program without prior authorization from such other member  
193 state.

194 Section 9. Additional powers invested in a member state's EMS authority.

195 A member state's EMS authority, in addition to any other powers granted under state law,  
196 is authorized under this compact to:

197 (i) Issue subpoenas for both hearings and investigations that require the attendance and  
198 testimony of witnesses and the production of evidence. Subpoenas issued by a member state's  
199 EMS authority for the attendance and testimony of witnesses or the production of evidence from  
200 another member state, shall be enforced in the remote state by any court of competent  
201 jurisdiction, according to that court's practice and procedure in considering subpoenas issued in  
202 its own proceedings. The issuing state EMS authority shall pay any witness fees, travel expenses,  
203 mileage and other fees required by the service statutes of the state where the witnesses or  
204 evidence are located; and

205 (ii) Issue cease and desist orders to restrict, suspend or revoke an individual's privilege to  
206 practice in the state.

207 Section 10. Establishment of the interstate commission for EMS personnel practice.

208 (a)(1) The compact states hereby create and establish a joint public agency known as the  
209 Interstate commission for EMS Personnel Practice.

210 (2) The commission is a body politic and an instrumentality of the compact states.

211 (3) Venue is proper and judicial proceedings by or against the commission shall be  
212 brought solely and exclusively in a court of competent jurisdiction where the principal office of  
213 the commission is located. The commission may waive venue and jurisdictional defenses to the  
214 extent it adopts or consents to participate in alternative dispute resolution proceedings.

215 (4) Nothing in this compact shall be construed to be a waiver of sovereign immunity.

216 (b)(1) Each member state shall have and be limited to 1 delegate. The responsible official  
217 of the state EMS authority or his designee shall be the delegate to this compact for each member  
218 state. Any delegate may be removed or suspended from office as provided by the law of the state  
219 from which the delegate is appointed. Any vacancy occurring in the commission shall be filled in  
220 accordance with the laws of the member state in which the vacancy exists. In the event that more  
221 than 1 board, office or other agency with the legislative mandate to license EMS personnel at and  
222 above the level of EMT exists, the governor of the state shall determine which entity shall be  
223 responsible for assigning the delegate.

224 (2) Each delegate shall be entitled to 1 vote with regard to the promulgation of rules and  
225 creation of bylaws and shall otherwise have an opportunity to participate in the business and  
226 affairs of the commission. A delegate shall vote in person or by such other means as provided in  
227 the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or  
228 other means of communication.

229 (3) The commission shall meet at least once during each calendar year. Additional  
230 meetings shall be held as set forth in the bylaws.

231 (4) All meetings shall be open to the public and public notice of meetings shall be given  
232 in the same manner as required under the rulemaking provisions in section 12.

233 (5) The commission may convene in a closed, non-public meeting if the commission will  
234 discuss:

235 (i) Non-compliance of a member state with its obligations under the compact;

236 (ii) The employment, compensation, discipline or other personnel matters, practices or  
237 procedures related to specific employees or other matters related to the commission's internal  
238 personnel practices and procedures;

239 (iii) Current, threatened or reasonably anticipated litigation;

240 (iv) Negotiation of contracts for the purchase or sale of goods, services or real estate;

241 (v) Accusing any person of a crime or formally censuring any person;

242 (vi) Disclosure of trade secrets or commercial or financial information that is privileged  
243 or confidential;

244 (vii) Disclosure of information of a personal nature where disclosure would constitute a  
245 clearly unwarranted invasion of personal privacy;

246 (viii) Disclosure of investigatory records compiled for law enforcement purposes;

247 (ix) Disclosure of information related to any investigatory reports prepared by or on  
248 behalf of or for use of the commission or other committee charged with responsibility of  
249 investigation or determination of compliance issues pursuant to the compact; or

250 (x) Matters specifically exempted from disclosure by federal or member state statute.

251 (6) If a meeting or portion of a meeting, is closed pursuant to paragraph (5), the  
252 commission's legal counsel or designee shall certify that the meeting may be closed and shall  
253 reference each relevant exempting provision. The commission shall keep minutes that fully and  
254 clearly describe all matters discussed in a meeting and shall provide a full and accurate summary  
255 of actions taken and the reasons therefore, including a description of the views expressed. All  
256 documents considered in connection with an action shall be identified in such minutes. All  
257 minutes and documents of a closed meeting shall remain under seal, subject to release by a  
258 majority vote of the commission or order of a court of competent jurisdiction.

259 (c) The commission shall, by a majority vote of the delegates, prescribe bylaws or rules  
260 to govern its conduct as may be necessary or appropriate to carry out the purposes and exercise  
261 the powers of the compact, including but not limited to:

262 (i) Establishing the fiscal year of the commission;

263 (ii) Providing reasonable standards and procedures:

264 (A) for the establishment and meetings of other committees; and

265 (B) governing any general or specific delegation of any authority or function of the  
266 commission;

267 (iii) Providing reasonable procedures for calling and conducting meetings of the  
268 commission, ensuring reasonable advance notice of all meetings and providing an opportunity  
269 for attendance of such meetings by interested parties, with enumerated exceptions designed to  
270 protect the public's interest, the privacy of individuals and proprietary information, including  
271 trade secrets. The commission may meet in closed session only after a majority of the

272 membership votes to close a meeting in whole or in part. As soon as practicable, the commission  
273 shall make public a copy of the vote to close the meeting revealing the vote of each member with  
274 no proxy votes allowed;

275 (iv) Establishing the titles, duties and authority and reasonable procedures for the election  
276 of the officers of the commission;

277 (v) Providing reasonable standards and procedures for the establishment of the personnel  
278 policies and programs of the commission. Notwithstanding any civil service or other similar laws  
279 of any member state, the bylaws shall exclusively govern the personnel policies and programs of  
280 the commission;

281 (vi) Promulgating a code of ethics to address permissible and prohibited activities of  
282 commission members and employees;

283 (vii) Providing a mechanism for winding up the operations of the commission and the  
284 equitable disposition of any surplus funds that may exist after the termination of the compact  
285 after the payment or reserving of all of its debts and obligations;

286 (viii) The commission shall publish its bylaws and file a copy thereof and a copy of any  
287 amendment thereto, with the appropriate agency or officer in each of the member states, if any.

288 (ix) The commission shall maintain its financial records in accordance with the bylaws.

289 (x) The commission shall meet and take such actions as are consistent with the provisions  
290 of this compact and the bylaws.

291 (d) The commission shall have the following powers:

292 (i) The authority to promulgate uniform rules to facilitate and coordinate implementation  
293 and administration of this compact. The rules shall have the force and effect of law and shall be  
294 binding in all member states;

295 (ii) To bring and prosecute legal proceedings or actions in the name of the commission,  
296 provided that the standing of any state EMS authority or other regulatory body responsible for  
297 EMS personnel licensure to sue or be sued under applicable law shall not be affected;

298 (iii) To purchase and maintain insurance and bonds;

299 (iv) To borrow, accept or contract for services of personnel, including, but not limited to,  
300 employees of a member state;

301 (iv) To hire employees, elect or appoint officers, fix compensation, define duties, grant  
302 such individuals appropriate authority to carry out the purposes of the compact and to establish  
303 the commission's personnel policies and programs relating to conflicts of interest, qualifications  
304 of personnel and other related personnel matters;

305 (vi) To accept any and all appropriate donations and grants of money, equipment,  
306 supplies, materials and services and to receive, utilize and dispose of the same; provided that at  
307 all times the commission shall strive to avoid any appearance of impropriety or conflict of  
308 interest;

309 (vii) To lease, purchase, accept appropriate gifts or donations of or otherwise to own,  
310 hold, improve or use, any property, real, personal or mixed; provided that at all times the  
311 commission shall strive to avoid any appearance of impropriety;

312 (viii) To sell convey, mortgage, pledge, lease, exchange, abandon or otherwise dispose of  
313 any property real, personal or mixed;

314 (ix) To establish a budget and make expenditures;

315 (x) To borrow money;

316 (xi) To appoint committees, including advisory committees comprised of members, state  
317 regulators, state legislators or their representatives and consumer representatives and such other  
318 interested persons as may be designated in this compact and the bylaws;

319 (xii) To provide and receive information from and to cooperate with, law enforcement  
320 agencies;

321 (xiii) To adopt and use an official seal; and

322 (xiv) To perform such other functions as may be necessary or appropriate to achieve the  
323 purposes of this compact consistent with the state regulation of EMS personnel licensure and  
324 practice.

325 (e)(1) The commission shall pay or provide for the payment of, the reasonable expenses  
326 of its establishment organization and ongoing activities.

327 (2) The commission may accept any and all appropriate revenue sources, donations and  
328 grants of money, equipment, supplies, materials and services.

329 (3) The commission may levy on and collect an annual assessment from each member  
330 state or impose fees on other parties to cover the cost of the operations and activities of the  
331 commission and its staff, which shall be in a total amount sufficient to cover its annual budget as

332 approved each year for which revenue is not provided by other sources. The aggregate annual  
333 assessment amount shall be allocated based upon a formula to be determined by the commission,  
334 which shall promulgate a rule binding upon all member states.

335 (4) The commission shall not incur obligations of any kind prior to securing the funds  
336 adequate to meet the same; nor shall the commission pledge the credit of any of the member  
337 states, except by and with the authority of the member state.

338 (5) The commission shall keep accurate accounts of all receipts and disbursements. The  
339 receipts and disbursements of the commission shall be subject to the audit and accounting  
340 procedures established under its bylaws. However, all receipts and disbursements of funds  
341 handled by the commission shall be audited yearly by a certified or licensed public accountant  
342 and the report of the audit shall be included in and become part of the annual report of the  
343 commission.

344 (f)(1) The members, officers, executive director, employees and representatives of the  
345 commission shall be immune from suit and liability, either personally or in their official capacity,  
346 for any claim for damage to or loss of property or personal injury or other civil liability caused  
347 by or arising out of any actual or alleged act, error or omission that occurred or that the person  
348 against whom the claim is made had a reasonable basis for believing occurred within the scope  
349 of commission employment, duties or responsibilities; provided that nothing in this paragraph  
350 shall be construed to protect any such person from suit or liability for any damage, loss, injury or  
351 liability caused by the intentional or willful or wanton misconduct of that person.

352 (2) The commission shall defend any member, officer, executive director, employee or  
353 representative of the commission in any civil action seeking to impose liability arising out of any

354 actual or alleged act, error or omission that occurred within the scope of commission  
355 employment, duties or responsibilities or that the person against whom the claim is made had a  
356 reasonable basis for believing occurred within the scope of commission employment, duties or  
357 responsibilities; provided, that nothing herein shall be construed to prohibit that person from  
358 retaining their own counsel; and provided further, that the actual or alleged act, error or omission  
359 did not result from that person's intentional or willful or wanton misconduct.

360 (3) The commission shall indemnify and hold harmless any member, officer, executive  
361 director, employee or representative of the commission for the amount of any settlement or  
362 judgment obtained against that person arising out of any actual or alleged act, error or omission  
363 that occurred within the scope of commission employment, duties or responsibilities or that such  
364 person had a reasonable basis for believing occurred within the scope of commission  
365 employment, duties or responsibilities, provided that the actual or alleged act, error or omission  
366 did not result from the intentional or willful or wanton misconduct of that person.

367 Section 11. Coordinated database.

368 (a) The commission shall provide for the development and maintenance of a coordinated  
369 database and reporting system containing licensure, adverse action and significant investigatory  
370 information on all licensed individuals in member states.

371 (b) Notwithstanding any other provision of state law to the contrary, a member state shall  
372 submit a uniform data set to the coordinated database on all individuals to whom this compact is  
373 applicable as required by the rules of the commission, including:

374 (i) Identifying information;

- 375 (ii) Licensure data;
- 376 (iii) Significant investigatory information;
- 377 (iv) Adverse actions against an individual's license;
- 378 (v) An indicator that an individual's privilege to practice is restricted, suspended or  
379 revoked;
- 380 (vi) Non-confidential information related to alternative program participation;
- 381 (vii) Any denial of application for licensure and any reason for such denial; and
- 382 (viii) Other information that may facilitate the administration of this compact, as  
383 determined by the rules of the commission.

384 (c) The coordinated database administrator shall promptly notify all member states of any  
385 adverse action taken against or significant investigative information on, any individual in a  
386 member state.

387 (d) Member states contributing information to the coordinated database may designate  
388 information that may not be shared with the public without the express permission of the  
389 contributing state.

390 (e) Any information submitted to the coordinated database that is subsequently required  
391 to be expunged by the laws of the member state contributing the information shall be removed  
392 from the coordinated database.

393 Section 12. Rulemaking.

394 (a) The commission shall exercise its rulemaking powers pursuant to the criteria set forth  
395 in this section and the rules adopted thereunder. Rules and amendments shall become binding as  
396 of the date specified in each rule or amendment.

397 (b) If a majority of the legislatures of the member states rejects a rule, by enactment of a  
398 statute or resolution in the same manner used to adopt the compact, then such rule shall have no  
399 further force and effect in any member state.

400 (c) Rules or amendments to the rules shall be adopted at a regular or special meeting of  
401 the commission.

402 (d) Prior to promulgation and adoption of a final rule or rules by the commission and at  
403 least 60 days in advance of the meeting at which the rule will be considered and voted upon, the  
404 commission shall file a notice of proposed rulemaking:

405 (i) On the website of the commission; and

406 (ii) On the website of each member state EMS authority or the publication in which each  
407 state would otherwise publish proposed rules.

408 (iii) The notice of proposed rulemaking shall include:

409 (i) The proposed time, date and location of the meeting in which the rule will be  
410 considered and voted upon;

411 (ii) The text of the proposed rule or amendment and the reason for the proposed rule;

412 (iii) A request for comments on the proposed rule from any interested person; and

413 (iv) The manner in which interested persons may submit notice to the commission of  
414 their intention to attend the public hearing and any written comments.

415 (f) Prior to adoption of a proposed rule, the commission shall allow persons to submit  
416 written data, facts, opinions and arguments, which shall be made available to the public.

417 (g) The commission shall grant an opportunity for a public hearing before it adopts a rule  
418 or amendment if a hearing is requested by:

419 (i) At least 25 persons;

420 (ii) A governmental subdivision or agency; or

421 (iii) An association having at least 25 members.

422 (h)(1) If a hearing is held on the proposed rule or amendment, the commission shall  
423 publish the place, time and date of the scheduled public hearing.

424 (2) All persons wishing to be heard at the hearing shall notify the executive director of  
425 the commission or other designated member in writing of their desire to appear and testify at the  
426 hearing not less than 5 business days before the scheduled date of the hearing.

427 (3) Hearings shall be conducted in a manner providing each person who wishes to  
428 comment a fair and reasonable opportunity to comment orally or in writing.

429 (4) No transcript of the hearing is required, unless a written request for a transcript is  
430 made, in which case the person requesting the transcript shall bear the cost of producing the  
431 transcript. A recording may be made in lieu of a transcript under the same terms and conditions

432 as a transcript. This subsection shall not preclude the commission from making a transcript or  
433 recording of the hearing if it so chooses.

434 (5) Nothing in this section shall be construed as requiring a separate hearing on each rule.  
435 Rules may be grouped for the convenience of the commission at hearings required by this  
436 section.

437 (6) Following the scheduled hearing date or by the close of business on the scheduled  
438 hearing date if the hearing was not held, the commission shall consider all written and oral  
439 comments received.

440 (j) The commission shall, by majority vote of all members, take final action on the  
441 proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking  
442 record and the full text of the rule.

443 (k) If no written notice of intent to attend the public hearing by interested parties is  
444 received, the commission may proceed with promulgation of the proposed rule without a public  
445 hearing.

446 (l) Upon determination that an emergency exists, the commission may consider and adopt  
447 an emergency rule without prior notice, opportunity for comment or hearing, provided that the  
448 usual rulemaking procedures provided in the compact and in this section shall be retroactively  
449 applied to the rule as soon as reasonably possible, in no event later than 90 days after the  
450 effective date of the rule. For the purposes of this subsection, an emergency rule is one that must  
451 be adopted immediately in order to:

452 (i) Meet an imminent threat to public health, safety or welfare;

453 (ii) Prevent a loss of commission or member state funds;

454 (iii) Meet a deadline for the promulgation of an administrative rule that is established by  
455 federal law or rule; or

456 (iv) Protect public health and safety.

457 (m) The commission or an authorized committee of the commission may direct revisions  
458 to a previously adopted rule or amendment for purposes of correcting typographical errors, errors  
459 in format, errors in consistency or grammatical errors. Public notice of any revisions shall be  
460 posted on the website of the commission. The revision shall be subject to challenge by any  
461 person for a period of 30 days after posting. The revision may be challenged only on grounds  
462 that the revision results in a material change to a rule. A challenge shall be made in writing and  
463 delivered to the chair of the commission prior to the end of the notice period. If no challenge is  
464 made, the revision shall take effect without further action. If the revision is challenged, the  
465 revision may not take effect without the approval of the commission.

466 Section 13. Oversight, dispute resolution and enforcement.

467 (a)(1) The executive, legislative and judicial branches of state government in each  
468 member state shall enforce this compact and take all actions necessary and appropriate to  
469 effectuate the compact's purposes and intent. The provisions of this compact and the rules  
470 promulgated hereunder shall have standing as statutory law.

471 (2) All courts shall take judicial notice of the compact and the rules in any judicial or  
472 administrative proceeding in a member state pertaining to the subject matter of this compact that  
473 may affect the powers, responsibilities or actions of the commission.

474 (3) The commission may receive service of process in any such proceeding and shall  
475 have standing to intervene in such a proceeding for all purposes. Failure to provide service of  
476 process to the commission shall render a judgment or order void as to the commission, this  
477 compact or promulgated rules.

478 (b)(1) If the commission determines that a member state has defaulted in the performance  
479 of its obligations or responsibilities under this compact or the promulgated rules, the commission  
480 shall:

481 (i) Provide written notice to the defaulting state and other member states of the nature of  
482 the default, the proposed means of curing the default or any other action to be taken by the  
483 commission; and

484 (ii) Provide remedial training and specific technical assistance regarding the default.

485 (2) If a state in default fails to cure the default, the defaulting state may be terminated  
486 from the compact upon an affirmative vote of a majority of the member states and all rights,  
487 privileges and benefits conferred by this compact may be terminated on the effective date of  
488 termination. A cure of the default does not relieve the offending state of obligations or liabilities  
489 incurred during the period of default.

490 (3) Termination of membership in the compact shall be imposed only after all other  
491 means of securing compliance have been exhausted. Notice of intent to suspend or terminate  
492 shall be given by the commission to the governor, the majority and minority leaders of the  
493 defaulting state's legislature and each of the member states.

494 (4) A state that has been terminated is responsible for all assessments, obligations and  
495 liabilities incurred through the effective date of termination, including obligations that extend  
496 beyond the effective date of termination.

497 (5) The commission shall not bear any costs related to a state that is found to be in default  
498 or that has been terminated from the compact, unless agreed upon in writing between the  
499 commission and the defaulting state.

500 (6) The defaulting state may appeal the action of the commission by petitioning the U.S.  
501 District Court for the District of Columbia or the federal district where the commission has its  
502 principal offices. The prevailing member shall be awarded all costs of such litigation, including  
503 reasonable attorney's fees.

504 (c)(1) Upon request by a member state, the commission shall attempt to resolve disputes  
505 related to the compact that arise among member states and between member and non-member  
506 states.

507 (2) The commission shall promulgate a rule providing for both mediation and binding  
508 dispute resolution for disputes as appropriate.

509 (d)(1) The commission, in the reasonable exercise of its discretion, shall enforce the  
510 provisions and rules of this compact.

511 (2) By majority vote, the commission may initiate legal action in the United States  
512 District Court for the District of Columbia or the federal district where the commission has its  
513 principal offices against a member state in default to enforce compliance with the provisions of  
514 the compact and its promulgated rules and bylaws. The relief sought may include both injunctive

515 relief and damages. In the event judicial enforcement is necessary, the prevailing member shall  
516 be awarded all costs of such litigation, including reasonable attorney's fees.

517 (3) The remedies provided in this chapter shall not be the exclusive remedies of the  
518 commission. The commission may pursue any other remedies available under federal or state  
519 law.

520 Section 14. Date of implementation of the interstate commission for EMS personnel  
521 practice and associated rules, withdrawal and amendment.

522 (a) The compact shall come into effect on the date on which the compact statute is  
523 enacted into law in the 10th member state. The provisions, which become effective at that time,  
524 shall be limited to the powers granted to the commission relating to assembly and the  
525 promulgation of rules. Thereafter, the commission shall meet and exercise rulemaking powers  
526 necessary to the implementation and administration of the compact.

527 (b) Any state that joins the compact subsequent to the commission's initial adoption of  
528 the rules shall be subject to the rules as they exist on the date on which the compact becomes law  
529 in that state. Any rule that has been previously adopted by the commission shall have the full  
530 force and effect of law on the day the compact becomes law in that state.

531 (c)(1) Any member state may withdraw from this compact by enacting a statute repealing  
532 the same.

533 (2) A member state's withdrawal shall not take effect until 6 months after enactment of  
534 the repealing statute.

535           (3) Withdrawal shall not affect the continuing requirement of the withdrawing state's  
536 EMS authority to comply with the investigative and adverse action reporting requirements of this  
537 act prior to the effective date of withdrawal.

538           (d) Nothing contained in this compact shall be construed to invalidate or prevent any  
539 EMS personnel licensure agreement or other cooperative arrangement between a member state  
540 and a non-member state that does not conflict with the provisions of this compact.

541           (e) This compact may be amended by the member states. No amendment to this compact  
542 shall become effective and binding upon any member state until it is enacted into the laws of all  
543 member states.

544           Section 15. Construction.

545           This compact shall be liberally construed so as to effectuate the purposes thereof. If this  
546 compact shall be held contrary to the constitution of any state member thereto, the compact shall  
547 remain in full force and effect as to the remaining member states. Nothing in this compact  
548 supersedes state law or rules related to licensure of EMS entities.