

1 **LOCAL EMERGENCY RESPONSE AMENDMENTS**

2 2017 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Douglas V. Sagers**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill amends the Emergency Medical Services Assistance Act.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ amends the membership of the Emergency Medical Services Committee; and
- 13 ▶ amends the emergency medical services grant program.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **26-8a-103**, as last amended by Laws of Utah 2011, Chapters 51 and 297

21 **26-8a-207**, as last amended by Laws of Utah 2011, Chapters 297 and 303

23 *Be it enacted by the Legislature of the state of Utah:*

24 Section 1. Section **26-8a-103** is amended to read:

25 **26-8a-103. State Emergency Medical Services Committee -- Membership --**

26 **Expenses.**

27 (1) The State Emergency Medical Services Committee created by Section **26-1-7** shall



28 be composed of the following 16 members appointed by the governor, at least [~~five~~] six of
29 whom shall reside in a county of the third, fourth, fifth, or sixth class:

30 (a) five physicians licensed under Title 58, Chapter 67, Utah Medical Practice Act, or
31 Title 58, Chapter 68, Utah Osteopathic Medical Practice Act, as follows:

- 32 (i) one surgeon who actively provides trauma care at a hospital;
- 33 (ii) one rural physician involved in emergency medical care;
- 34 (iii) two physicians who practice in the emergency department of a general acute
35 hospital; and
- 36 (iv) one pediatrician who practices in the emergency department or critical care unit of
37 a general acute hospital or a children's specialty hospital;

38 (b) one representative from a private ambulance provider[;] who:

- 39 (i) may not serve more than two consecutive terms; and
- 40 (ii) after the term under Subsection (1)(b)(i), shall be replaced by a member from a
41 different private ambulance provider;

42 (c) one representative from an ambulance provider that is neither privately owned nor
43 operated by a fire department;

44 (d) two chief officers from fire agencies operated by the following classes of licensed
45 or designated emergency medical services providers: municipality, county, and fire district,
46 provided that no class of medical services providers may have more than one representative
47 under this Subsection (1)(d);

48 (e) one director of a law enforcement agency that provides emergency medical
49 services;

50 (f) one hospital administrator;

51 (g) one emergency care nurse;

52 (h) one paramedic in active field practice;

53 (i) one emergency medical technician in active field practice;

54 (j) one certified emergency medical dispatcher affiliated with an emergency medical
55 dispatch center; and

56 (k) one consumer.

57 (2) (a) Except as provided in Subsection (2)(b), members shall be appointed to a
58 four-year term beginning July 1.

59 (b) Notwithstanding Subsection (2)(a), the governor shall, at the time of appointment
60 or reappointment, adjust the length of terms to ensure that the terms of committee members are
61 staggered so that approximately half of the committee is appointed every two years.

62 (c) When a vacancy occurs in the membership for any reason, the replacement shall be
63 appointed by the governor for the unexpired term.

64 (3) (a) Each January, the committee shall organize and select one of its members as
65 chair and one member as vice chair. The committee may organize standing or ad hoc
66 subcommittees, which shall operate in accordance with guidelines established by the
67 committee.

68 (b) The chair shall convene a minimum of four meetings per year. The chair may call
69 special meetings. The chair shall call a meeting upon request of five or more members of the
70 committee.

71 (c) Nine members of the committee constitute a quorum for the transaction of business
72 and the action of a majority of the members present is the action of the committee.

73 (4) A member may not receive compensation or benefits for the member's service, but
74 may receive per diem and travel expenses in accordance with:

75 (a) Section 63A-3-106;

76 (b) Section 63A-3-107; and

77 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
78 63A-3-107.

79 (5) Administrative services for the committee shall be provided by the department.
80 Section 2. Section 26-8a-207 is amended to read:

81 **26-8a-207. Emergency medical services grant program.**

82 (1) (a) The department shall receive as dedicated credits the amount established in
83 Section 51-9-403. [~~That amount shall be transferred to the department by the Division of~~
84 ~~Finance from funds generated by the surcharge imposed under Title 51, Chapter 9, Part 4,~~
85 ~~Criminal Conviction Surcharge Allocation.]~~

86 [~~(b) Funds transferred to the department under this section shall be used for~~
87 ~~improvement of delivery of emergency medical services and administrative costs as described~~
88 ~~in Subsection (2)(a). Appropriations to the department for the purposes enumerated in this~~
89 ~~section shall be made from those dedicated credits.]~~

90 (b) The dedicated credits received by the department under Subsection (1)(a) shall be
91 used for the purposes described in Subsection (2).

92 (2) (a) The department may use up to 20% of the funds transferred to it under
93 Subsection (1):

94 [~~i~~] ~~to provide staff support; and~~

95 [~~ii~~] ~~for other expenses incurred in:~~

96 (i) for the following administrative expenses:

97 (A) staff support for the department to administer this chapter;

98 [~~A~~] (B) administration of grant funds; and

99 [~~B~~] (C) other department administrative costs under this chapter[-]; and

100 (ii) for the development of the trauma system under Part 2a, Statewide Trauma System.

101 [~~b) After funding staff support, administrative expenses, and trauma system~~
102 ~~development, the department and the committee shall make emergency medical services grants~~
103 ~~from the remaining funds received as dedicated credits under Subsection (1). A recipient of a~~
104 ~~grant under this Subsection (2)(b) shall actively provide emergency medical services within the~~
105 ~~state.]~~

106 (b) After paying the expenses under Subsection (2)(a), the department shall use the
107 funds received under Subsection (1) for emergency medical services grants in accordance with
108 Subsection (3).

109 [~~e~~] (3) (a) The department shall distribute not less than 25% of the funds under
110 Subsection (2)(b), with the percentage being authorized by a majority vote of the committee, as
111 per capita block grants for use specifically related to the provision of emergency medical
112 services to:

113 (i) nonprofit prehospital emergency medical services providers that are either licensed
114 or designated; and [to]

115 (ii) emergency medical services that are the primary emergency medical services for a
116 service area.

117 (b) The department shall determine the grant amounts under Subsection (3)(a) by
118 prorating available funds on a per capita basis by county as described in department rule.

119 [~~d~~] (c) The committee shall award the remaining funds as competitive grants for use
120 specifically related to the provision of emergency medical services based upon rules

121 established by the [committee] department.

Legislative Review Note
Office of Legislative Research and General Counsel