

1980 WL 121220 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 13, 1980

***1 Re: State Certification of Military Pararescuemen**

Ms. Carrie Hearne
Director
Horry County Ambulance Commission
101 Beaty Street
Conway, SC 29211

Dear Ms. Hearne:

Thank you for your letter of April 28, 1980 regarding the use of military pararescue personnel as Emergency Medical Technicians on ambulances licensed by the Department of Health and Environmental Control. Specifically, you have asked whether such trained military personnel may function as Emergency Medical Technicians without being certified as such under State law. It is our opinion that they may not.

The provision of ambulance services in this State is generally regulated by the State Emergency Medical Services Act ([Section 44-61-10 et seq. of the 1976 Code of Laws of South Carolina](#), as amended). Section 44-61-80 of the Act requires that all ambulance attendants obtain a valid Emergency Medical Technician Certificate. Section 44-61-20(b) defines an attendant as 'a trained and qualified individual responsible for the operation of an ambulance and the care of patients whether or not the attendant also serves as driver.' Therefore, it is clear that the Emergency Medical Services Act requires that all persons acting as ambulance attendants be properly certified according to State law.

It is also noted, however, that Section 44-61-100(a) provides an exemption from the provisions of the Act for 'ambulances owned and operated by the Federal Government.' However, this Section clearly is limited to ambulances owned and operated by the Federal Government. It does not exempt federal personnel such as military pararescue men from being licensed when they are functioning as Emergency Medical Technicians in ambulances which are not owned and operated by the Federal Government. A previous Opinion by this Office states that unless an ambulance is within one of the exemptions in Section 44-61-100, the ambulance may not be staffed with an individual not properly certified according to law. (1977 Ops. Atty. Gen., No. 77-386, page 317) A copy is enclosed for your information and convenience.

Therefore, it is the opinion of this Office that military pararescue personnel may not function as Emergency Medical Technicians on ambulances which are not owned and operated by the Federal Government unless they are certified according to State law.

I trust the preceding discussion adequately answers your question, however if any further explanation or assistance is required, please do not hesitate to contact me.

Very truly yours,

Richard P. Wilson
Assistant Attorney General

1980 WL 121220 (S.C.A.G.)