Legislative Council
600 East Boulevard Avenue, Bismarck, ND 58505

EMERGENCY RESPONSE SERVICES COMMITTEE

Wednesday, December 17, 2025
Roughrider Room, State Capitol
Bismarck, North Dakota

Representative Jim Grueneich, Chairman, called the meeting to order at 10:00 a.m.

Members present: Representatives Jim Grueneich, Jayme Davis, Clayton Fegley, Pat D. Heinert, Dawson Holle, Karen Karls, Donald W. Longmuir, Dennis Nehring; Senators Josh Boschee, Greg Kessel, Diane Larson, Dale Patten, Donald Schaible

Member absent: Representative Todd Porter

Others present: Senator Janne Myrdal, Edinburg, member of the Legislative Management
Mikayla Baker*, and Kim Shelvin*, Pano AI; Audra Ferguson*, Lisa Harrison*, and Chris Sears*, Ice Miller, LLP; Ron Guggisberg, Professional Firefighters of North Dakota; Shelli Myers, Tax Department; Tim Wiedrich*, Department of Health and Human Services
See Appendix A for additional persons present
**Attended remotely*

It was moved by Representative Karls, seconded by Senator Boschee, and carried on a voice vote that the minutes of the October 3, 2025, meeting be approved as distributed.

VOLUNTEER EMERGENCY RESPONDER RECRUITMENT AND RETENTION STUDY

Mr. Casey Orvedal, Counsel, Legislative Council, presented a memorandum entitled *Definitions of Volunteer Emergency Responders in Century Code and Administrative Code*.

Mr. Orvedal presented information (Appendix B) from the National Conference of State Legislatures and the Council of State Governments regarding retirement plans for volunteer emergency responders in other states.

Mr. Orvedal presented information (Appendix C) regarding the Montana Volunteer Firefighters' Compensation Act.

In response to a question from a committee member, Mr. Orvedal noted:

- A retirement benefit is provided by Montana to a volunteer with 20 years of service at a Montana volunteer fire department.
- In Montana, the benefit is funded through a dedicated allocation of 5 percent of the fire insurance premium tax. This portion of the tax collected is set aside specifically to finance the retirement payments.

Ms. Rebecca Fricke, Executive Director, North Dakota Public Employees Retirement System, presented information (Appendix D) and (Appendix E) regarding volunteer emergency responder benefits related to retirement and insurance. She noted:

- The grandfathered preferred provider organizations basic plan, compliant under the Affordable Care Act, is available only to employers that participated in the North Dakota Public Employees Retirement System as of 2010 and cannot be offered to new employer groups.
- A nongrandfathered preferred provider organizations basic plan, mirroring the grandfathered plan, is available statewide but only to large employers that have 51 or more employees.
- The North Dakota Public Employees Retirement System does not offer health plan options available to small employers.

Ms. Audra Ferguson, Partner, Ms. Lisa Harrison, Senior Counsel, and Mr. Chris Sears, Senior Counsel, Ice Miller LLP, presented information regarding emergency responder benefits related to retirement and insurance. Ms. Ferguson noted:

- The defined benefit plan is a qualified plan under federal law. Qualified status provides tax benefits, including deferred taxation on contributions and earnings.
- If the North Dakota Public Employees Retirement System lost its qualified status, contributions and benefits would become fully taxable.
- The defined benefit plan is exempt from Employee Retirement Income Security Act requirements due to its government plan status. This exemption eliminates certain compliance burdens, including nondiscrimination testing.

Ms. Harrison noted:

- Entities use Internal Revenue Service Revenue Ruling 89-49 to evaluate whether an entity or retirement plan qualifies as governmental in nature. The ruling examined a volunteer fire department and determined its retirement plan was not a governmental plan.
- The most important factor the Internal Revenue Service considers is the degree of federal or state government control over daily operations.

Mr. Sears noted:

- Employer contributions toward health insurance premiums are excluded from an employee's taxable income.
- If an individual is classified as a nonemployee, such as an independent contractor, health insurance premiums paid on the individual's behalf are taxable income.

Mr. Phil Davis, Director, Workforce Services, Job Service North Dakota, presented information (Appendix F) regarding emergency responder job and wage statistics. He reviewed the number of open jobs in the state along with the annual salaries of emergency response professions.

Mr. Tim Wiedrich, Director, Health Response and Licensure Section, Department of Health and Human Services, presented information (Appendix G) regarding emergency medical services. He noted:

- The average duration of a nontransport response is 59 minutes and 33 seconds. During this time, the ambulance is unavailable for additional calls and unable to generate revenue.
- For 911 calls occurring outside the four primary urban areas, the average response time is 19 minutes and 38 seconds, compared to an average of 7 minutes and 23 seconds within urban areas.
- Of the 14 Career and Technical Education Centers in North Dakota, only 4 offer emergency medical technician training programs. Two additional centers are anticipating program launches next year.

Mr. Mark Johnston, Executive Director, Business Development - Government Affairs, Dr. Tyler Price, Medical Director of Emergency Services, and Ms. Rebecca VandeKieft, Vice President and General Manager of Emergency Services, Avel eCare, presented information (Appendix H) regarding emergency medical services and telehealth medicine. Mr. Johnston noted:

- In North Dakota, Avel eCare supports the health care system by providing crisis behavioral health services for law enforcement, virtual school health services, and emergency department support in 31 of the state's 35 critical access hospitals.
- A survey of emergency medical services (EMS) in South Dakota revealed that 84 percent of ambulance personnel are volunteers with an average age of 54, highlighting challenges for rural workforce sustainability.

Dr. Price noted:

- Avel eCare's system allows EMS teams to connect with telemedicine providers quickly, using tablets, computers, and other technology to collaborate on patient care in real time.
- The system also provides logistical support, including activating flight teams for mass traumas, coordinating with receiving hospitals, and enabling three-way calls between EMS, telemedicine providers, and emergency department staff to prepare for patient arrival efficiently.

Ms. VandeKieft noted:

- The telemedicine system uses dual SIM card cellular technology, providing reliable connectivity with over 95 percent uptime.
- The technology has proven effective in rural areas across South Dakota, northern Minnesota, and Nebraska.

FIRE SERVICE REGIONAL RESPONSE MODEL STUDY

Ms. Mikayla Baker, Government Affairs Manager, Pano AI, presented information (Appendix I) regarding wildfire detection and management. She noted:

- Pano AI enhances wildfire response by providing real-time monitoring using artificial intelligence detection with 24/7 human oversight to detect incidents early, confirm locations, assess hazards, and deploy resources efficiently.
- Each Pano station uses two high-definition cameras on towers to create 360 degree panoramic views, with AI detecting smoke up to 10 miles away.
- The system can identify nonemergency heat sources, such as gas flares from oil fields, by zooming in and verifying the source, preventing unnecessary alerts to first responders.

In response to questions from committee members, Ms. Baker noted that the life expectancy of a station is approximately 5 years and the general cost is $50,000 per year per station, depending on deployment needs.

In response to a question from a committee member, Ms. Kim Shelvin, Account Executive, Pano AI, discussed the per year cost of a station.

Mr. John Hejl, Chief, Casselton Fire Department, presented information (Appendix J) regarding challenges concerning nonprofit fire departments in the state. He noted:

- Civil immunity exists for rural fire districts except in cases of gross negligence, but protections for nonpolitical subdivision departments are unclear.
- Funding mechanisms for nonprofit fire departments vary depending on structure, call volume, and risk assessment.

Mr. Ken Wangen, President, North Dakota Fire Chief's Association, presented information (Appendix K) regarding the fire response needs of the state. He noted:

- There is a need for a standardized statewide mutual aid system for fire departments, similar to law enforcement, to streamline qualifications, notifications, and authority transfers during large incidents. Standardization of emergency response activation at local, regional, and state levels could reduce confusion and reliance on emergency managers.

- Providing an opt-out option to a statewide mutual aid system could prevent a department from being overwhelmed by mutual aid requests.

Mr. Ron Guggisberg, President, Professional Firefighters of North Dakota, presented information regarding the fire response needs of the state. He noted that regional mutual aid agreements exist, including automatic support between neighboring departments and coverage for specialized services such as hazardous materials and technical rescues. Firm deadlines for completing emergency response plans are necessary.

Mr. Darin Hanson, Homeland Security and Emergency Management Director, Department of Emergency Services, presented information regarding efforts to improve public safety in the state. He noted:

- The Governor's subcabinet on public safety established three task forces to provide focused expertise on fire, EMS, and emergency management.
- The task forces include local stakeholders selected for their knowledge, and are tasked with identifying challenges, analyzing root causes, and advising on potential solutions to strengthen emergency response across the state.
- The foreign adversary report, which is in progress, includes a threat and vulnerability analysis.

GRANT FUNDING FOR EMERGENCY SERVICES AND PUBLIC SAFETY

Mr. Keith Mantz, Fiscal Analyst, Legislative Council, presented a memorandum entitled *Grant Funding for Emergency Services and Public Safety*.

Mr. John Arnold, Deputy Commissioner, Insurance Department, provided information (Appendix L) regarding grant funding for emergency services and the Insurance Tax Distribution Fund. He noted:

- Senate Bill No. 2211 (2023) changed the fire district insurance tax distribution to a continuing appropriation.
- As a result of that bill, distributions to fire districts increased by 37 percent in the first year, 8 percent in the second year, and approximately 14 percent in the current year.
- To be eligible for insurance tax distribution funding, a fire department must have been in existence for at least 8 months to demonstrate viability. Exceptions to the 8 month requirement apply in cases of fire department mergers.

Ms. Shelli Myers, State Supervisor of Assessments and Property Tax Division Director, Tax Department, presented information (Appendix M) regarding property tax funding for emergency services. She noted:

- Of the 58 ambulance service districts, 54 levied fewer than 15 mills and 4 levied the full 15 mills, resulting in a total statewide levy of $9,485,260 for ambulance services.
- Of the 257 rural fire protection districts, 169 levied 5 mills or fewer, 67 levied 5.01 mills to 12.99 mills, and 21 levied 13 mills, resulting in a total statewide levy of $17,389,445.

DELINQUENT BILLING REIMBURSEMENT GRANT SYSTEM FOR AMBULANCE SERVICE PROVIDERS STUDY

Mr. Orvedal provided an update regarding the consultant contract with PWW Advisory Group, LLC. He noted:

- PWW Advisory Group has held meetings with the North Dakota Emergency Medical Services Association and the Department of Health and Human Services to gather input and support for the survey, which was distributed December 8, 2025 to all registered ambulance providers in the state.
- Responses are being received, and PWW Advisory Group plans to complete the survey, prepare a report, and present findings at an upcoming committee meeting.

Mr. Corey Johnson, Northwest Region President, North Dakota Emergency Medical Services Association presented information regarding emergency ambulance billing. He noted:

- Medicare reimbursement rates serve as the primary benchmark for other insurers but are significantly lower than the actual costs of providing emergency medical services.
- The average cost per transport for governmental ambulance services is about $3,172, including mileage, while rural low-volume agencies face costs of approximately $2,852 per transport.
- Average reimbursement across all insurance types is approximately $1,147 per transport, resulting in a deficit of nearly $2,000 per call before accounting for bad debt or unpaid bills.

In response to a question from a committee member, Mr. Sean Roed, Director of Operations, Lake Region Ambulance Service, reviewed the process for billing insurance companies, Medicaid, and Medicare for ambulance transports.

COMMITTEE DISCUSSION AND DIRECTIVES

It was moved by Representative Fegley, seconded by Senator Patten, and carried on a roll call vote that the committee request approval from the Chairman of the Legislative Management to issue a request for proposals for consulting services which includes all six proposed options and to provide the Legislative Council flexibility for dates in the request for proposals. Representatives Grueneich, Davis, Fegley, Heinert, Holle, Karls, and Longmuir and Senators Schaible, Boschee, Larson, and Patten voted "aye." No negative votes were cast.

No further business appearing, Chairman Grueneich adjourned the meeting at 3:56 p.m.

Casey Orvedal
Counsel

Keith Mantz
Fiscal Analyst

ATTACH:13