




**NC DEPARTMENT OF
HEALTH AND
HUMAN SERVICES**
Division of Health Service Regulation

ROY COOPER • Governor
MANDY COHEN, MD, MPH • Secretary
MARK PAYNE • Director

MEMORANDUM

TO: EMS System Administrators
EMS System Medical Directors

FROM: Tom Mitchell, Chief 
North Carolina Office of EMS

DATE: March 24, 2020

RE: Temporary Suspension of GS 131E-158

Due to the current situation in North Carolina with Covid-19, the Office of EMS is taking measures to provide relief to local EMS agencies around staffing of ambulances should the need arise. We recognize that EMS Professionals are at high risk for disease contraction and being subject to quarantine measures due to potential exposure. We also recognize that this could result in a reduced work force for EMS Agencies and disrupt continuity of operations.

The Department of Health and Human Service, Division of Health Service Regulation, Office of EMS is temporarily suspending GS 131E-158 which requires, at a minimum, two credentialed EMS Professionals on an ambulance. Upon the request by the EMS System, any ambulance transporting a patient shall be occupied, at a minimum, by at least one EMS Professional credentialed at the EMT level responsible for care of the patient. Non-credentialed individuals may only drive the ambulance and are not responsible for any aspect of patient care. This provision will be recognized as permissible minimum staffing until further notice at which time notification will be made to the EMS community.

The temporary suspension of GS 131E-158 is being implemented to allow EMS System Administrators another tool to maintain adequate service to citizens and guests during this crisis. This exemption is intended to maintain continuity of care.

In order to utilize this exemption, please contact your respective Regional OEMS Office for a waiver request application. Once the application is complete, click submit at the bottom of the application.

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION
OFFICE OF EMERGENCY MEDICAL SERVICES

LOCATION: 1201 Umstead Drive, Wright Building, Raleigh, NC 27603
MAILING ADDRESS: 2707 Mail Service Center, Raleigh, NC 27699-2707

<https://info.ncdhhs.gov/dhsr/> • TEL: 919-855-3935 • FAX: 919-733-7021

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

We have compiled a listing of anticipated questions related to this exemption and have listed them below to assist you in utilizing this exemption. If you have additional questions not included below, please direct them to your Regional Office.

FAQ's

How does this affect my ability to bill for calls?

The CMS Manual states that ambulance personnel must be staffed by at least two people who meet the requirements of State and local laws where services are being furnished. BLS ambulances must be staffed by at least one EMT-Basic, ALS ambulances must be staffed by at least one Advanced EMT or one Paramedic. If you have any additional questions regarding billing, please reach out to your billing company or contact CMS for further guidance.

Who can drive ambulances?

We are depending on local EMS officials to make those decisions based on staffing availability, needs and resources.

What guidance would you offer when selecting alternative personnel to drive?

We would strongly suggest that any individual selected to drive be screened, at a minimum, against the North Carolina SBI's sex offender registry found at the following web address:

<https://sexoffender.ncsbi.gov/disclaimer.aspx>

Individuals who may be well suited could include other municipal employees with experience operating large vehicles such as truck drivers, maintenance workers, bus drivers, public transit drivers, non-credentialed fire personnel, law enforcement personnel, etc.

Will our insurance company cover these individuals?

Please check with your carrier for coverage availability.

Do alternative drivers need to have completed an emergency driver's course or some type of training?

While certainly a best practice, that is up to the individual EMS System or Agency to determine in a state of emergency. At the very least, a general orientation of the vehicle operation should be completed prior to operation of the ambulance.

Are there any other requirements an alternative driver must meet?

This change does not supersede any other provision for drivers in North Carolina. A valid driver's license must be held by any individual driving an ambulance.

How long will this exemption be in effect?

The Covid-19 situation is changing daily. Our goal is to provide measures that allow EMS to continue to serve their communities with little disruption as possible. OEMS will continue to monitor the situation from a statewide perspective and make decisions on relief measures as needed. Currently we do not have an expiration date on this provision.