Evidentiary Blood Draw Protocol (MCA Optional Protocol)

This protocol is for specialist/AEMT and paramedic use only

☑ Medical Control Authorities choosing to adopt this supplement may do so by selecting this check box. Adopting this supplement changes or clarifies the referenced protocol or procedure in some way. This supplement supersedes, clarifies, or has authority over the referenced protocol.

MCAs will be responsible for maintaining a roster of the agencies choosing to participate and will submit roster to MDHHS.

Purpose

In order to effectively utilize the resources of the Medical Control Authority, licensed Life Support Agencies may allow Paramedics working for them to draw a sample specimen of blood as allowed under the delegation of the Medical Control Authority EMS Medical Director, a licensed physician by the State of Michigan, pursuant to PA 368 (1978) MCL 333.16215 (Public Health Code) and PA 300 (1940) MCL 257.625a (Michigan Vehicle Code) and subsequent amendments reference these Public Acts. This shall be considered a Priority 3 level of service. However, if a patient presents with a medical condition, the General Pre-hospital Care protocol will be initiated.

Definitions

Consent to Search: Permission given by a person authorizing a law enforcement officer to make a seizure or conduct a search.

Implied Consent: A requirement under Michigan Law; all drivers are to have given their consent for a chemical test upon being arrested for Operating While Intoxicated as part of their application and issuance of a driver's license.

Medical Environment: Any area not within a freestanding medical facility(e.g., booking area, jail, or other scene where the paramedics may provide medical care).

Warrant: A precept or writ issued by a competent judge or magistrate authorizing a law enforcement officer to make a seizure or conduct a search.

Procedure

A paramedic may draw a blood specimen if one of the listed criteria is met:

1. When requested by a law enforcement officer, who provides verbal or written verification from the subject who is in custody, that the subject is voluntarily submitting to an Evidentiary Blood Draw as required by Implied Consent under PA 300 (1940) MCL 257.625a (Michigan Vehicle Code).
2. When requested by a law enforcement officer, who is in possession of a consent to search form duly signed by the subject in custody.

3. When requested by a law enforcement officer, who is in possession of a search warrant duly signed by a magistrate or judge.

This procedure is done at the delegation of the Medical Control Authority EMS Medical Director, a licensed physician, and under the supervision and at the direction of medical control, to draw blood for the purposes of determining the presence of alcohol and/or drugs as allowed for in PA 368 (1978) MCL 333.16215 (Public Health Code) in a Medical Environment.

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1. Obtain a full set of vital signs.
2. Obtain blood draw kit from law enforcement officer and use the provided contents within the kit for collection.
3. Sample shall be obtained in the presence of a law enforcement officer.
4. Do not use alcohol or alcoholic solutions to sterilize skin surface, needle or syringe.
5. In the presence of a law enforcement officer tell the subject that no alcohol was used in sterilizing the skin surface, needle, or syringe; then draw two tubes of venous blood from subject and upon completion of obtaining the specimen, slowly invert blood collection tube(s) several times to distribute the sodium fluoride/potassium oxalate preservative.
6. Complete blood specimen label(s) by entering name of subject, date and time of blood collection, and your name in ink.
7. In the presence of subject, hand tube(s) of blood and label(s) to law enforcement officer for signing, packaging, and transfer to the laboratory.
8. If the patient has no medical or trauma complaints and the vital signs are within normal limits consider this a treat and release from care.
9. If the patient has a medical or trauma complaint and/or vital signs are outside normal limits, transport the patient to the hospital.
   a. If officer refuses transport, contact medical control.