

Response to ACT 486 of the 2022 Regular Legislative Session

2024 EMS Occupational License: Workers with Criminal Histories

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*Office of Public Health – Bureau of Emergency Medical Services and the
Emergency Medical Services Commission*

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Emergency Medical Services Occupational License

The Louisiana Department of Health, Office of Public Health, Bureau of Emergency Medical Services (BEMS) coordinates, develops, improves and maintains a comprehensive and dynamic emergency medical services system. This system ensures prompt, effective and unimpeded service by appropriately educated and licensed Emergency Medical Services (EMS) Practitioners and appropriately licensed EMS Providers to all residents and visitors of the state.

As a vital component of health care, public health, and public safety, EMS responds to calls for help twenty-four hours a day, seven days a week. EMS saves lives from life-threatening emergencies such as heart attacks and strokes; treats injuries due to motor vehicle crashes, shootings, stabbings, and other violence; and provides care for the many other illnesses and injuries that occur daily. In addition, EMS provides care for chronic illnesses and preventive care through community paramedicine and mobile integrated healthcare programs.

Pursuant to Act 486 of the 2022 Regular Legislative Session, the following page contains a report regarding the number of licenses denied by BEMS, at the direction of the EMS Commission. This report includes the reasons for denial and a list of the statutes that were violated to cause such denial.

License Denial Report

The EMS Commission denied two (2) applications in the calendar year 2024.

1. The first application was a student (non-licensed) application. The applicant was a resident of Calcasieu Parish at the time of application.

On or about June 6, 2024, an application for a student (non-licensed) licensure was received, which disclosed that the applicant had a previous criminal history. The applicant had been charged with Felony Sexual Assault of a Child (14-17) and was subsequently convicted, sentenced and mandated to register as a sex offender. Due to the matters detailed in the application regarding the arrest and conviction, the EMS Commission denied the student application on or about July 2, 2024. According to LAC Title 46 Part XXXVIII §303(C), the applicant is unable to be eligible to submit a new application until the following conditions are met:

- A minimum of two years has passed since the denial was issued.
- The applicant presents evidence that the cause for the denial no longer exists.
- A hearing or conference is held before the commission to review the evidence, to afford the applicant the opportunity to prove that the cause for the denial no longer exists, and to provide an opportunity for the commission to evaluate changes in the person or conditions.

The following violations were founded:

- **La R.S. 40:1133.7(2)** - Conviction of a crime or offense which reflects the inability of an emergency medical services practitioner to provide emergency medical services with due regard for the health and safety of clients or patients or enters a plea of guilty or nolo contendere to a criminal charge regardless of final disposition of the criminal proceeding, including but not limited to expungement or nonadjudication.
- **La. R.S. 40:1133.7(3)** - Unfit or incompetent by reason of negligence, habit, or other cause.
- **LAC Tit. 46.XXXVIII §303.A.2** - Is unfit or incompetent by reason of negligence, habit, or other cause.
- **LAC Tit. 46.XXXVIII §303.A.3** - Has pled guilty, nolo contendere, or been convicted of any crime that directly relates to the EMS profession generally or the specific type of EMS license type, permit, or eligibility sought.

2. The second application was a student (non-licensed) application. The applicant was a resident of Terrebonne Parish at the time of application.

On or about June 17, 2024, an application for a student (non-licensed) licensure was received, which disclosed that the applicant had a previous healthcare license disciplinary action, as well as previous criminal history. The applicant's Louisiana registered nursing (RN) license had been suspended on multiple occasion due to disciplinary actions and non-compliance with the Recovery Nurse Program (RNP). At the time the application was submitted to the Bureau of EMS, the applicant's Louisiana nursing license was still suspended. In addition, the applicant had been arrested, charged and entered a guilty plea for Felony Domestic Abuse/Battery: Strangulation. Due to the matters detailed in the application regarding the previous healthcare

license and disciplinary action, as well as the felony conviction, the EMS Commission denied the student application on or about July 17, 2024. According to LAC Title 46 Part XXXVIII §303(C), the applicant is unable to be eligible to submit a new application until the following conditions are met:

- A minimum of two years has passed since the denial was issued.
- The applicant presents evidence that the cause for the denial no longer exists.
- A hearing or conference is held before the commission to review the evidence, to afford the applicant the opportunity to prove that the cause for the denial no longer exists, and to provide an opportunity for the commission to evaluate changes in the person or conditions.

The following violations were founded:

- **La. R.S. 40:1133.7(2)** - Conviction of a crime or offense which reflects the inability of an emergency medical services practitioner to provide emergency medical services with due regard for the health and safety of clients or patients or enters a plea of guilty or nolo contendere to a criminal charge regardless of final disposition of the criminal proceeding, including but not limited to expungement or non-adjudication.
- **La R.S. 40:1133.7(3)** - Is unfit or incompetent by reason of negligence, habit, or other cause.
- **La R.S. 40:1133.7(12)** - Has had a certification or license to practice as an emergency medical services practitioner or to practice as another health care provider denied, revoked, suspended, or otherwise restricted.
- **LAC Tit. 46 Part XXXVIII §505.D.13** - Has had a certification to practice EMS or to practice as another health care provider denied, revoked, suspended, or otherwise restricted.
- **LAC Title 46.XXXVIII §303.A.2** - Is unfit or incompetent by reason of negligence, habit, or other cause.
- **LAC Tit. 46.XXXVIII §303.A.3** - Has pled guilty, nolo contendere, or been convicted of any crime that directly relates to the EMS profession generally or the specific type of EMS license type, permit, or eligibility sought.

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