

Sixty-second
Legislative Assembly
of North Dakota

REENGROSSED 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, an emergency medical services advisory
3 council, emergency medical services funding areas, and state financial assistance for
4 emergency medical services; to amend and reenact subsection 1 of section 23-27-01 of the
5 North Dakota Century Code, relating to emergency medical services operations service areas;
6 to repeal chapter 23-40 of the North Dakota Century Code, relating to emergency medical
7 services allocations; to provide a statement of legislative intent; to provide an appropriation; and
8 to provide an effective date.

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

10 **SECTION 1. AMENDMENT.** Subsection 1 of section 23-27-01 of the North Dakota Century
11 Code is amended and reenacted as follows:

- 12 1. The state department of health shall license emergency medical services operations—
13 ~~After June 30, 2001, the~~ and may designate their service areas. The department shall
14 limit the issuance of a license for any new emergency medical services operation
15 based on the needs of the service area ~~if the applicant for the new license was~~
16 ~~licensed before July 1, 2001, and was subsequently relicensed under section~~
17 ~~23-27-04.5.~~ A license for an emergency medical services operation is nontransferable.

18 **SECTION 2.** A new chapter to title 23 of the North Dakota Century Code is created and
19 enacted as follows:

20 **Definitions.**

21 For purposes of this chapter:

- 22 1. "Emergency medical services funding area" means a geographic area eligible for state
23 assistance and includes one or more licensed ambulance operations.

1 2. "Minimum reasonable cost" means the cost of operating one transporting ambulance
2 service or the sum of the cost to operate one transporting ambulance service and any
3 combination of one substation and one quick response unit.

4 3. "Required local matching funds" means revenue generated by the provision of
5 emergency medical services, local mill levies, local sales tax, local donations, and
6 in-kind donations of services.

7 **Emergency medical services advisory council.**

8 The state department of health shall establish an emergency medical services advisory
9 council. The council must include at least three representatives appointed by the North Dakota
10 emergency medical services association, one individual to represent basic life support and one
11 individual to represent advanced life support, both appointed by the state health officer, and
12 other members designated by the state health officer, not to exceed a total of fourteen
13 members. The department shall consider the recommendations of the council on the plan for
14 integrated emergency medical services in the state, development of emergency medical
15 services funding areas, development of the emergency medical services funding areas
16 application process and budget criteria, and other issues relating to emergency medical
17 services as determined by the state health officer. Council members are entitled to
18 reimbursement for expenses in the manner provided in section 44-08-04. The department shall
19 establish by policy the length of terms and the method for rotation of membership.

20 **Emergency medical services funding areas.**

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

28 **State financial assistance for emergency medical services - Confidential information**
29 **- Annual allocation.**

30 Emergency medical services operations that request financial assistance from the state
31 must provide requested fiscal information to the state department of health for use in financial

1 assistance determinations. All information provided to the department under this section is
2 confidential. The state department of health shall determine annually the allocation amount of
3 state financial assistance for each emergency medical services funding area based on the
4 department's determination of:

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

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

11 During the first year of the biennium, the state department of health may not distribute more
12 than ~~one-half~~one million two hundred fifty thousand dollars of the biennial legislative
13 appropriation for state financial assistance for emergency medical services.

14 **SECTION 3. REPEAL.** Chapter 23-40 of the North Dakota Century Code is repealed.

15 **SECTION 4. STATEMENT OF LEGISLATIVE INTENT.** The ~~\$2,000,000~~\$4,000,000
16 appropriation in section ~~45~~ of this Act is in addition to the appropriation in 2011 House Bill
17 No. 1004. The combined appropriations must be used as the base level for the purpose of
18 budgeting for the 2013-15 executive budget.

19 **SECTION 5. APPROPRIATION.** There is appropriated out of any moneys in the general
20 fund in the state treasury, not otherwise appropriated, the sum of ~~\$2,000,000~~\$4,000,000, or so
21 much of the sum as may be necessary, to the state department of health, for the purpose of
22 providing state assistance grants to emergency medical services operations and related
23 administrative costs, for the biennium beginning July 1, 2011, and ending June 30, 2013. ~~The~~
24 ~~department may spend up to \$562,500 of the appropriation provided in this section for grants~~
25 ~~under chapter 23-40 and any remaining funds for grants in accordance with section 1 of this~~
26 ~~Act.~~

27 **SECTION 6. EFFECTIVE DATE.** Section 2 of this Act becomes effective on
28 ~~January 1~~June 30, 2012.