

## **Legislation**

### **\* Types of law:**

- Constitutional
- Statutory
- Common
- Administrative

### **\* Constitutional**

- Derived from the constitution, like laws related to privacy, civil rights and pursuit of happiness

### **\* Statutory**

- Codes approved by state and local governments (like theft, speeding and drunk driving)

### **\* Common**

- Based upon cases and precedents (like when a court decides upon a matter and other courts settle their cases based upon that earlier decision)

### **\* Administrative**

- Approved by congress (or the legislature) for an agency (because the minutia and volume of rules is so vast – like OSHA regulations)

### **\* Administrative**

- Federal regulations must be formulated and then posted for public review (in the federal register and public forums)
- Public may comment and the agency will review ----- possibly change regulations

**\* Administrative**

- Final draft is published as CFR
- May be reversed by legislative body (like FCC rules being reversed by Congress)

**\* Examples of CFRs that relate to EMS are:**

- Blood borne pathogen
- Confined space
- Medical device reporting
- Contracts with HMOs

**\* Assignment**

- Review one of these CFRs and answer the following questions
  - \* Who specifically has to follow the rule?
  - \* What is the intent of the rule?

**COBRA**

**\* Omnibus Reconciliation Act or Emergency Medical Treatment and Active Labor Act**

**COBRA**

- \* What does this act guarantee?
- \* Who is effected by it?

**COBRA**

- \* How is EMS effected by it?
- \* Examples of that effect?