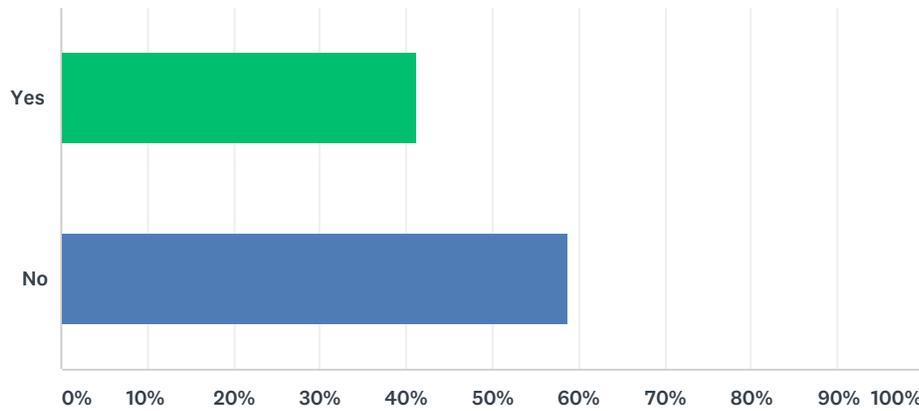


Q2 Does your EMS agency provide blood draws upon request of law enforcement regarding blood alcohol levels?

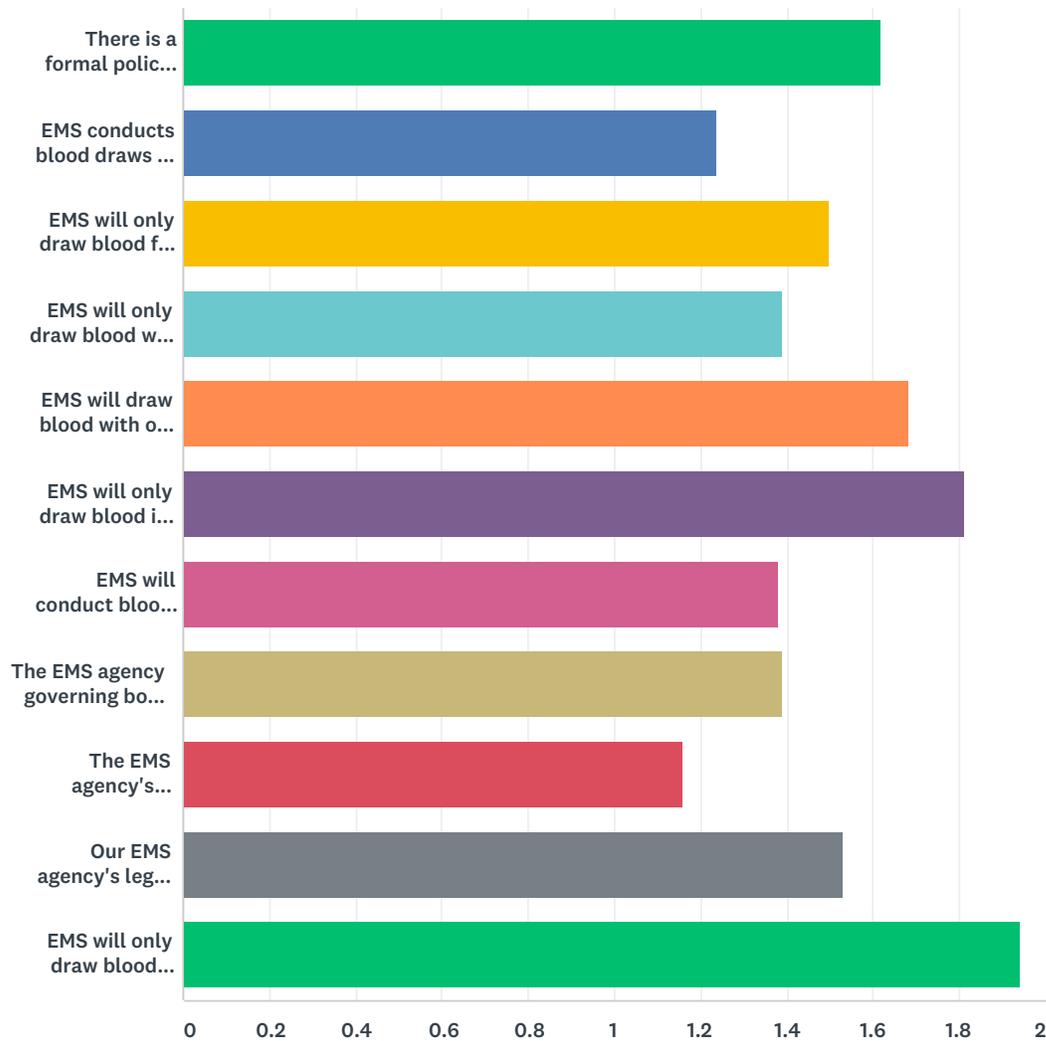
Answered: 80 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	41.25%	33
No	58.75%	47
TOTAL		80

Q3 Please indicate the conditions your agency follows below. (Indicate all that apply.)

Answered: 34 Skipped: 46



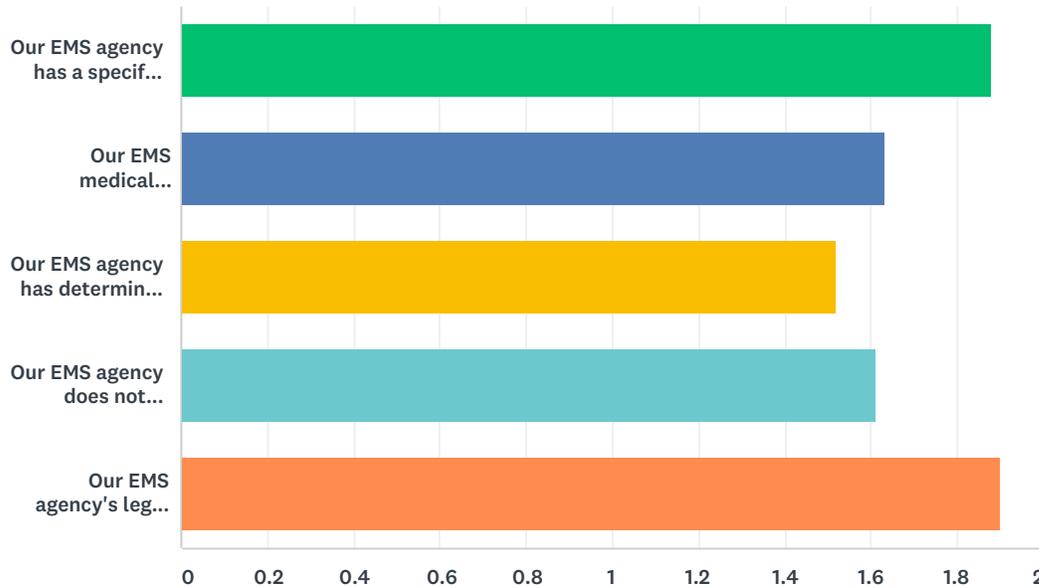
	YES	NO	TOTAL	WEIGHTED AVERAGE
There is a formal policy agreement between the EMS agency and the law enforcement agency, which spells out when and how this will occur.	38.24% 13	61.76% 21	34	1.62
EMS conducts blood draws on the scene of the incident.	75.76% 25	24.24% 8	33	1.24
EMS will only draw blood from adults.	50.00% 16	50.00% 16	32	1.50
EMS will only draw blood with expressed consent of the individual.	60.61% 20	39.39% 13	33	1.39
EMS will draw blood with or without consent of the individual upon the order of law enforcement.	32.26% 10	67.74% 21	31	1.68
EMS will only draw blood if the individual is an actual patient of EMS.	18.75% 6	81.25% 26	32	1.81

EMS will conduct blood draws upon law enforcement request at local police station/ jail.	62.50%	37.50%	32	1.38
	20	12		
The EMS agency governing board has formally approved the EMS agency drawing blood upon the request of law enforcement.	61.29%	38.71%	31	1.39
	19	12		
The EMS agency's medical director has approved of the EMS agency drawing blood for law enforcement.	83.87%	16.13%	31	1.16
	26	5		
Our EMS agency's legal counsel has reviewed how our agency has decided to handle this issue.	46.67%	53.33%	30	1.53
	14	16		
EMS will only draw blood based upon a warrant.	6.45%	93.55%	31	1.94
	2	29		

#	OTHER (PLEASE SPECIFY)
1	Our policy answers most of these concerns
2	Only with patient consent will ems do a blood draw
3	Medical or trauma calls
4	We have only done a blood draw less than a handful of times. Patient care is our priority not blood draws.
5	Either Consent or Search Warrant
6	We require patient consent and/or warrant
7	Our practice has changed from the above in light of recent events.
8	We do have a protocol but not an individual agreement with each police agency. EMS will not draw blood if patient refuses, but will if officer has a warrant.
9	draft guideline only-for KHP only-if person not going to the ED by ambulance and we're still on scene and the person consents
10	Law Enforcement must bring the patient to the EMS Station.
11	Unless a warrant is in-hand, we will only draw blood with the consent of the patient.

Q4 Please indicate all that apply.

Answered: 44 Skipped: 36



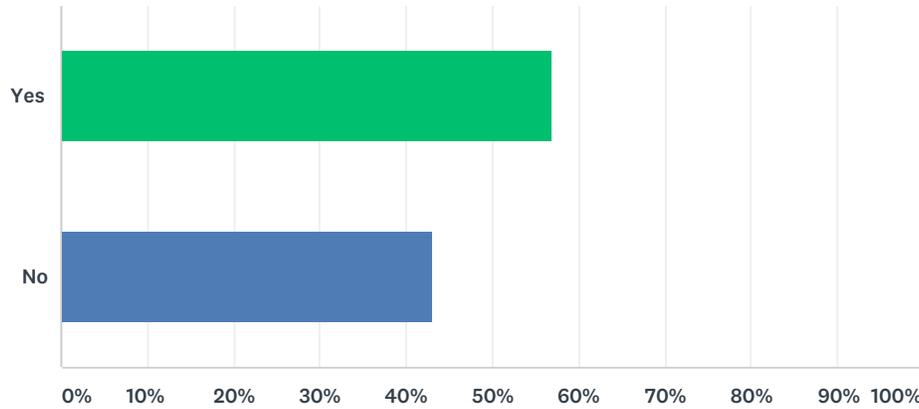
	YES	NO	TOTAL	WEIGHTED AVERAGE
Our EMS agency has a specific policy/ governing board resolution opposing conducting blood draws not related to patient care.	11.90% 5	88.10% 37	42	1.88
Our EMS medical director does not approve.	37.50% 15	62.50% 25	40	1.63
Our EMS agency has determined that we will not do blood draws in order to avoid conflict between health care and law enforcement roles of our personnel.	47.62% 20	52.38% 22	42	1.52
Our EMS agency does not perform law enforcement blood draws due to concern about time/cost/process of court attendance.	39.02% 16	60.98% 25	41	1.61
Our EMS agency's legal counsel has reviewed how our agency has decided to handle this issue.	10.00% 4	90.00% 36	40	1.90

#	OTHER (PLEASE SPECIFY)
1	LED TAKES THEM TO HOSPITAL
2	We are strictly BLE and don't do blood draws at all.
3	Service has never entertained doing blood draws
4	We have just never done blood draws.
5	Has not been requested by law enforcement
6	Our medical director decided to not allow BAC blood draws prior to current court rule, so no protocol exists and staff knows not to perform them.
7	The majority of the time, we have a BLS crew responding.
8	We only draw blood if the injury fits a policy where its needed for the patients care. If patients condition does not require it the procedure waits until they are at the hospital. If patient is not transported by ambulance the officer will transport to ER to have it done.
9	We have never been asked and we are bls so no one has training to draw blood

10	Blood draws are done in the hospital ER. We cannot guarentee we would have qualified personnel to draw blood on every run.
11	Our legal counsel hasn't looked at this in a while,but may need to.
12	Local law enforcement has not asked us to do them.

Q5 Our agency has been asked to perform blood draws by law enforcement.

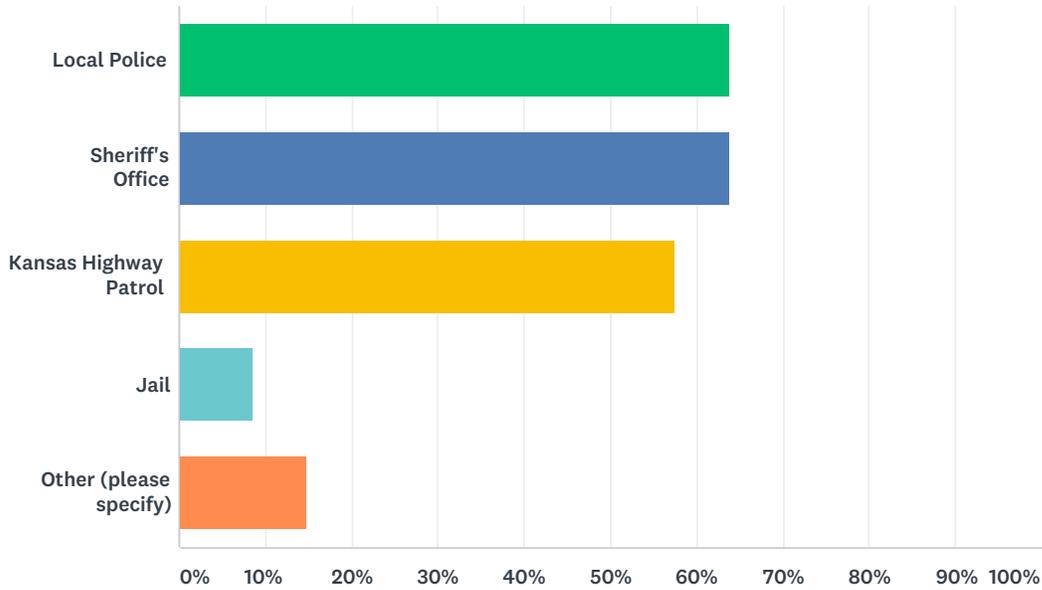
Answered: 72 Skipped: 8



ANSWER CHOICES	RESPONSES	
Yes	56.94%	41
No	43.06%	31
TOTAL		72

Q6 If applicable, which law enforcement agencies have asked your EMS agency to conduct blood draws? (indicate all that apply)

Answered: 47 Skipped: 33



ANSWER CHOICES	RESPONSES
Local Police	63.83% 30
Sheriff's Office	63.83% 30
Kansas Highway Patrol	57.45% 27
Jail	8.51% 4
Other (please specify)	14.89% 7
Total Respondents: 47	

#	OTHER (PLEASE SPECIFY)
1	Kansas Wildlife and Parks (Usually come through another LEO agency)
2	Oklahoma OHP
3	None
4	none
5	None as of 2016
6	Only if we were going to draw for other reasons within a protocol.
7	NA

Q7 If you have had problems with this issue, please describe the problem and the magnitude of the issue.

Answered: 34 Skipped: 46

#	RESPONSES
1	LEO has come to the station, asked EMS to meet at the Jail, requested that EMS respond to non-injury accidents. This had to be addressed in policy and was done through counsel with attorney and the Attorney General. There will also be considerations for maintenance of blood tubes and other supplies necessary for cleansing and evidence. This must be supplied by the requesting LEO. (We have done this successfully for a number of years now.)
2	We have had no issues.
3	no problems
4	No
5	N/A
6	N/A
7	None
8	We haven't been asked much. it interferes with patient care in my opinion and should not be something that EMS does.
9	No Problems
10	We have had no issues. When asked by the Sheriff about drawing blood I advised him that we only have the staff to spend the time doing medical care.
11	No problems with our agency and law enforcement
12	none
13	The biggest issue is how infrequently it is performed so there is always confusion on EMS as well as LE regarding correct procedure.
14	To often called to court. Also this tends to impose on 911 status, no recourse on cost, and no official training
15	we were threatened with obstruction of justice if we did not do a blood draw. Even after we explained we had written protocol stating we did not do blood draws for LEO purposes. Pt. was deceased and he did not force the issue any further because he would have coroner do it. This was by an officer on scene of a farm accident. We have had no issue with local police.
16	Prior to April 2012 our service was hospital based, and due to hospital policy we performed blood draws as hospital employees for law enforcement inside the hospital under the hospital's policies and procedures. After our service was moved to a county entity, law enforcement requested us to provide their blood draws. This was complicated by the hospital administration also not wanting to provide the blood draws. After discussion with our Medical Director at the time, he advised that he did not want us performing blood draws for law-enforcement purposes and would not authorize us to do so. Our director at the time informed the law-enforcement agencies and our County Attorney's Office of this decision and they adjusted their SOP's to reflect that decision. They then worked out the requirements of the hospital to provide the blood draws at law-enforcement request with the hospital administration and County Attorney's office. Law-enforcement agencies then began taking the people in their custody to the hospital for the blood draws. Our service has had no dealings with blood draws since that time.
17	none
18	Our issue has been if we send our primary crew to do a blood draw in the jail or elsewhere, if an actual emergency call arises that would cause a delay in our response by being tied up with the blood draw. Our next out crew in most instances after 5 PM M-F comes in from home.

19	We have not had any issues, but are concerned with recent events and issues that have occurred in other jurisdictions.
20	A certain agency would threaten arrest when crews refused
21	No problems
22	In the past 6 years we have been requested to do this twice. It's a very rare occurrence.
23	This has not been an issue at our agency
24	No problems
25	A newer officer was demanding a blood draw on an unstable patient. His LT showed up on scene, that I have a good working relationship with and explained to him it could be detrimental to the patient to remain on scene for a blood draw. They elected to obtain the blood draw at the trauma center.
26	None.
27	we've only done it a handful of times. Only for persons not being taken to an ED. Only with consent of person.
28	We initially had some disagreement but both sides understand their responsibilities that has been set and we haven't had any problems for some time.
29	None
30	We have been fortunate in that there is a good understanding of the process between our agency and law enforcement.
31	We do not carry the proper equipment to perform the blood draw, we do not carry vacutainers or phlebotomy needles. We would have to draw blood through IV Cath into a syringe and then expel into the blood tube. LEO did not wish for it happen that way.
32	No problem, although a written policy would help crews who are approached by law enforcement to perform blood draws.
33	NA
34	Since local law enforcement has not asked us to do these, our personnel have not received training in doing these.

Q8 Should this issue be addressed at the state or local level?

Answered: 49 Skipped: 31

#	RESPONSES
1	Local
2	It would be wise to have clarification on the language of the statute. It should include that the blood to be drawn is drawn only "on EMS patient(s) of record." But the overall application of the statute should and will ultimately be a local EMS and LEO policy decision.
3	I think it should be left up to the local services and there medical director
4	State
5	yes
6	local
7	Yes
8	Local
9	State
10	State
11	At the State level. That way it is equally applied. That way an officer knows what can and can't be done in every county.
12	Local Level
13	Local - protocol should be written and approved
14	local
15	State
16	state
17	State...I don't feel that blood draws is part of Emergency Medical Services mission. Hospitals and LE should be working together on this issue.
18	Local
19	No
20	Ideally this should be uniform across the nation with standardization. But should be addressed at least at the state level.
21	State
22	I think the issue should be addressed at both the local and state level. I think the state involvement should be simply that of advisory to aid the local services in compliance with the laws. I think the decision to provide the blood draws or not should be left to the local medical director and administration. I would be very opposed to any state level interference with any services ability to chose weather to provide the blood draws or not.
23	state
24	I think clarification one way or the other needs to be given on doing blood draws for law enforcement at the state level. The main issue for law enforcement is the cost of taking them to the ER to get a blood draw done. Our local PD Chief was just in recently about this issue. They don't want to pay that much for a blood draw.
25	This is addressed in KSA 8-1001,KSA 8-2117, KSA 65-6112,
26	Has the Attorney General weighed in on this? I think that a decision from the State would help support the EMS services that are being asked to provide this service by Law Enforcement.
27	state

28	State
29	No
30	Local
31	I think this should be a local issue
32	Local
33	Yes
34	YES
35	This would be a very beneficial topic to discuss at the State Board of EMS level. It would clarify many concerns for responsibility, litigation and safety.
36	We don't do a lot of blood draws so it hasn't been much of an issue for my agency. I have concerns over being ordered to obtain samples when it may be detrimental to the care of the patient.
37	It should be left at the local level and with the local prosecutor.
38	YES!
39	NO
40	local
41	Yes, we should not be expected to do them due to possible contamination of specimen in the field, and improper technique due to training.
42	State
43	Yes, at the local level.
44	Keep it at the local level.
45	Neutral to this
46	Local
47	State
48	NA
49	I think it is a local issue until a state agency becomes involved.

Q9 Other comments

Answered: 17 Skipped: 63

#	RESPONSES
1	Many EMS and LEO are unclear what the statute requires under the law and interpret (incorrectly) an EMS mandate exists (at all times and under all requests) to draw blood for LEO upon "any" request, under penalty of prosecution (for obstruction of justice). The questions surrounding blood draw requests should be addressed, but those answers have more implications for LEO than for EMS. In short, EMS needs to understand the "when" and "where"; LEO must clarify the "how" and "why".
2	Does not apply to us at this time.
3	I believe drunk drivers should be prosecuted to the fullest extent of the law. I know it is important to gather evidence as quickly as possible to get blood alcohol levels at the time of the accident or event as possible to get convictions. Patient care has to come first and delaying transport for blood draws should never occur. This needs to be done in the emergency room setting not in the field.
4	I feel like if the EMS can draw the blood it saves the County Money by not having to drive 20 miles and then pay an ER Bill
5	We only have a few AEMT's, and only one of them is FT. We don't have any PT or FT Paramedics, yet. We don't stock any of the kits for blood draws. Local LEO's don't expect blood draws to be done by our service. I only know of one service in RegionIV that do blood draws for LEO's on a somewhat routine basis. They supposedly haven't had any issues, or been drawn into court.
6	the majority of the time the sheriff's office will bring the subject to the hospital and have lab do blood draws.
7	If there is a warrant signed by a judge. I have no problem with doing the procedure.
8	Clarity needs to be brought to this issue as this has the potential for significant legal consequences and since recent rulings have further clouded what previous understandings of this issue have been.
9	We have performed blood draws for all agencies in the past. Our Medical Advisor told us several years back that he saw no reason for us to do blood draws in the field and we removed all blood tubes and draw equipment. We used to draw blood for the ER on patients but they eventually got to where they didn't use the blood so that was the reason behind removing the equipment.
10	Performing blood draws per request of law enforcement request is not something that we will do unless mandated by law.
11	It has worked well for us. If the subject is an actual patient, such as a patient of a car accident, patient care comes first and transport is not delayed for law enforcement blood draws.
12	In the past 6 years we have been requested to do this twice. It's a very rare occurrence. Per our policy, IF we are requested to draw a legal blood alcohol, we will do it ONLY if the patient consents and it does not impede patient care.
13	This is a relatively new topic here in our area, we would like to aid our local law enforcement agencies however it hasn't come up for a formal discussion just yet.
14	This is not something we do not do often but it has been very helpful in the past at times when the person arrested is combative and belligerent and needs to be in jail not the ED. Also helpful if patient is being flown from a scene. Of course, only if it does not interfere with treatment or time to transport.
15	We really don't understand the law in it's current form.
16	We are currently reviewing this procedure and greatly anticipate that we will stop performing blood draws for law enforcement in the near future.
17	It's an issue that I don't want to get into. Our LEO does road side sobriety tests and has the capabilities in their jail to do other testing as well.