

**SECOND ENGROSSMENT
with Conference Committee Amendments
REENGROSSED HOUSE BILL NO. 1044**

Introduced by

Legislative Management

(Public Safety and Transportation Committee)

1 A BILL for an Act to create and enact a new chapter to title 23 of the North Dakota Century
2 Code, relating to ambulance operations areas, an emergency medical services advisory
3 council, emergency medical services funding areas, and state financial assistance for
4 emergency medical services; to amend and reenact subsection 1 of section 23-27-01 of the
5 North Dakota Century Code, relating to emergency medical services operations service areas;
6 to repeal chapter 23-40 of the North Dakota Century Code, relating to emergency medical
7 services allocations; to provide a statement of legislative intent; to provide an appropriation; and
8 to provide an effective date.

9 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

10 **SECTION 1. AMENDMENT.** Subsection 1 of section 23-27-01 of the North Dakota Century
11 Code is amended and reenacted as follows:

12 1. The state department of health shall license emergency medical services operations—
13 ~~After June 30, 2001, the~~ and may designate their service areas. The department shall
14 limit the issuance of a license for any new emergency medical services operation
15 based on the needs of the service area ~~if the applicant for the new license was~~
16 ~~licensed before July 1, 2001, and was subsequently relicensed under section~~
17 ~~23-27-04.5.~~ A license for an emergency medical services operation is nontransferable.

18 **SECTION 2.** A new chapter to title 23 of the North Dakota Century Code is created and
19 enacted as follows:

20 **Definitions.**

21 For purposes of this chapter:

22 1. "Emergency medical services funding area" means a geographic area eligible for state
23 assistance and includes one or more licensed ambulance operations.

1 2. "Minimum reasonable cost" means the cost of operating one transporting ambulance
2 service or the sum of the cost to operate one transporting ambulance service and any
3 combination of one substation and one quick response unit.

4 3. "Required local matching funds" means revenue generated by the provision of
5 emergency medical services, local mill levies, local sales tax, local donations, and
6 in-kind donations of services.

7 **Emergency medical services advisory council.**

8 The state department of health shall establish an emergency medical services advisory
9 council. The council must include at least three representatives appointed by an emergency
10 medical services organization, one individual to represent basic life support and one individual
11 to represent advanced life support, both appointed by the state health officer, and other
12 members designated by the state health officer, not to exceed a total of fourteen members. The
13 department shall consider the recommendations of the council on the plan for integrated
14 emergency medical services in the state, development of emergency medical services funding
15 areas, development of the emergency medical services funding areas application process and
16 budget criteria, and other issues relating to emergency medical services as determined by the
17 state health officer. Council members are entitled to reimbursement for expenses in the manner
18 provided in section 44-08-04. The department shall establish by policy the length of terms and
19 the method for rotation of membership.

20 **Emergency medical services funding areas.**

21 The state department of health shall establish and update biennially a plan for integrated
22 emergency medical services in this state. The plan must identify ambulance operations areas,
23 emergency medical services funding areas that require state financial assistance to operate a
24 minimally reasonable level of emergency medical services, and a minimum reasonable cost for
25 an emergency medical services operation. The department shall designate emergency medical
26 services funding areas based on criteria adopted by the health council and published in the
27 North Dakota Administrative Code.

28 **State financial assistance for emergency medical services - Confidential information**
29 **- Annual allocation.**

30 Emergency medical services operations that request financial assistance from the state
31 must provide requested fiscal information to the state department of health for use in financial

1 assistance determinations. All information provided to the department under this section is
2 confidential. The state department of health shall determine annually the allocation amount of
3 state financial assistance for each emergency medical services funding area based on the
4 department's determination of:

- 5 1. The minimum annual funding necessary to operate the emergency medical services
6 operation or service designated to operate in the ambulance funding area, based on
7 the financial needs unique to each emergency medical services funding area.
- 8 2. Required local matching funds commensurate with at least ten dollars per capita within
9 the emergency medical services funding area.

10 **State financial assistance for emergency medical services - Distribution limit.**

11 During the first year of the biennium, the state department of health may not distribute more
12 than one million two hundred fifty thousand dollars of the biennial legislative appropriation for
13 state financial assistance for emergency medical services.

14 **SECTION 3. REPEAL.** Chapter 23-40 of the North Dakota Century Code is repealed.

15 **SECTION 4. STATEMENT OF LEGISLATIVE INTENT.** The \$3,000,000 appropriation in
16 section 5 of this Act is in addition to the \$1,250,000 appropriation in 2011 House Bill No. 1004.
17 The combined appropriations must be used as the base level for the purpose of budgeting for
18 the 2013-15 executive budget.

19 **SECTION 5. APPROPRIATION.** There is appropriated out of any moneys in the general
20 fund in the state treasury, not otherwise appropriated, the sum of \$3,000,000, or so much of the
21 sum as may be necessary, to the state department of health, for the purpose of providing state
22 assistance grants to emergency medical services operations and related administrative costs,
23 for the biennium beginning July 1, 2011, and ending June 30, 2013.

24 **SECTION 6. EFFECTIVE DATE.** Section 3 of this Act becomes effective on June 30, 2012.