

Sixty-second
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1044

Introduced by

Legislative Management

(Public Safety and Transportation Committee)

1 A BILL for an Act to create and enact a new chapter to title 23 of the North Dakota Century
2 Code, relating to ambulance operations areas, emergency medical services funding areas, and
3 state financial assistance for emergency medical services; to repeal chapter 23-40 of the North
4 Dakota Century Code, relating to emergency medical services allocations; to provide a
5 statement of legislative intent; to provide an appropriation; and to provide an effective date.

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

7 **SECTION 1.** A new chapter to title 23 of the North Dakota Century Code is created and
8 enacted as follows:

9 **Definitions.**

10 For purposes of this chapter:

- 11 1. "Emergency medical services funding area" means a geographic area eligible for state
12 assistance and includes one or more licensed ambulance operations.
13 2. "Minimum reasonable cost" means the cost of operating one transporting ambulance
14 service or the sum of the cost to operate one transporting ambulance service and any
15 combination of one substation and one quick response unit.
16 3. "Required local matching funds" means revenue generated by the provision of
17 emergency medical services, local mill levies, local sales tax, local donations, and
18 in-kind donations of services.

19 **Emergency medical services advisory committee.**

20 There is established an emergency medical services advisory committee. The committee
21 consists of the state health officer or designee, one consumer representative appointed by the
22 legislative management, one member of the legislative assembly appointed by the legislative
23 management, one representative of an air ambulance services operation, one licensed
24 emergency medical services educator appointed by the North Dakota ambulance service

1 advocates, one representative of an ambulance service appointed by the North Dakota
2 ambulance service advocates, and one representative each of an urban, rural, and frontier
3 ground ambulance service operation appointed by the North Dakota emergency medical
4 services association for a total of three representatives one of whom may not be a member of
5 the North Dakota emergency medical services association.

6 The committee members must serve voluntarily and are entitled to reimbursement of
7 expenses in accordance with section 44-08-04.

8 The state health officer shall consider the recommendations of the committee on the
9 eligibility for state assistance for training and education as provided for in section 23-27-04.5,
10 the plan for integrated emergency medical services, development of emergency medical
11 services funding areas, and development of funding areas application process and budget
12 criteria, and other issues relating to emergency medical services as determined by the state
13 health officer.

14 **Emergency medical services funding areas.**

15 The state department of health shall establish and update biennially a plan for integrated
16 emergency medical services in this state. The plan must identify ambulance operations areas,
17 emergency medical services funding areas that require state financial assistance to operate a
18 minimally reasonable level of emergency medical services, and a minimum reasonable cost for
19 an emergency medical services operation. The department shall designate emergency medical
20 services funding areas based on criteria adopted by the health council and published in the
21 North Dakota Administrative Code.

22 **State financial assistance for emergency medical services - Confidential information**
23 **- Annual allocation.**

24 Emergency medical services operations that request financial assistance from the state
25 must provide requested fiscal information to the state department of health for use in financial
26 assistance determinations. All information provided to the department under this section is
27 confidential. The state department of health shall determine annually the allocation amount of
28 state financial assistance for each emergency medical services funding area based on the
29 department's determination of:

- 1 1. The minimum annual funding necessary to operate the emergency medical services
2 operation or service designated to operate in the ambulance funding area, based on
3 the financial needs unique to each emergency medical services funding area.
- 4 2. Required local matching funds commensurate with at least ten dollars per capita within
5 the emergency medical services funding area.

6 **State financial assistance for emergency medical services - Distribution limit.**

7 During the first year of the biennium, the state department of health may not distribute more
8 than one-half of the biennial legislative appropriation for state financial assistance for
9 emergency medical services.

10 **SECTION 2. REPEAL.** Chapter 23-40 of the North Dakota Century Code is repealed.

11 **SECTION 3. STATEMENT OF LEGISLATIVE INTENT.** The \$3,000,000 appropriation in
12 section 3 of this Act is in addition to the appropriation in 2011 House Bill No. 1004. The
13 combined appropriations must be used as the base level for the purpose of budgeting for the
14 2013-15 executive budget.

15 **SECTION 4. APPROPRIATION.** There is appropriated out of any moneys in the general
16 fund in the state treasury, not otherwise appropriated, the sum of \$3,000,000, or so much of the
17 sum as may be necessary, to the state department of health, for the purpose of providing state
18 assistance grants to emergency medical services operations and related administrative costs,
19 for the biennium beginning July 1, 2011, and ending June 30, 2013. The department may spend
20 up to \$562,500 of the appropriation provided in this section for grants under chapter 23-40 and
21 any remaining funds for grants in accordance with section 1 of this Act.

22 **SECTION 5. EFFECTIVE DATE.** Section 2 of this Act becomes effective on January 1,
23 2012.