

**28 Annex - Consumer and health protection**

**215. LAW ON EMERGENCY MEDICAL ASSISTANCE**

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LAW ON EMERGENCY MEDICAL ASSISTANCE <sup>1</sup>

I GENERAL PROVISIONS

Article 1

Emergency medical assistance (hereinafter: emergency assistance), as a special area of health care, performed at the primary level, is organized with the aim of undertaking a necessary and urgent medical intervention, where the failure of its undertaking would jeopardize the lives and health of citizens or cause a permanent damage and it is carried out in line with this Law and regulations on health care and health insurance.

Article 2

Emergency assistance is an urgent medical care for persons whose life, certain body organs or body parts are directly jeopardized due to sickness, suffering or injury, or for persons with whom, in a short period of time, the basic life functions, breathing or heart function are jeopardized, with the aim of maximally shortening the time from the appearance of the emergency state until their being completely taken care of, or sending for a further treatment.

Emergency assistance shall be provided on the spot, during the primary emergency transport, as well as in the emergency units, 24 hours non stop.

Article 3

Emergency assistance shall be done by the medical workers with an education from emergency assistance, in line with this Law.

In cases of larger accidents and large-scale epidemics, the emergency assistance shall be carried out in line with a separate law.

Article 4

Certain terms, within the meaning of this Law, shall have the following meaning:

- ambulance with a life-support unit is a specially equipped ambulance emergency vehicle with a standardized medical-technical equipment;
- urgent transport vehicle is an emergency vehicle for an urgent transport of patients to the health service institution on the secondary and tertiary level;
- urgent transport of patients includes the organization and the way of transport of the patients from the spot to the nearest health service institution which provides health care on the secondary and tertiary level.

II EMERGENCY ASSISTANCE ORGANIZATION

1. INSTITUTE

Article 5

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<sup>1</sup> Official Gazette of Montenegro 49/08 of 15 August 2008

The Activity from Article 2 of this Law shall be organized and carried out by the Emergency Assistance Institute (hereinafter: the Institute).

#### Article 6

The Activities of the Institute are the following:

- reception, examination and triage of patients by the emergency levels;
- resuscitation and monitoring of the basic life functions;
- observing patients' condition after resuscitation;
- administering appropriate therapy, primary treatment of wounds and injuries;
- giving vaccines and serums in line with indication, antibiotics, analgesics, and other indicated drugs;
- sending patients to the health service of secondary and tertiary levels;
- medical observation of patients with the aim of potentially necessary additional diagnostic procedures in order to establish the precise diagnosis,
- ultrasound and laboratory diagnostics;
- stopping bleeding, treating fractures, immobilization;
- giving advice to patients about their health state;
- employees' from the emergency assistance dispatching center receiving calls from citizens;
- triage of calls by the emergency levels and sending the emergency assistance teams to provide the emergency assistance;
- observing and analyzing the emergency assistance measures in Montenegro and reporting to the competent institutions;
- shaping the doctrine in the area of emergency assistance;
- proposing programs of emergency assistance measures from the scope of its work;
- determining standard operative procedures for all the forms of emergency assistance and harmonizing the implementation of standards in providing emergency assistance;
- participating in drafting and implementing certain health care projects in extraordinary situation;
- continuous medical education for medical workers, medical associates, students, medical high school students and other staff;
- cooperation with the Institute for Public Health, health service institutions, the state administration agency in charge of internal affairs and police, the Army of Montenegro, Red Cross of Montenegro, operative protection and rescue units, domestic and international NGOs which deal with the emergency assistance, international professional medical institutions;
- providing emergency security measures for public gatherings and sports manifestation, emergency transportation of the sick, within the country and abroad, by a vehicle, helicopter or plane; and
- other activities in line with the Law and the act of establishment the Institute.

#### Article 7

The provisions of the Law on Health Care shall be applied to the establishment and work of the Institute, and to the other issues which are important for the functioning of the Institute, unless otherwise regulated by this Law.

Article 8

The Institute shall perform the activities from Article 6 of this Law through the organizational divisions: the units and subunits for emergency assistance.

Article 9

The Institute shall organize the units and subunits for emergency assistance based on the number of citizens, geographic specificity, traffic connections and distance from the hospital.

The units for emergency assistance shall be organized in: Bar, Berane, Bijelo Polje, Budva, Cetinje, Danilovgrad, Herceg Novi, Kolašin, Kotor, Mojkovac, Nikšić, Plav, Pljevlja, Podgorica, Rožaje, Tivat, Ulcinj and Žabljak.

The subunits for emergency assistance shall be organized in: Andrijevica, Plužine and Šavnik.

In the areas where the number of health care users is increased due to transit and stay of tourists, the Institute can, at the approval of the state administration agency in charge of health affairs (hereinafter: the Ministry) and in cooperation with the competent agencies, temporarily open the emergency assistance subunits.

The Ministry shall prescribe the more detailed conditions regarding the space, staff and equipment, as well as the way of work emergency assistance units and subunits.

Article 10

Each emergency assistance unit and subunit shall have the necessary number of teams, ambulances with a life-support unit and vehicles for urgent transport.

The team in the emergency assistance unit and subunit shall consist of: a doctor, two nurses, or medical technicians, one of which shall drive the emergency vehicle.

The team for emergency transport in the emergency assistance unit shall consist of: two nurses, or medical technicians, one of which shall drive the emergency vehicle.

The Ministry shall prescribe the necessary number of the emergency assistance teams, ambulances with a life-support unit and the emergency transport vehicle in the emergency assistance unit and subunit, as well as the conditions regarding the technical characteristics of vehicles, medical and technical equipment of vehicles and the list of drugs used ambulances with a life-support unit and emergency transport vehicles.

Article 11

The doctor in the emergency assistance team shall conduct the examination and diagnostic procedures, determine and administer the therapy in line with the Protocol on diagnostic and therapeutic procedures in the emergency assistance and shall coordinate the work of the rest of the team.

The Ministry shall pass the Protocol from paragraph 1 of this Article.

Article 12

In all the cases when it is not possible to take care of the patient on the spot or in the emergency assistance unit, the doctor in the emergency assistance team shall, after the provided necessary medical assistance, send and transport the patient to the closest health service institution of secondary or tertiary level.

Article 13

The patients with the jeopardized basic life functions shall be transported by the emergency transport vehicle to the closest health care institution of secondary or tertiary, only accompanied by the doctor.

The patients who are transported and received in the health service institution from paragraph 1 of this Article, and with whom the hospitalization has not been indicated, can not use emergency transport vehicle while returning from the health service institution.

#### Article 14

The medical workers from the Institute shall be bound to wear the working clothes of single design marked with the international symbol of emergency assistance.

#### Article 15

The Institute shall organize and carry out the continuous education for doctors and nurses, or medical technicians for providing emergency assistance.

The Ministry, at the proposal from the Institute, shall prescribe the program and the way of carrying out the continuous education.

#### Article 16

Besides the obligatory records prescribed by a separate Law, the Institute shall be obliged to keep other records, in line with the Protocol from Article 11 of this Law.

## 2. DISPATCHING CENTER

#### Article 17

The provision of information and the forwarding of calls to the emergency assistance teams shall be done through the Dispatching Center for emergency assistance.

The Dispatching Center for emergency assistance (hereinafter: the Dispatching Center) shall be a part of the single communication center for all the emergency calls in line with the separate law.

The information on emergency situations shall be provided by dialing 112.

#### Article 18

The Dispatching Center shall be located in the Institute.

Each emergency assistance unit shall have it dispatcher.

In cases when it is necessary to engage more emergency assistance units, from more municipalities, the Dispatching Center in Podgorica emergency assistance unit shall coordinate the work of the engaged emergency assistance units.

#### Article 19

The dispatcher shall receive the calls, determine the emergency level, forward the call to the emergency assistance units, inform the closest health service institutions of secondary or tertiary level about the arrival of the emergency patient, cooperate with the police, operative protection and rescue units and other adequate services.

## 215. LAW ON EMERGENCY MEDICAL ASSISTANCE

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If the dispatcher determines that it is not necessary to engage the emergency assistance team in the field, he shall be obliged to give the adequate instructions, in line with the Protocol from Article 11 of this Law.

The dispatcher in the Institute shall be a doctor and a nurse, or a medical technician, and the dispatcher in the emergency assistant unit in other municipalities shall be a nurse, or a medical technician who is educated for providing emergency assistance, in line with this Law.

### Article 20

The dispatching Center shall have a sufficient number of lines.

The connection between the ambulance and the dispatcher shall be established through a single connection system.

### Article 21

All the conversations in the Dispatching Center shall be recorded and kept on an appropriate audio medium as a medical documentation, in line with a separate law.

### Article 22

In cases where the activities of the emergency assistance teams is rendered difficult or dangerous, a rescue helicopter shall be engaged in the rescue, as well as the other equipment and devices of the state administration agency in charge of internal affairs and police, maritime safety and other agencies and services, which can offer adequate support to the emergency assistance teams in line with the standard operative procedures.

## III FINANCING EMERGENCY ASSISTANCE

### Article 23

The funds needed for emergency assistance shall be provided from the budget of Montenegro, the Republican Fund for Health Insurance and other sources, in line with this Law.

The work of temporary subunits for emergency assistance from Article 9 of this Law, as well as a number of emergency assistance teams above the determined number of teams shall be financed from the local self government funds.

## IV SUPERVISION

### Article 24

The Ministry shall exercise supervision of the implementation of this Law and regulations adopted based on it.

Health inspectors shall exercise the inspection control from the Ministry competency in line with the Law.

## V PENAL PROVISIONS

### Article 25

The Institute shall be penalized by a fine from thirty-fold to two hundred-fold amount of the minimal wage rate in Montenegro, if:

- it does not organize and carry out a continuous education (Article 15);
- does not keep special records (Article 16);

The responsible person of the legal entity shall be penalized by a fine from ten-fold to twenty-fold minimal wage rate in Montenegro for the offense from paragraph 1 of this Article.

Article 26

The medical worker shall be penalized by a fine from ten-fold to twenty-fold minimal wage rate in Montenegro, if:

- he transports unaccompanied patient with the endangered basic life functions (Article 13 paragraph 1);
- he does not wear working clothes (Article 14);
- as a dispatcher, he does not act in line with the Protocol (Article 19, paragraphs 1 and 2).

VI TRANSITIONAL AND FINAL PROVISIONS

Article 27

The Institute shall be established within 12 months from the day this Law becomes valid.

Until the Institute is established, the emergency assistance shall be provided by the emergency assistance service in the medical center.

Article 28

On the day of its establishment, the Institute shall take over the existing space, equipment, vehicles and the employees in the emergency assistance services in the medical centers.

Article 29

By way of exception from the provision of Article 10 of this Law, the employee who, on the day when this Law became valid, was performing the driver's duty in the emergency assistance service, shall make part of the emergency assistance team.

The employees from paragraph 1 of this Article shall be bound to finish the education for performing the emergency assistance affairs within 12 months from the adoption of the act from Article 15 of this Law.

Article 30

Until the establishment of the Dispatching Center, in line with this Law, the information on the need for urgent medical care shall be provided by dialing number 94.

Article 31

The Ministry shall adopt the by-laws for implementing this Law within 12 months from the day this Law become valid.

Article 32

This Law shall become valid on the eighth day from the day of its publishing in the Official Gazette of Montenegro.