§ 3002-a. State emergency medical advisory committee. 1. There shall be a state emergency medical advisory committee of the state emergency medical services council consisting of thirty-one members. Twenty-three members shall be physicians appointed by the commissioner, including one nominated by each regional emergency medical services council, an additional physician from the city of New York, one pediatrician, one trauma surgeon, one psychiatrist and the chairperson. Each of the physicians shall have demonstrated knowledge and experience in emergency medical services. There shall be eight non-physician non-voting members appointed by the chairperson of the state council, at least five of whom shall be members of the state emergency medical services council at the time of their appointment. At least one of the eight shall be an emergency nurse, at least one shall be an advanced emergency medical technician, at least one shall be a basic emergency medical technician, and at least one shall be employed in a hospital setting with administrative responsibility for a hospital emergency department or service.

2. The committee shall develop and recommend to the state council statewide minimum standards for: (a) medical control; (b) treatment, transportation and triage protocols, including protocols for invasive procedures and infection control; and (c) the use of regulated medical devices and drugs by emergency medical services personnel certified pursuant to this article. The state emergency medical advisory committee, with the consent of the commissioner, may issue advisory guidelines in any of these areas, which shall not have the force and effect of law unless adopted as rules and regulations by the state emergency medical services council. The state emergency medical advisory committee shall advise the state emergency medical services council prior to the issuance of any guidelines. The committee shall also review protocols developed by regional emergency medical advisory committees for consistency with statewide standards.

2-a. Any decision of the state emergency medical advisory committee regarding medical control, protocols for treatment, triage, or transportation, or the use of regulated medical devices may be appealed to the commissioner by any required regional emergency medical services

council, regional emergency medical advisory committee, ambulance service or advanced life support service, or certified first responder, emergency medical technician, or advanced emergency medical technician adversely affected.

3. Each member shall have a term of two years, except that five of those first appointed shall have a term of three years. Members may succeed themselves.

4. The committee shall meet as frequently as its business may require. The presence of a majority of the members shall constitute a quorum. The members of the committee shall receive no compensation for their services as members, but each shall be allowed the necessary and actual expenses incurred in the performance of his or her duties under this section.

5. No civil action shall be brought in any court against any member, officer or employee of the committee for any act done, failure to act, or statement or opinion made, while discharging his or her duties as a member, officer, or employee of the committee, without leave from a justice of the supreme court, first had and obtained. In no event shall such member, officer, or employee be liable for damages in any such action if he or she shall have acted in good faith, with reasonable care and upon probable cause.