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Texas Administrative Code

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COURSE APPROVAL****RULE §157.38****Continuing Education**

(C) Individuals who possess appropriate expertise and credentials shall provide clinical supervision and instruction.

(D) Continuing education student participants shall possess appropriate insurance for professional liability while engaging in clinical activities.

(4) Individualized Instruction. In addition to the criteria listed in paragraph (1) of this subsection, programs consisting of individualized instruction, including programmed instruction, directed study, or directed research shall meet the following criteria.

(A) Instruction shall follow a logical sequence based on the program's stated learning objectives.

(B) Instruction shall involve the learner in an active response to the educational materials presented.

(C) The amount of instructional time applied shall be appropriate to the learning objectives specified.

(D) Provider shall insure that contact hours are awarded to the actual certificant to whom intended.

(5) Individual submission by the participant of study activity for review by the department. The following information must be submitted for review.

(A) A course syllabus defining the content, the learning objectives, the dates and times of presentation, and the number of contact hours.

(B) A description of the presenters' qualifications and expertise.

(C) Verification by the presenter of successful participation.

(i) Additional Criteria for Specific Continuing Education Programs. In addition to those listed in subsection (h) of this section, the following guidelines shall apply to the selection and/or planning and implementation of specific CE programs.

(1) Semester or quarter credit hour courses.

(A) The course shall be within the framework of a curriculum that leads to degree in emergency medical services or any credit hour course relevant to emergency health care.

(B) Certified or licensed EMS personnel, upon audit, shall be able to present an official transcript indicating successful completion of the course with a passing grade.

(2) Certified or licensed EMS personnel, upon request by the department, shall provide documentation on the accredited institution's letterhead giving the name of program, location, dates, subjects taught, and total clock hours of teaching or instruction for all continuing education activity, including credit hour courses. Documentation may include course completion certificates, diplomas, and/or transcripts.

(3) Authorship.

(A) Certified or licensed EMS personnel may receive EMS continuing education contact hours for participating in an approved self-directed study that results in the participant making written findings and conclusions of the study which becomes published in an EMS related textbook, or in a state or national EMS related journal or magazine, or which results in the presentation of the findings and conclusions of the study in a department approved workshop, seminar, conference or class, and which is directed toward, or is applicable to, the EMS profession.

(B) Continuing education contact hours shall be awarded only once to the certificant or licensee making written findings and conclusions that result from a department approved self-directed study that becomes published or presented as described in subparagraph (3)(A) of this paragraph.

(4) Out of state programs. A continuing education activity successfully attended and completed or undertaken in a jurisdiction outside Texas may be accepted for continuing education if all criteria are met and if it is approved by the department.

(j) Responsibilities of certified or licensed EMS personnel.

(1) It shall be the responsibility of the certified or licensed EMS personnel to select and participate in continuing education activities that meet the criteria listed in subsection (h) and (i) of this section.

(2) The certified or licensed EMS personnel shall be responsible for maintaining written certifications of successful completions of EMS continuing education courses or educational activities for five years after the dates of completion. These records shall document successful completion, specifying the name of the EMS continuing education provider, the title, description, date, and location of the educational activity, a description of the content area, the number of contact hours awarded, and the organization granting approval. Complete and accurate copies of these shall be timely submitted to the department upon the department's request.

(3) Complete and accurate copies of this written documentation shall be timely submitted to the department upon the department's request.

(k) Audit.

(1) The department may audit the records of individuals seeking recertification through continuing education.

(2) The department may audit specific certified or licensed EMS personnel in response to a complaint, or if there is reason to suspect that the certified or licensed EMS personnel may have given false or inaccurate information about the continuing education requirements completed.

(3) An audit shall be automatic for certified or licensed EMS personnel who have been found non-compliant in an immediately preceding audit.

(4) Failure to notify the department of a current mailing address shall not absolve the certificant from audit requirements.

(5) Within 30 days following notification of audit, certified or licensed EMS personnel shall submit documentation as specified in subsection (j)(2) of this section and any additional documentation the department determines is necessary to verify compliance with continuing education requirements.

(6) The department may use on-site observation, audits of records, and other appropriate methods to evaluate the performance of continuing education providers. Evaluation of a continuing education provider may take place randomly, in response to a complaint, or if there is reason to suspect that a continuing education provider is not complying with the criteria established by subsections (h) and (i) of this section.

(7) Falsification of CE documentation shall be cause for reprimand, probation, suspension, or revocation of a certificate or license as described in §157.36 of this title (relating to Criteria for Denial and Disciplinary Actions for EMS Personnel and Voluntary Surrender of a Certificate or License).

(8) Falsification of CE documentation by a CE provider or failure to comply with the criteria established by subsections (h) and (i) of this section shall be cause for reprimand, probated suspension, suspension, or revocation of approval.

(l) For all applications and renewal applications, the department (or the board) is authorized to collect subscription and convenience fees, in amounts determined by the Texas Online Authority, to recover costs associated with application and renewal application processing through Texas Online.

Source Note: The provisions of this §157.38 adopted to be effective September 1, 2002, 27 TexReg 7810; amended to be effective June 1, 2004, 29 TexReg 4492

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