

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 40- Comprehensive Emergency Medical Services Systems Regulations

EMERGENCY RULE

19 CSR 30-40.810 Ground Ambulance Transport of Patients to Locations That Are Not Hospitals.

PURPOSE: This rule establishes training and transport requirements for ground ambulances to transport patients to Missouri Department of Mental Health designated behavioral health crisis centers and other locations for those patients who do not require transport to a hospital and whose health needs can be met by behavioral health crisis centers or these other locations where patients are transported.

*EMERGENCY STATEMENT: This emergency rule establishes training and transport requirements for ground ambulances to transport patients to Missouri Department of Mental Health designated behavioral health crisis centers and other locations for those patients who do not require transport to a hospital and whose health needs can be met by behavioral health crisis centers or other locations where patients are transported. The Missouri Department of Mental Health filed 9 CSR 30-7.010 on November 2, 2022, which created regulations for behavioral health crisis centers. Regulation 9 CSR 30-7.010 became effective on June 30, 2023. The purpose of these behavioral health crisis centers is to interrupt and/or ameliorate a behavioral health crisis experience with the goal of symptom reduction, observation, stabilization, and restoration to a previous level of functioning for the individuals being served. Currently, there are eighteen (18) behavioral health crisis centers located throughout Missouri with six (6) planned expansion locations. These behavioral health crisis centers provide an alternative location for emergency medical services “EMS” and law enforcement to transport individuals experiencing a behavioral health crisis who do not require hospitalization/a level of medical care that only hospitals can provide. By transporting these individuals to behavioral health crisis centers, these patients can receive individualized services to stabilize their immediate crisis, which may include linking the individual to additional treatment services, for further evaluation and/or to behavioral health services. EMS and hospitals in Missouri are extremely busy and understaffed in many areas of Missouri. This rule encourages EMS to consider alternative transport to behavioral health crisis centers and other locations to provide more individualized services for individuals seeking assistance by EMS who do not require a hospital level of care and who can benefit from these individualized services to meet their immediate crisis needs and a linkage to other services for long-term treatment. This rule also provides a framework for EMS to follow when considering transport to behavioral health crisis centers, so that EMS can get reimbursed for transport to behavioral health crisis centers by Medicaid in the future. This emergency rule is necessary to protect a compelling governmental interest to reduce the repetitive calls to EMS that strain the emergency system from individuals who do not necessarily require a hospital level of care, but who require individualized services that behavioral health crisis centers and other locations can better meet the individuals’ immediate and long-term needs and promote the individuals’ health and well-being. As a result, the Department of Health and Senior Services finds a compelling governmental interest, which requires this emergency action. A proposed rule, which covers the same material, is published in this issue of the **Missouri Register**. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended*

in the Missouri and United States Constitutions. The Department of Health and Senior Services believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed February 26, 2024, becomes effective March 11, 2024, and expires September 6, 2024.

(1) As used in this rule, the following terms and phrases shall mean:

(A) Advanced emergency medical technician (also known as Emergency Medical Technician-Intermediate) - the mid-level of licensure of licensed emergency medical services' personnel who meet the requirements of 19 CSR 30-40.342(5);

(B) Advanced life support shall mean an advanced level of care as provided to the adult and pediatric patient when a patient is in a more critical condition and a paramedic is required to assist in the treatment of the patient during transport by an ambulance;

(C) Basic life support shall mean a basic level of care, as provided to the adult and pediatric patient where only emergency medical technicians are on ambulances during transport;

(D) BHCC shall mean Behavioral Health Crisis Centers designated by the Missouri Department of Mental Health;

(E) Department shall mean the Missouri Department of Health and Senior Services;

(F) Emergency Medical Technician means the lowest level of licensure of licensed emergency medical services' personnel who meet the requirements in 19 CSR 30-40.342(2);

(G) Ground ambulance services shall mean ambulance services licensed under 19 CSR 30-40.309;

(H) Hospital shall mean the definition of hospital in section 197.020, RSMo or a hospital operated by the state of Missouri;

(I) Medical director shall mean the medical director of an ambulance service as required by 19 CSR 30-40.303; and

(J) Paramedic means the highest level of licensure of licensed emergency medical services' personnel who meet the requirements in 19 CSR 30-40.342(4).

(2) Transport of patients to locations, which are not hospitals, following a request for emergency care.

(A) Ground ambulance services may transport patients to locations that are not hospitals, such as BHCCs in Missouri, following a request for emergency care.

1. Ground ambulance services shall have written transportation protocols that allow ground ambulance services to transport to locations that are not hospitals, such as BHCCs in Missouri; or

2. Licensed emergency medical services personnel for ground ambulance services shall receive physician orders for approval to transport patients to locations that are not hospitals, such as BHCCs in Missouri.

3. Ground ambulance services shall transport patients to hospitals if patients require a level of care that only the hospitals can provide. This includes transporting behavioral health patients to hospitals who present with a likelihood of serious harm to themselves or others as the term "likelihood of serious harm" is defined under section 632.005, RSMo, or who present as significantly incapacitated by alcohol or drugs.

4. Ground ambulance services shall have a working relationship with the BHCCs and other providers of locations that they transport patients to that are not hospitals. Ground ambulance services shall understand the care that BHCCs and these other providers are able to give to patients, so patients are transported to an appropriate location in which the provider can provide the services that the patients require.

5. Ground ambulance services shall not transport patients to freestanding emergency departments unlicensed by the department, which are separate from the main hospital, when the patients require a hospital level of care, or when the patients do not require a hospital level of care

and require a lesser level of care. Patients shall be transported to the emergency department located in the main hospital when the patients require a hospital level of care.

6. Ground ambulance services shall transport trauma, stroke and ST-elevation myocardial infarction (STEMI) patients to the appropriate department designated trauma, stroke or STEMI centers as set forth in the ground ambulance services' department approved community plan as allowed in 19 CSR 30-40.770 or in accordance with the department's transport protocols in 19 CSR 30-40.790 and 19 CSR 30-40.792.

(B) When providing services to patients transported to locations that are not hospitals following a request for emergency care, licensed emergency medical services personnel for ground ambulance services shall follow written medical protocols, physician orders to provide medical care, or orders from qualified health care professionals who have collaborative practice arrangements with physicians and are allowed under Missouri law and their collaborative practice arrangement to dispense or prescribe drugs and provide treatment. Paramedics for the ground ambulance services evaluating patients do not have to be on the ambulance crew that transports patients. Paramedics for the ground ambulance services can arrive on the scene to evaluate the patient and the patient may be transported to the location, which is not a hospital, with a basic life support ambulance staffed by emergency medical technicians and/or advanced emergency medical technicians if the patient does not require advanced life support care. Patients shall be transported by advanced life support ambulances or basic life support ambulances based on the patients' care needs.

(C) Licensed ground ambulance service personnel who evaluate and transport patients to facilities providing mental health services that are not hospitals, such as BHCCs in Missouri, shall be trained by the ground ambulance service or other providers on evaluating and caring for patients with mental health concerns. This training may include ground ambulance service personnel attending and completing the Missouri Crisis Intervention Team forty (40) hour course discussed in section 190.147, RSMo.

(D) Written transportation and medical protocols set forth in (2)(A) & (2)(B) shall be approved by the medical director of the service.

(E) Ground ambulance services shall conduct training and activities with the services' personnel to ensure written transportation protocols and medical protocols set forth in (2)(A) and (2)(B) are properly implemented and followed.

(F) Ground ambulance services shall evaluate the written transportation and medical protocols set forth in (2)(A) and (2)(B) to ensure the protocols are being properly implemented and followed by the services' personnel during a review of these transports through the services' quality improvement program.

*AUTHORITY: sections 190.109 and 190.185, RSMo 2016 and 190.142, RSMo Supp. 2023. Emergency rule filed February 26, 2024, effective March 11, 2024, expires September 6, 2024. A proposed rule covering this same material is published in this issue of the **Missouri Register**.*

PUBLIC COST: This emergency rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency rule will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.