



STATE OF MICHIGAN
DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

GRETCHEN WHITMER
GOVERNOR

ELIZABETH HERTEL
DIRECTOR

June 1, 2022

Re: Vehicle Upgrade During Staffing Shortages

Dear EMS Agencies and Medical Control Authorities:

The ability of EMS agencies and personnel to provide resources to their community is fundamental to the continued success of our EMS system. The Michigan Department of Health and Human Services has received concerns from several licensed EMS agencies and Medical Control Authorities regarding the statutory requirements for operating EMS vehicles at a higher level of life support under MCL 333.20921(4).

Due to the ongoing COVID-19 pandemic, EMS agencies are experiencing staffing and resource strains. Stakeholders have expressed that Section 20921(4) unnecessarily restricts EMS agencies' ability to best utilize their resources to lessen the time a patient waits for intervention. Currently, Section 20921(4) allows for EMS agencies to upgrade and "operate an ambulance licensed to provide basic life support or limited advanced life support at a higher level of life support" if certain criteria are met. However, the ability to operate at a higher level of life support only applies to "ambulance operations" that upgrade "ambulances." In other words, the law does not allow ambulance operations to upgrade non-ambulance vehicles, such as "non-transport prehospital life support vehicles"¹ and "medical first response vehicles,"² even when they have appropriate staff and resources to do so. Similarly, Section 20921(4) also does not allow any such upgrades to be made by a "non-transport prehospital life support operation"³ despite being otherwise capable of meeting the requirements under the law. The Department has determined that these requirements do not presently serve the interests of public health and that their enforcement would be inconsistent with the Department's duties under MCL 333.2221 by unnecessarily delaying access to higher levels of care.

Accordingly, the Department intends to seek amendment of MCL 333.20921 to better reflect the needs of EMS agencies. Until further notice, the Department will not enforce MCL 333.20920(5) or MCL 333.20926(3) for violations of Section 20921(4) to the extent that non-transport prehospital life support vehicles and medical first response vehicles are deployed by a licensed EMS agency that is licensed at a level higher than the vehicle and are otherwise in compliance with other standards. The operation or service, their non-ambulance vehicles, and staff must comply with all other relevant requirements for operating at a higher level of life support.

¹ As defined in MCL 333.20908(3)

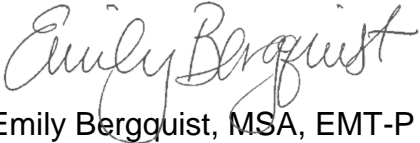
² As defined in MCL 333.20906(11)

³ As defined in MCL 333.20908(2)

This interim nonenforcement policy will facilitate the ability of EMS agencies to provide earlier access to higher levels of care to their communities. The Department will provide notice to all agencies and MCAs should this policy change.

If you have any questions, please reach out.

Respectfully,

A handwritten signature in black ink, reading "Emily Bergquist". The signature is fluid and cursive, with the first name "Emily" and last name "Bergquist" clearly legible.

Emily Bergquist, MSA, EMT-P I/C
Director, Division of EMS and Trauma
Michigan Department of Health and Human Services