

(S. B. 51)

(No. 44)

(Approved August 11, 2005)

AN ACT

To amend Section 20 of Act No. 310 of December 25, 2002, as amended, known as the “Board of Examiners of the Emergency Medical Technicians of Puerto Rico Act,” in order to increase the penalties for practicing the profession of emergency medical technician without the corresponding license or if the same has been revoked or suspended.

STATEMENT OF MOTIVES

Act No. 310 of December 25, 2002, as amended, known as the “Board of Examiners of the Emergency Medical Technicians of Puerto Rico Act,” empowers the Board to issue licenses to practice the profession of emergency medical technician to those persons who meet the requirements established in said Act. These authorizations are in effect for two years and renewed for the same term.

On the other hand, the referred Act provides that, in order to obtain the abovementioned license, the candidate shall meet certain requirements, to wit, be over 18 years of age; submit a negative criminal record certificate; have approved an Emergency Medical Technician Basic or Paramedic Course offered by an academic institution accredited by the General Education Council or the Council on Higher Education; have approved the examinations on the subjects related to said technique as determined by the Board through regulations; hold a diploma certifying that he/she has

approved the fourth year of high school or its equivalent; and hold a driver's license.

Likewise, the Emergency Medical Technician license in question may be denied to those persons who have tried to obtain their license by fraud or deceit, or have been convicted of a felony or any crime that implies moral turpitude.

The license may also be suspended when the person holding the same has been declared mentally disabled by a competent court or through medical expert evidence of his/her disability is presented before the Secretary, the license, however, may be reinstated as soon as the person is declared fit to perform his/her tasks once again; or has incurred in any kind of negligence in the performance of his/her duties.

Evidently, some of the reasons established to deny, suspend or revoke a license to practice as a Emergency Medical Technician, imply conducts that could dramatically interfere with the adequate performance of the functions of the person who holds the permit, thus risking the health and life of the patients under his/her care.

However, in view of the high degree of risk this represents for patients, the Act that creates the Board of Examiners of the Emergency Medical Technicians of Puerto Rico" imposes extremely low penalties to those persons who practice their profession without being duly licensed. This does not dissuade these persons from incurring in said practice.

Therefore, the Legislature of the Commonwealth of Puerto Rico deems it necessary to impose more severe penalties, which discourage the improper and illegal practice of this important profession.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- Section 20 of Act No. 310 of December 25, 2002, as amended, is hereby amended to read as follows:

“Section 20.- Penalties.

Every person who practices as a Paramedic or Basic Emergency Medical Technician without holding the corresponding license issued by the Board, or that when his/her license has been revoked or suspended, continues to practice his/her profession, shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by not more than six (6) months of imprisonment, or a fine of not more than two thousand five hundred (2,500) dollars, or both penalties, at the discretion of the Court.”

Section 2.- This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 44 (S.B. 51) of the 1st Session of the 15th Legislature of Puerto Rico:

AN ACT to amend Section 20 of Act No. 310 of December 25, 2002, as amended, known as the “Board of Examiners of the Emergency Medical Technicians of Puerto Rico Act,” in order to increase the penalties for practicing the profession of emergency medical technician without the corresponding license or if the same has been revoked or suspended,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 7th of October of 2005.

Francisco J. Domenech
Director