

**FREQUENTLY ASKED QUESTIONS FOR  
HEALTH CARE FACILITIES AND OTHER ENTITIES  
ADVISORY 25-11-01**

TO: Massachusetts Health Care Facilities and Other Entities  
FROM: Teryl Smith, RN, MPH, Director, Bureau of Health Care Safety and Quality  
Stephen Davis, Director, Division of Health Care Facility Licensure  
Susan Lewis, NRP, Director, Office of Emergency Medical Service  
DATE: February 12, 2026  
RE: Limits on EMS Personnel Functioning as EMTs and Paramedics—Frequently Asked Questions (FAQs)

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The purpose of this document is to address frequently asked questions regarding the Department of Public Health’s (Department) [Advisory 25-11-01](#), dated November 18, 2025. The advisory reminded EMS personnel (EMTs, Advanced EMTs, and paramedics) that they may only function as EMTs, Advanced EMTs, or paramedics when they are on duty for a licensed ambulance service, licensed EMS First Responder (EFR) service (at the basic life support level or above only), or a Department-approved mobile integrated health (MIH) or community EMS (CEMS) program.

- 1. What is the basis for this advisory? Why is the Office of Emergency Medical Services (OEMS) restricting what EMT personnel can do within a facility? Where did this rule come from?*

This advisory is based upon Massachusetts law regarding the use of emergency medical services titles, provision of services, and related prohibitions, [M.G.L. c. 111C, § 19\(a\)](#), which states:

No person shall... provide EMS or hold oneself out as, or use the title of EMS first responder, emergency medical technician, or paramedic or the acronym EMT or any other title or acronym used by the department in the certification of emergency medical services personnel... other than on behalf of an EMS first response service or an ambulance service or other EMS provider duly licensed...

Essentially, the law provides that EMT or paramedic credentials are only valid when one is working for a licensed ambulance service, licensed EFR service, or Department-approved MIH or CEMS program, in accordance with all statutory and regulatory requirements and the Statewide Treatment Protocols, and while working under the direction of the Affiliate Hospital Medical Director.

- 2. When did this law go into effect?*

The law was enacted on March 30, 2000.

3. *Why is the Department sending this advisory now?*

Although this is not a new statutory requirement, recently the Department has received some compliance cases involving health care facilities and EMS personnel working outside of their scope of certification. These cases resulted in sanctions for both the health care facilities and the EMTs and paramedics individually. The Department sent this advisory as a reminder to all facilities and EMS personnel to reduce confusion and to prevent future compliance issues. Pursuant to [the law](#), violations may be punished by fines and the Department may report offenses to the Attorney General's Office.

4. *Why can't a facility employ an EMT or paramedic, if they are supervised and monitored appropriately?*

An EMT or paramedic cannot work in that capacity in another health care facility because it is prohibited by [M.G.L. c. 111C, § 19\(a\)](#). A person may not work as an EMT or paramedic or work in a capacity that requires that they use their EMT or paramedic certification, unless they are employed by, and on duty with, a licensed ambulance service, EFR service, MIH, or CEMS program. However, a person who is certified as an EMT or paramedic may work in a hospital, or any other setting, in a position that does not require licensure or certification nor performing the functions and training of an EMT or paramedic. For example, a person certified as an EMT or paramedic may work as a medical assistant or a medical technician—as long as they are not performing EMT or paramedic skills under that alternate work title and the position does not require certification, licensure, or training as an EMT or paramedic.

5. *What about urgent care centers, dentists' offices, mobile health care entities, blood banks, MRI facilities, or any other clinic or health care facility?*

The law applies to these facilities in the same manner. A facility that is not a licensed ambulance service, EFR, MIH, or CEMS program may not employ staff in a manner that requires use of the titles EMT or paramedic, may not require those certifications for employment, and may not have employees performing functions requiring said certification.

6. *What about hospital at home programs?*

The law applies to hospital at home programs in the same manner described for hospitals and clinics above. If a hospital at home program would like to utilize EMTs, Advanced EMTs, or paramedics to provide those services, they require Department approval to operate as an MIH program. More information on operating an MIH program can be found on the [Department's website](#).

7. *What about entities providing organ transport, first responder agencies, event staffing, or other health care adjacent entities or services?*

As with other facility types above, such entities may employ persons holding such credentials as unlicensed staff but may not require those certifications for employment nor use those job titles. Furthermore, such employees may not perform the duties and functions of an EMT or paramedic.

8. *Does this apply in military settings or on a military base?*

If the military organization is operating a licensed ambulance service under federal authority, then its employees may operate as EMTs or paramedics. However, if the military organization is not a federally licensed ambulance service, then its employees may only operate in Massachusetts at the first responder level (CPR and first aid only).

9. *Will the Department issue a facility a waiver?*

No, the Department is required to follow the law. The Department has no authority to waive a statute enacted by the Legislature. Only the Legislature can amend or change a statute.

10. *Does this mean that a facility can never employ a person holding an EMT, Advanced EMT, or paramedic certification?*

No, a facility, other than a licensed ambulance service, EFR service, MIH, or CEMS program, may employ a person holding an EMT or paramedic certification in a position that does not require licensure or certification. The facility may not utilize the titles “EMT,” “Advanced EMT,” or “Paramedic,” nor can the facility require those certifications as part of a job description under a different title. However, a facility may list EMS certifications as preferred qualifications for an unlicensed / uncertified position. Such employees in those positions cannot be performing tasks that only an EMT or paramedic could provide.

11. *Can a hospital that also houses a licensed ambulance service employ EMTs and paramedics?*

Such a hospital may employ persons certified as an EMT, Advanced EMT, or paramedic, under those titles and providing those services, only on the roster for its licensed ambulance service. Hospitals may not have employees functioning as EMTs, Advanced EMTs, or paramedics in other areas of the hospital—such as in an inpatient or emergency department setting—which are not covered by the hospital’s ambulance service license.

12. *In a facility that currently employs persons holding EMT or paramedic certifications in unlicensed / uncertified roles in accordance with the law, may those employees be supervised by a nurse?*

A nurse may delegate or assign responsibilities to unlicensed health care facility employees, even if those employees hold certifications as an EMT or paramedic. Nurses may only delegate to unlicensed personnel for activities within the scope of the unlicensed employee’s job functions

and competencies, and that nurse retains responsibility and accountability for those delegated or assigned activities. Nurses must also provide adequate supervision of all delegated or assigned activities. For more information about the delegation requirements for nurses, please see [244 CMR 3.05](#) and the [Board of Registration in Nursing Advisory Ruling 9803](#) on Delegation to Unlicensed Assistive Personnel.

*13. Will the Department now be reviewing job descriptions for facilities to ensure compliance with the law?*

No, the Department does not have the capacity to review all facility job descriptions, nor would the Department wish to overly interfere with facility operations in that way. The Department may request to review job descriptions as part of a specific investigation or in conjunction with routine or unannounced inspections or surveys.

*14. Will the Department produce a list of approved activities for employees holding EMT or paramedic credentials who are working in hospitals in unlicensed / uncertified roles?*

The Department believes that creation of such a list could cause greater confusion, as the list would be voluminous, specific to the different roles at different facility types, and any unintentional omissions could be read as prohibited activities. A facility should review all relevant regulations to ensure that all personnel are working in accordance with their training and experience and in compliance with their registration or licensure requirements, if required.

*15. Will facilities currently not in compliance with the law be given a grace period?*

The Department has been enforcing this law as it has become aware of violations.

*16. Our question wasn't answered. Can the Department advise a facility on its particular situation or employment structure?*

As employees of the Commonwealth of Massachusetts, Department staff cannot give non-Department run facilities legal advice, nor advise facilities on their particular factual situation. In addition, once the Department becomes aware of a potential violation of [M.G.L. c. 111C](#) or any regulations, it is required to investigate and take appropriate action.