

“Cleaning” means the removal by scrubbing and washing, as with hot water, soap or detergent, and vacuuming, of matter from surfaces in and on the vehicle, and in the interior of the vehicle.

“Commissioner” means the Commissioner of the New Jersey Department of Health and Senior Services.

“Communicable disease” means an illness due to a specific infectious agent or its toxic products, specifically including, but not limited to, those pathogens defined in the Federal bloodborne pathogen standards found at 29 C.F.R. 1910.1030, and which occurs through transmission of that agent or its toxic products from a reservoir to a susceptible host.

“Conditional vehicle permit” means a 45-day permit given to a vehicle which does not meet all licensure criteria to allow time for correction of specific non-lifethreatening deficiencies and to allow the vehicle to be used during that period.

“Crashworthy” means that supplies, equipment, oxygen systems, patient litters and wheelchairs will remain firmly in place during a serious accident or vehicle rollover. Crashworthy retention systems may not incorporate rubber straps or Velcro® closures. Crashworthy retention systems for some items are covered by specific Federal standards, as noted in this chapter. The Department’s test for crashworthiness of other retention systems is whether the item can be removed from place without unlatching or unbuckling the retention system.

“Department” means the New Jersey Department of Health and Senior Services.

“Disinfection” means the killing of infectious agents outside the body, or organisms transmitting such agents, by chemical and physical means, directly applied.

“Emergency” means an individual’s perceived need for immediate medical care in order to prevent death or aggravation of physiological or psychological illness or injury.

“Emergency medical technician (EMT)” means an individual trained and currently certified or recognized by the Commissioner as an emergency medical technician or emergency medical technician-defibrillation in accordance with the provisions of N.J.A.C. 8:40A.

“FAR” means the Federal Aviation Regulations.

“FCC” means the Federal Communications Commission.

“Federal Specification KKK-A-1822” means the specification and amendments thereto in force at the time of vehicle manufacture and entitled “Federal Specification, Ambulance, Emergency Medical Care Surface Vehicle KKK-A-1822” as published by the Federal Supply Service

of the U.S. General Services Administration. Copies of the specification may be obtained by contacting:

General Services Administration
Specification Section (3FBP-W), Room 6654
7th and D Streets, SW
Washington, D.C. 20407

“FMVSS” means Federal Motor Vehicle Safety Standard(s) promulgated under 49 CFR 571. Consult Superintendent of Documents, Washington, D.C., for copies of the cited standards.

“Health care facility” means a facility so defined in the Health Care Facilities Planning Act, N.J.S.A. 26:2H-1 et seq.

“Helicopter ambulance service” means those services which provide air medical emergency care and transportation by rotowing aircraft and which are either provided to patients located in New Jersey by out-of-State providers or are provided by the New Jersey Emergency Medical Services Helicopter Response Program pursuant to N.J.S.A. 26:2K-36 et seq.

“Impervious” means not allowing liquids or dirt to penetrate the surface of the material. For the purposes of this chapter, impervious surfaces do not include coverings made of or containing carpet, velour or cloth.

“In-service” means the presence of the vehicle at a health care facility or other place of medical care or picking up, transporting, or discharging any patient, or otherwise on-duty and ready to accept and perform EMS duties.

“Inter-hospital care” means those emergency medical services rendered by emergency or transport ambulances and their crews to patients before and during transportation between emergency treatment or health care facilities, and upon arrival within those facilities.

“International symbol of access for the handicapped” means the outline form of a person in a wheelchair.

“JEMS communications plan” means the State of New Jersey Emergency Medical Services Communication Plan published by the Department. Copies of the plan are available, for a fee of \$8.00, from the Office of Emergency Medical Services, Department of Health and Senior Services, PO Box 360, Trenton, NJ 08625-0360.

“Licensee” means any person, public or private institution, agency or business concern granted a license under this chapter by the Department.

“Mobility Assistance Vehicle Service” means the provision of non-emergency health care transportation, by certified trained personnel, for sick, infirm or otherwise disabled persons who are under the care and supervision of a physi-

cian and whose medical condition is not of sufficient magnitude or gravity to require transportation by ambulance, but does require transportation from place to place for medical care, and whose use of an alternate form of transportation, such as taxicab, bus, other public conveyance or private vehicle, might create a serious risk to life and health. (This service was formerly know as invalid coach service prior to the enactment of P.L. 1997, c.102).

“Out-of-service” means the removal of the authorization of a vehicle to be utilized for the provision of mobility assistance, transport ambulance or emergency ambulance services. This may be accomplished by the provider by placarding the vehicle with a sign indicating the vehicle is out-of-service, or by the Department in accordance with N.J.A.C. 8:40-2.3.

“Paramedic” means a person who is trained in advanced life support services and who is certified as a mobile intensive care paramedic by the commissioner (under N.J.S.A. 26:2K-7 et seq.) to render advanced life support services as part of a mobile intensive care unit in accordance with the provisions of N.J.A.C. 8:41.

“Patient” means any person utilizing services licensed under this chapter, including an individual who is sick, injured, wounded, diseased, or otherwise incapacitated or helpless, and excluding deceased individuals being transported from or between private or public institutions, homes or cemeteries, and individuals declared dead prior to the time an ambulance is called for assistance.

“Payment for services” means monies received for providing, or promising to provide, patient care, including, but not limited to, fee-for-service, subscription plans, contracts, or salaries for staff members, but excluding receipt of funds which may be donated to a volunteer first aid or rescue squad by a municipality in the amount of or less than the donation limit prescribed by law.

“Pneumatic testing guide” means the document called “How to Test Respiratory Equipment” published by the Department. Copies of the guide are available, for a fee of \$6.50, from the Office of Emergency Medical Services, Department of Health and Senior Services, PO Box 360, Trenton, New Jersey 08625-0360.

“Positive latching mechanism” means a latching mechanism that requires the manual release of the latching device by a staff member of the vehicle. This does not include magnetic or friction-type latches.

“Provide” means furnishing, conducting, maintaining, advertising, or in any way engaging in or professing to engage in a service licensable under this chapter.

“Provider” means any person, public or private institution, agency or business concern which is providing Mobility Assistance Vehicle Service and/or Ambulance Service.

“Staff” means anyone working on the vehicle, including the medical crew and the driver, who is providing care to the patient or operating the vehicle.

“Star of Life” means the symbol described in certification of registration number 1,058,022 which the United States Commissioner of Patents and Trademarks has issued to the National Highway Traffic Safety Administration.

“SAE Standard” means the standard(s) promulgated by the Society of Automotive Engineers. Copies of the cited standard(s) may be purchased from that Society at 400 Commonwealth Drive, Warrendale, PA 15096.

“Street EMS” means the provision of primary emergency care at the basic life support level, to a municipality or municipalities in accordance with the intent of N.J.S.A. 27:5F-18 et seq., and includes those services which are provided where there would be a reasonable expectation of a 9-1-1 type of response (for example, mass gatherings, special events and stadium/arena EMS services).

“Valid” means current, up-to-date, in effect or not past the renewal date recommended by the issuer of the certificate or license.

“Volunteer first aid, rescue or ambulance squad” means a first aid, rescue or ambulance squad which provides emergency medical services without receiving payment for those services.

Amended by R.1992 d.16, effective January 6, 1992.

See: 23 N.J.R. 2566(a), 24 N.J.R. 119(a).

Definitions added for advanced life support, basic life support, certificate of need, conditional vehicle permit, crashworthy, emergency, EMT-A, impervious, in-service, inter-hospital care, paramedic, payment for services, staff, volunteer first aid, rescue or ambulance squad; definition deleted for ANSI standard; amended for invalid coach service, patient and pneumatic testing guide.

Amended by R.1993 d.594, effective November 15, 1993.

See: 25 N.J.R. 2663(a), 25 N.J.R. 5163(a).

Amended by R.1997 d.4, effective January 6, 1997.

See: 28 N.J.R. 4198(a), 29 N.J.R. 128(a).

Amended “Commissioner”, “Department”, “JEMS communication plan”, and “Pneumatic testing guide”.

Amended by R.1998 d.107, effective February 17, 1998.

See: 29 N.J.R. 4416(a), 30 N.J.R. 648(a).

Rewrote the section.

SUBCHAPTER 2. AUTHORITY AND LICENSURE PROCEDURES

8:40-2.1 Authority

(a) According to N.J.S.A. 30:4D-6.2 et seq., the Commissioner is required to adopt rules, regulations and administrative orders which regulate the provision of Mobility Assistance Vehicle Services.