

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

HOUSE BILL NO. 1394
(Representatives Heinert, Bosch, Hauck, Karls, Meier, Porter)
(Senators Axtman, Cleary, Roers)

AN ACT to amend and reenact sections 23-27-01 and 23-27-02 of the North Dakota Century Code, relating to the licensing of emergency medical services operations.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 23-27-01 of the North Dakota Century Code is amended and reenacted as follows:

23-27-01. License required - Licensing of emergency medical services operations - Exception - Waiver.

1. The department of health and human services shall license emergency medical services operations and may designate their service areas. The department shall limit the issuance of a license for any new emergency medical services operation based on the needs of the service area. A license for an emergency medical services operation is ~~nontransferable~~transferable upon approval of the department.
2. Emergency medical services may not be advertised, offered, or provided to the public except by an emergency medical services operator that provides the emergency medical services through emergency medical services personnel.
3. ~~Except as otherwise provided under subsection 4, an~~An emergency medical services ~~operator~~services operation must be separately licensed for each of ~~the operator's emergency medical services operations and an operation that is headquartered from a separate location must be considered a separate operation~~the designated service area of the operation. Under this subsection, an operation with a single headquarters site may ~~dispatch~~position vehicles and emergency medical services personnel ~~from~~at more than one location ~~if calls requesting services are received and orders for vehicle dispatch are made at the single headquarters site~~within the designated service area of an emergency medical services operation.
4. Notwithstanding subsection 3, an operator of an emergency medical services operation may operate one or more substation ambulance services operations under a single license if:
 - a. The substation ambulance services operation was designated before December 31, 2024, and remains continuously designated;
 - b. The headquarters ambulance services operation is not a substation ambulance services operation of another emergency medical services operation;
 - ~~b.c.~~ c. The substation ambulance services operation area borders the headquarters ambulance services operation area or borders another substation of the headquarters ambulance services operation;
 - ~~e.d.~~ d. The headquarters ambulance services operation and the substation ambulance services operation are dispatched by the same entity; and
 - ~~d.e.~~ e. The operator of the emergency medical services operation pays a license fee for each of its substation ambulance services operations.

5. The provisions of this chapter do not apply to an operator from another state which is headquartered at a location outside of this state and transports patients across state lines, but the operator may not treat patients within this state or pick up patients within this state for transportation to locations within this state, except as provided by rule.
6. The department of health and human services shall adopt rules for special licenses and waiver provisions for an operator of an emergency medical services operation intended for industrial sites not available to the general public.

SECTION 2. AMENDMENT. Section 23-27-02 of the North Dakota Century Code is amended and reenacted as follows:

23-27-02. Definitions.

For the purpose of this chapter, unless the context otherwise requires:

1. "Department" means the department of health and human services.
2. "Emergency medical services" means the prehospital medical stabilization or transportation, including interfacility transportation, of an individual who is sick, injured, wounded, or otherwise incapacitated or helpless, or in a real or perceived acute medical condition, by a person that holds oneself out to the public as being in that service or that regularly provides that service. The term includes:
 - a. Assessing, stabilizing, and treating life-threatening and non-life-threatening medical conditions; or
 - b. Transporting a patient who is in a real or perceived acute medical condition to a hospital emergency room or other appropriate medical destination.
3. "Emergency medical services operation" means an entity licensed to offer and provide emergency medical services by emergency medical services personnel with physician oversight. The term includes basic life support ambulance services, advanced life support ambulance services, air ambulance services, and quick response unit services.
4. "Emergency medical services personnel" means individuals who provide emergency medical services for emergency medical services operations. The term includes emergency medical services professionals, drivers, and department-certified emergency medical services providers, such as cardiopulmonary resuscitation drivers and first responders.
5. "Emergency medical services professional" means an individual licensed by the department under this chapter.
6. "Substation ambulance services" means an ambulance station that has its own service area designated by the department and is not individually licensed as an emergency medical services operation.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1394.

House Vote: Yeas 80 Nays 10 Absent 4

Senate Vote: Yeas 46 Nays 0 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2025.

Approved at _____ M. on _____, 2025.

Governor

Filed in this office this _____ day of _____, 2025,

at _____ o'clock _____ M.

Secretary of State