

**Sixty-first Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2009**

SENATE BILL NO. 2050
(Legislative Council)
(Public Safety Committee)

AN ACT to create and enact a new section to chapter 23-27 of the North Dakota Century Code, relating to regulation of emergency medical services operation dispatch; to amend and reenact section 23-27-02, subsection 1 of section 23-27-04, and section 23-27-04.7 of the North Dakota Century Code, relating to the definition of emergency medical services, emergency medical services operation licensure standards, and distribution of property tax revenues to emergency medical services operations; and to provide for a legislative council study.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. 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 state department of health.
2. "Emergency medical services" means the prehospital medical stabilization ~~and or~~ transportation of ~~individuals~~ an individual who are is sick, injured, wounded, or otherwise incapacitated or helpless, or in a real or perceived acute medical condition, by emergency medical services personnel with physician oversight a person that holds oneself out to the public as being in that service or that regularly provides that service. The term includes ~~assessing;~~
 - 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.
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 as an emergency medical technician-basic, emergency medical technician-intermediate, or emergency medical technician-paramedic.

SECTION 2. AMENDMENT. Subsection 1 of section 23-27-04 of the North Dakota Century Code is amended and reenacted as follows:

1. An emergency medical services operation within this state may not operate unless the operation is licensed in accordance with this chapter and rules adopted by the state health council. The rules must include:
 - a. Time when operator's services must be available.
 - b. Type of motor vehicle operator's license needed for drivers of ground vehicles.
 - c. Training standards for operation personnel.
 - d. Equipment and ground vehicle standards.
 - e. Annual license fees.
 - f. Number of personnel required for each run.
 - g. The scope of practice for uncertified drivers, certified personnel, and emergency medical services professionals.
 - h. Performance standards, which may include response time standards.
 - i. Other requirements as may be found necessary to carry out the intent of this chapter.

SECTION 3. AMENDMENT. Section 23-27-04.7 of the North Dakota Century Code is amended and reenacted as follows:

23-27-04.7. ~~Study of standards of reasonable coverage~~ County reporting - Use of property tax levies.

- ~~1. During the 2007-08 interim, the state health council shall study the minimum requirements of reasonable emergency medical services coverage which must take into account the response time for emergency medical services. Before July 1, 2008, the state health officer shall report to the legislative council the outcome and recommendations of this study.~~
2. The board of county commissioners of every county in this state shall conduct an annual review of the emergency medical services coverage within that county and shall submit an annual report to the state health officer in a format approved by the state department of health.
- ~~3. A taxing district that levies property taxes for support of a special emergency medical services or ambulance service levy shall ensure that every emergency medical services operation ambulance service that operates has portions of its service area in that taxing district receives a benefit portion of the revenue from this tax. The taxing district shall allocate the special tax levy revenue to each ambulance service based upon the taxable value of the property within each township of the taxing district, allocating the taxable value of each township to the ambulance service that serves the largest area within that township.~~

SECTION 4. A new section to chapter 23-27 of the North Dakota Century Code is created and enacted as follows:

Emergency medical services operation communications. The department may regulate the communications methods and protocols for emergency medical services operations in a manner consistent with the protocols established by the department of emergency services.

SECTION 5. LEGISLATIVE COUNCIL STUDY - EMERGENCY MEDICAL SERVICES. The legislative council shall consider studying, during the 2009-10 interim, the emergency medical services funding system within the state, including state and local emergency medical services and ambulance

services funding and the feasibility and desirability of transitioning to a statewide funding formula. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-second legislative assembly.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2050.

Senate Vote: Yeas 47 Nays 0 Absent 0

House Vote: Yeas 87 Nays 0 Absent 7

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2009.

Approved at _____ M. on _____, 2009.

Governor

Filed in this office this _____ day of _____, 2009,
at _____ o'clock _____ M.

Secretary of State