

MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS

State Office of Commercial Ambulance Licensing and Regulation



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SOCALR BULLETIN

Bulletin #:	Title:		Date Issued:
2015-01	Cross Jurisdiction Transports Memo		10/28/2015
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	Sarah Sette, Asst. Attorney General	Jeffrey Sexton, Acting Director	COMAR 30.09

Recently SOCALR has received a number of inquiries concerning the requirements for transport of patients between bordering states. This memo sets out the requirements under Maryland regulations and provides guidance to commercial ambulance services providing these transports.

With only a few exceptions, commercial ambulance services operating in Maryland are required to be licensed under Education Article Section 13-515, Annotated Code of Maryland. Licensed commercial ambulance services must meet the requirements of COMAR 30.09. This includes the staffing and equipment requirements for the level of care being provided. Additionally, under Education Article Section 13-516, Annotated Code of Maryland, generally, all EMS providers functioning in Maryland must be licensed or certified in Maryland.

1. Transports originating in Maryland

A commercial ambulance service seeking to transport a patient from a point of origin within Maryland to a facility in another state must be licensed in Maryland and provide Maryland licensed or certified EMS providers or other licensed Maryland health care providers in accordance with the level of care the patient requires. Transports originating in Maryland must meet the Maryland requirements and follow the Maryland protocol. Further, the commercial ambulance service is expected to continue the same level of care throughout the transport, whether that is BLS, ALS, SCT or Neonatal.

2. Transports originating Outside of Maryland

A commercial ambulance service seeking to transport a patient from a point of origin OUTSIDE of Maryland to a facility in Maryland must contact the state or authority having jurisdiction to verify regulatory requirements for personnel and ambulances. For example, the District of Columbia (D.C.) has the same requirements as Maryland when the point of origin is within D.C.; the service must be licensed in D.C. and provide D.C. licensed or certified EMS providers or other licensed health care providers in accordance with the level of care the patient requires.

3. Exemptions

Services **licensed and based in other states** may seek an exemption under COMAR 30.09.03.05 if

- They are an air ambulance service that transports patients from or within Maryland less than 26 times per year, or
- They are a ground service that transports patients into Maryland or, to and from Maryland for diagnostic or therapeutic services in the same calendar day.
- Services seeking an exemption must apply to SOCALR and receive the exemption in writing.

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4. Waivers

Under COMAR 30.09.04.08, MIEMSS may waive personnel requirements for certain transports by **commercial ambulance services based outside of Maryland but licensed by Maryland if the personnel offered by the commercial ambulance service is equivalent to or superior to the personnel required under the regulations.** This means that if a service licensed in Maryland but located outside of Maryland has an operational need to maintain stand by units to transport BLS patients to and from Maryland for diagnostic or therapeutic services in the same calendar day, they can seek a waiver under COMAR 30.09.04.08. The request has to be in writing and the waiver has to be in writing.

Should you have any further questions or comments regarding this clarification, please feel free to contact the SOCALR office at 410-706-8511 or by e-mail at SOCALR@miemss.org.

Regards,

A handwritten signature in black ink that reads "Jeffrey B. Sexton".

Jeffrey B. Sexton, NRP, CCEMT-P
Acting Director
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