

Fifty-sixth  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1038

Introduced by

Legislative Council

(Insurance and Health Care Committee)

1 A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota  
2 Century Code, relating to medical assistance coverage of prehospital emergency medical  
3 services; to amend and reenact section 23-27-04.2 of the North Dakota Century Code, relating  
4 to state assistance to prehospital emergency medical services; and to provide legislative intent  
5 regarding state department of health assistance for ambulance medical assistance billings and  
6 for appropriated funds.

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

8 **SECTION 1. AMENDMENT.** Section 23-27-04.2 of the 1997 Supplement to the North  
9 Dakota Century Code is amended and reenacted as follows:

10 **23-27-04.2. Prehospital emergency medical services - State assistance.** The  
11 ~~health services branch~~ of the state department of health shall ~~assist~~ offer services and financial  
12 assistance in the training of personnel of certain prehospital emergency medical services as  
13 determined by the ~~branch and financially shall assist certain prehospital emergency medical~~  
14 ~~services as determined by the branch in obtaining equipment~~ department. Assistance No more  
15 than one-half of the funds appropriated by the legislative assembly each biennium and  
16 allocated for training assistance may be distributed in the first year of the biennium. Services  
17 and financial assistance provided under this section must be within the limits of legislative  
18 appropriation. The ~~health services branch~~ department shall adopt criteria for eligibility for  
19 services and financial assistance in the training of personnel of various types of prehospital  
20 emergency medical services. ~~To qualify for financial assistance for equipment, a prehospital~~  
21 ~~emergency medical service shall certify, in the manner required by the health services branch,~~  
22 ~~that the service has fifty percent of the amount of funds necessary for identified equipment~~  
23 ~~acquisitions. The health services branch shall adopt a schedule of eligibility for financial~~  
24 ~~assistance for equipment. The schedule must provide for a direct relationship between the~~

1 ~~amount of funds certified and the number of responses during the preceding calendar year for~~  
2 ~~the purpose of rendering medical care, transportation, or both, to individuals who were sick or~~  
3 ~~incapacitated. The schedule must require that as the number of responses increases, a~~  
4 ~~greater amount of funds certified is required. The schedule must classify responses and the~~  
5 ~~financial assistance available for various classifications. The health services branch~~  
6 ~~department~~ may establish minimum and maximum amounts of financial assistance to be  
7 provided a prehospital emergency medical service under this section. If applications for  
8 financial assistance exceed the amount of allocated and available funds, the ~~health services~~  
9 ~~branch~~ ~~department~~ may prorate the funds among the applicants in accordance with criteria  
10 adopted by the ~~health services branch~~ ~~department~~. ~~No more than one-half of the funds~~  
11 ~~appropriated by the legislative assembly each biennium and allocated for training assistance~~  
12 ~~may be distributed in the first year of the biennium.~~

13 **SECTION 2.** A new section to chapter 50-24.1 of the North Dakota Century Code is  
14 created and enacted as follows:

15 **Medical assistance - Prehospital emergency medical services.** Medical assistance  
16 coverage provided by the department of human services must include coverage for prehospital  
17 emergency medical services. This coverage must include provider reimbursement at a rate of  
18 the lesser of one hundred percent of the amount billed or the rate established by the  
19 department of human services reimbursement schedule for any prehospital emergency medical  
20 services assessment commensurate with the level of training of the individual performing the  
21 assessment. This coverage must include prehospital emergency medical services benefits in  
22 the case of a medical condition that manifests itself by symptoms of sufficient severity which  
23 may include severe pain and which a prudent layperson who possesses an average knowledge  
24 of health and medicine could reasonably expect the absence of medical attention to result in  
25 placing the person's health in jeopardy, serious impairment of a bodily function, or serious  
26 dysfunction of any body part.

27 **SECTION 3. LEGISLATIVE INTENT - DEPARTMENT OF HEALTH - PILOT**  
28 **PROJECT - AMBULANCE MEDICAL ASSISTANCE BILLINGS.** The state department of  
29 health during the 1999-2001 biennium shall provide assistance with medical assistance billings  
30 to six ambulance services on a pilot project basis at a cost of \$30,000 from funds, other than  
31 emergency medical services funding, appropriated to the department in House Bill No. 1004.

1           **SECTION 4. INTENT.** The funds appropriated for the purpose of defraying expenses  
2 of prehospital emergency medical services under sections 1 and 2 of this Act, for the biennium  
3 beginning July 1, 1999, and ending June 30, 2001 include \$940,000 appropriated from the  
4 general fund in 1999 House Bill No. 1004 for training for volunteers and a total of \$489,800, of  
5 which \$146,880 is from the general fund appropriated in the medical assistance grants line item  
6 in 1999 Senate Bill No. 2012 for reimbursement of prehospital emergency medical services.  
7 The funds provided for training are for volunteer services based on \$2,200 for volunteer  
8 ambulance service training, \$500 for volunteer rescue squad training, \$500 for the initial  
9 training of volunteer emergency medical service providers, and \$1,500 for training of volunteer  
10 quick response units, subject to reallocation by the state department of health based on training  
11 applications and available funding.