

Can a Paramedic Own and Operate an IV Hydration Business?

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Today's question is: Can a paramedic own and operate an IV hydration clinic? Glad you asked that question.

Hey, I'm Michael H. Cohen, founding attorney of Cohen Healthcare Law Group. We help you navigate healthcare and FDA laws so you can grow your healthcare venture. Call us with any questions. We're here to grow your health care business.

Now here from the wild, a question of who can own and operate an IV hydration business really varies by state and by professional. And as well, owning is different from providing services or operating the business. So that's even different because that could be management. So, the first thing to do is to look at the legal definition of paramedic scope of practice in a given state. And this means looking at the licensing statute.

Oftentimes, the licensing statute will give the paramedic legal authority to administer IV in an emergency situation. Now, an IV hydration clinic doesn't exist for emergencies. It's for general wellness. And so, regulators here could see some kind of line crossing into unlicensed practice in medicine. So generally, no go.

Recently, we researched a statute that allows paramedics to administer IV hydration in non-emergency situations, for example, in urgent care clinics. Now, that's urgent, but maybe not an emergency, but the statute that we're talking about limited the paramedic to providing IV hydration during their official duties.

Now, what is official duties mean? We asked the local state board, and of course, we got no response. They said, consult a lawyer or lawyers. We asked a federal agency, and the tone was conservative enough for us to warn the client against practicing medicine without a license.

Now, we know how clients would like the phrase to be interpreted, because my competitors are doing it. But wishful thinking can get you in trouble when it comes to the line between a given clinical service and scope of practice on one hand and the practice on medicine on the other.

At the end of the day, it's really the client's judgment call as to whether to accept the regulatory risk. But bear in mind that licensing statutes for practicing medicine without license typically carry criminal penalties. Now, there is this bureau of EMS. It's an authoritative body, and it does allow IV hydration within the scope of practice for paramedics in both emergency and non-emergency situations. But that's not the end of the matter. There are number caveats. The care must be delivered as part of the paramedic's official duties. As we said, otherwise, it could be considered practical medicine. So, you know, you come back to that. What are official duties?

So, we're here to help you interpret it as well as read the rules. See you soon. Let us know if you have questions. We look

forward to working with.

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