

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations and Military Affairs to which
3 was referred House Bill No. 622 entitled “An act relating to emergency
4 medical services” respectfully reports that it has considered the same and
5 recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 Sec. 1. 18 V.S.A. § 901 is amended to read:

8 § 901. PURPOSE, FINDINGS, POLICY

9 (a) Purpose. It is the purpose of this chapter to promote and provide for a
10 comprehensive and effective emergency medical services system to ensure
11 optimum patient care.

12 (b) Findings. The General Assembly finds that:

13 (1) Emergency medical services provided by an ambulance service are
14 essential services.

15 (2) The provision of medical assistance in an emergency is a matter of
16 vital concern affecting the health, safety, and welfare of the public.

17 (3) Key elements of an emergency medical services system include:

18 (A) the provision of prompt, efficient, and effective emergency
19 medical dispatch and emergency medical care;

20 (B) a well-coordinated trauma care system;

1 (C) effective communication between prehospital care providers and
2 hospitals; and

3 (D) the safe handling and transportation, and the treatment and
4 transportation under appropriate medical guidance, of individuals who are sick
5 or injured.

6 (c) Policy. It is the policy of the State of Vermont that all persons who
7 suffer sudden and unexpected illness or injury should have access to the
8 emergency medical services system in order to prevent loss of life or the
9 aggravation of the illness or injury, and to alleviate suffering.

10 (1) The system should include competent emergency medical treatment
11 provided by adequately trained, licensed, and equipped personnel acting under
12 appropriate medical control.

13 (2) Persons involved in the delivery of emergency medical care should
14 be encouraged to maintain and advance their levels of training and licensure,
15 and to upgrade the quality of their vehicles and equipment.

16 Sec. 2. 18 V.S.A. § 908 is amended to read:

17 § 908. EMERGENCY MEDICAL SERVICES SPECIAL FUND

18 (a)(1) The Emergency Medical Services Special Fund is established
19 pursuant to 32 V.S.A. chapter 7, subchapter 5 comprising revenues received by
20 the Department from the Fire Safety Special Fund, pursuant to 32 V.S.A.
21 § 8557(a), that are designated for this Special Fund and public and private

1 sources as gifts, grants, and donations together with additions and interest
2 accruing to the Fund.

3 (2)(A) The Commissioner of Health shall administer the Fund to the
4 extent funds are available to support online and regional training programs,
5 data collection and analysis, and other activities relating to the training of
6 emergency medical personnel and delivery of emergency medical services and
7 ambulance services in Vermont, as determined by the Commissioner, after
8 consulting with the EMS Advisory Committee established under section 909 of
9 this title. The Commissioner shall prioritize the use of funds to provide grants
10 to programs that offer basic emergency medical services training at low cost or
11 no cost to participants.

12 (B) The Commissioner shall make reasonable efforts to award grants
13 in a manner that supports geographic equity among the emergency medical
14 services districts. The Commissioner shall also provide technical assistance to
15 emergency medical services districts to ensure that grants are available to
16 support emergency medical services training in districts that have historically
17 experienced challenges in receiving grants from the Fund.

18 (3) Any balance at the end of the fiscal year shall be carried forward in
19 the Fund.

20 (b) From the funds in the Emergency Medical Services Special Fund, the
21 Commissioner of Health shall develop and implement by September 1, 2012

1 online training opportunities and offer regional classes to enable individuals to
2 comply with the requirements of subdivision 906(10)(C) of this title.

3 Sec. 3. 33 V.S.A. § 1901m is added to read:

4 § 1901m. REIMBURSEMENT FOR EMERGENCY MEDICAL SERVICES

5 (a) To the extent permitted under federal law or waivers of federal law, the
6 Agency of Human Services shall reimburse a provider of emergency medical
7 services for delivering emergency medical services to a Medicaid beneficiary
8 who was not transported to a different location during the period of the
9 emergency. The reimbursement shall be in an amount equal to the Medicare
10 basic life support rate.

11 **(b) Annually as part of its budget presentation, the Agency of Human**
12 **Services shall report the amount of additional funds that would be**
13 **necessary to reimburse emergency medical service providers at a level**
14 **equal to the Medicare basic life support rate for all emergency medical**
15 **services delivered to Medicaid beneficiaries.**

16 ~~(b)(1) To the extent permitted under federal law or waivers of federal law,~~
17 ~~the Agency of Human Services shall reimburse a ground ambulance service~~
18 ~~provider for transporting a Medicaid beneficiary to a destination other than a~~
19 ~~hospital when the beneficiary's condition does not meet the criteria of an~~
20 ~~"emergency medical condition" as defined by the Agency by rule and the~~
21 ~~beneficiary consents to being transported to the alternative destination.~~

- 1 (1) ~~One~~ one representative from each EMS district in the State, with
2 each representative being appointed by the EMS Board in ~~his or her~~ that
3 individual's district;
- 4 (2) ~~A~~ a representative from the Vermont Ambulance Association or
5 designee;
- 6 (3) ~~A~~ a representative from the Initiative for Rural Emergency Medical
7 Services program at the University of Vermont or designee;
- 8 (4) ~~A~~ a representative from the Professional Firefighters of Vermont or
9 designee;
- 10 (5) ~~A~~ a representative from the Vermont Career Fire Chiefs Association
11 or designee;
- 12 (6) ~~A~~ a representative from the Vermont State Firefighters' Association
13 or designee;
- 14 (7) ~~An~~ an emergency department nurse manager or emergency
15 department director of a Vermont hospital appointed by the Vermont
16 Association of Hospitals and Health Systems;
- 17 (8) ~~The~~ the Commissioner of Health or designee; and
- 18 (9) ~~A~~ a local government member not affiliated with emergency medical
19 services, firefighter services, or hospital services, appointed by the Vermont
20 League of Cities and Towns.

1 (c)(1) The Committee shall select from among its members a chair who is
2 not an employee of the State.

3 (2) The Committee shall have the administrative, technical, and legal
4 assistance of the Agency of Human Services.

5 (d) The Committee shall meet not less than quarterly and may be convened
6 at any time by the Chair or at the request of 11 Committee members. Not more
7 than two meetings each year shall be held in the same EMS district. One
8 meeting each year shall be held at a Vermont EMS conference.

9 ~~(e) Annually, on or before January 1, the Committee shall report on the~~
10 ~~EMS system to the House Committees on Government Operations, on~~
11 ~~Commerce and Economic Development, and on Human Services and to the~~
12 ~~Senate Committees on Government Operations, on Economic Development,~~
13 ~~Housing and General Affairs, and on Health and Welfare. The Committee's~~
14 ~~reports shall include information on the following:~~

15 ~~(1) whether every Vermont municipality should be required to have in~~
16 ~~effect an emergency medical services plan providing for timely and competent~~
17 ~~emergency responses;~~

18 ~~(2) whether the State should establish directives addressing when an~~
19 ~~agency can respond to a nonemergency request for transportation of a patient if~~
20 ~~doing so will leave the service area unattended or unable to respond to an~~
21 ~~emergency call in a timely fashion;~~

1 ~~(3) how the EMS system is functioning statewide and the current state~~
2 ~~of recruitment and workforce development;~~

3 ~~(4) each EMS district's response times to 911 emergencies in the~~
4 ~~previous year, based on information collected from the Vermont Department of~~
5 ~~Health's Division of Emergency Medical Services;~~

6 ~~(5) funding mechanisms and funding gaps for EMS personnel and~~
7 ~~providers across the State, including for the funding of infrastructure,~~
8 ~~equipment, and operations and costs associated with initial and continuing~~
9 ~~training and licensure of personnel;~~

10 ~~(6) the nature and costs of dispatch services for EMS providers~~
11 ~~throughout the State, including the annual number of mutual aid calls to an~~
12 ~~emergency medical service area that come from outside that area, and~~
13 ~~suggestions for improvement;~~

14 ~~(7) legal, financial, or other limitations on the ability of EMS personnel~~
15 ~~with various levels of training and licensure to engage in lifesaving or health-~~
16 ~~preserving procedures;~~

17 ~~(8) how the current system of preparing and licensing EMS personnel~~
18 ~~could be improved, including the role of Vermont Technical College's EMS~~
19 ~~program; whether the State should create an EMS academy; and how such an~~
20 ~~EMS academy should be structured; and~~

1 ~~(9) how EMS instructor training and licensing could be improved.~~ The
2 Committee shall develop and maintain a five-year statewide plan for the
3 coordinated delivery of emergency medical services in Vermont. The plan,
4 which shall be updated at least annually, shall include:

5 (A) specific goals for the delivery of emergency medical services in
6 this State;

7 (B) a time frame for achieving the stated goals;

8 (C) cost data and alternative funding sources for achieving the stated
9 goals; and

10 (D) performance standards for evaluating the stated goals.

11 (2) Annually, on or before December 15, the Committee shall deliver to
12 the Commissioner of Health and the General Assembly a report reviewing
13 progress toward achieving the goals in the five-year plan and the goals set by
14 the Committee for the coming year.

15 (f) In addition to its plan and report set forth in subsection (e) of this
16 section, the Committee shall identify EMS resources and needs in each EMS
17 district and provide that information to the Green Mountain Care Board to
18 inform the Board's periodic revisions to the Health Resource Allocation Plan
19 developed pursuant to subsection 9405(b) of this title.

20 (g) The Committee shall establish from among its members the EMS
21 Education Council, which may:

1 (1) sponsor training and education programs required for emergency
2 medical personnel licensure in accordance with the Department of Health’s
3 required standards for that training and education; and

4 (2) provide advice to the Department of Health regarding the standards
5 for emergency medical personnel licensure and any recommendations for
6 changes to those standards.

7 Sec. 6. EMS ADVISORY COMMITTEE STATEWIDE EMS SYSTEM
8 DESIGN

9 (a) The EMS Advisory Committee shall collect data necessary to conduct a
10 complete inventory and assessment of the EMS services currently available in
11 Vermont, including:

12 (1) the number of full-time and part-time personnel currently performing
13 emergency medical services;

14 (2) the current total spending on emergency medical services in
15 Vermont, with itemized information for each emergency medical service
16 regarding all applicable federal, State, and municipal appropriations and
17 revenue sources; each contract for emergency medical services; and the
18 projected budget for each emergency medical service; and

19 (3) information regarding all identified gaps in services and overlapping
20 service areas.

1 (b) The EMS Advisory Committee shall provide recommendations for the
2 design of a statewide EMS system, including recommendations relating to:

3 (1) EMS district structure and authority, which may include
4 recommendations on the number and configuration of EMS districts and their
5 powers, duties, and scope of authority;

6 (2) workforce training standards and other staffing best practices that
7 support the retention and well-being of EMS personnel;

8 (3) a resource allocation plan that ensures emergency medical services
9 are available in all regions of the State;

10 (4) a process for annually reviewing EMS providers' budgets;

11 (5) a governance model that provides for effective State and regional
12 oversight, management, and continuous improvement of the EMS system,
13 including identifying staffing and other operational needs to support the
14 oversight and management of the system;

15 (6) cost estimates for implementing the recommended EMS system in
16 Vermont, including operational and capital costs;

17 (7) facilitation and coordination of EMS training, including mobile EMS
18 training opportunities; and

19 (8) any other areas the EMS Advisory Committee deems necessary or
20 appropriate.

1 (c) The EMS Advisory Committee shall facilitate stakeholder
2 conversations in order to receive information and recommendations about
3 ways to achieve a coordinated, statewide EMS system, including proposals
4 regarding EMS district structure and authority, system costs, and funding
5 options.

6 (d) Assistance.

7 (1) The EMS Advisory Committee is authorized to hire, retain, and
8 direct the work of **may hire** a project manager and one or more additional
9 consultants with relevant expertise in emergency medical services design and
10 financing **to assist the Committee in its work under this section.**

11 (2) The EMS Advisory Committee shall have the administrative,
12 technical, and legal assistance of the Department of Health, **and the**
13 **Department shall contract on the Committee's behalf with the project**
14 **manager and any other consultants selected by the Committee pursuant to**
15 **subdivision (1) of this subsection.**

16 (e) Reports.

17 (1) On or before December 15, 2025, the EMS Advisory Committee
18 shall submit its inventory and assessment to the Commissioner of Health and
19 the General Assembly.

1 (2) On or before December 15, 2026, the EMS Advisory Committee
2 shall submit its design recommendations to the Commissioner of Health and
3 the General Assembly.

4 (f) Appropriation. The sum of \$370,000.00 is appropriated to the
5 Department of Health from the General Fund in fiscal year 2025 to support the
6 EMS Advisory Committee in accomplishing the work set forth in this section.

7 Sec. 7. 32 V.S.A. § 8557 is amended to read:

8 § 8557. VERMONT FIRE SERVICE TRAINING COUNCIL

9 (a)(1) Sums for the expenses of the operation of training facilities and
10 curriculum of the Vermont Fire Service Training Council not to exceed
11 ~~\$1,200,000.00~~ \$1,500,000.00 per year shall be paid to the Fire Safety Special
12 Fund created by 20 V.S.A. § 3157 by insurance companies, writing fire,
13 homeowners multiple peril, allied lines, farm owners multiple peril,
14 commercial multiple peril (fire and allied lines), private passenger and
15 commercial auto, and inland marine policies on property and persons situated
16 within the State of Vermont within 30 days after notice from the
17 Commissioner of Financial Regulation of such estimated expenses. Captive
18 companies shall be excluded from the effect of this section.

19 (2) The Commissioner shall annually, on or before July 1, apportion
20 such charges among all such companies and shall assess them for the charges
21 on a fair and reasonable basis as a percentage of their gross direct written

1 premiums on such insurance written during the second prior calendar year on
2 property situated in the State. The Department of Taxes shall collect all
3 assessments under this section.

4 (3) An amount not less than \$100,000.00 shall be specifically allocated
5 to the provision of what are now or formerly referred to as Level I, units I, II,
6 and III (basic) courses for entry-level firefighters.

7 (4) An amount not less than ~~\$150,000.00~~ \$450,000.00 shall be
8 specifically allocated to the Emergency Medical Services Special Fund
9 established under 18 V.S.A. § 908 for the provision of training programs for
10 certified Vermont EMS first responders and licensed emergency medical
11 responders, emergency medical technicians, advanced emergency medical
12 technicians, and paramedics.

13 (5) The Department of Health shall present a plan to the Joint Fiscal
14 Committee that shall review the plan prior to the release of any funds.

15 (b) All administrative provisions of chapter 151 of this title, including those
16 relating to the collection and enforcement of the income tax by the
17 Commissioner, shall apply to this section.

18 **Sec. 8. MEDICAID EMERGENCY MEDICAL SERVICES;**

19 **TREATMENT WITHOUT TRANSPORT; APPROPRIATION**

20 **(a) In fiscal year 2025, the sum of \$74,000.00 in Global Commitment**
21 **funds is appropriated to the Department of Vermont Health Access for**

1 **the increased reimbursement rate for emergency medical service**
2 **providers set forth in Sec. 3 (33 V.S.A. § 1901m) of this act for delivering**
3 **emergency medical services to Medicaid beneficiaries who are not**
4 **transported to a different location during the period of their emergency.**

5 **(b) In fiscal year 2025, the sum of \$31,206.00 is appropriated from the**
6 **General Fund to the Agency of Human Services, Global Commitment**
7 **appropriation for the State match for the increased reimbursement rate**
8 **set forth in Sec. 3 (33 V.S.A. § 1901m) of this act.**

9 **(c) In fiscal year 2025, the sum of \$42,794.00 in federal funds is**
10 **appropriated to the Agency of Human Services, Global Commitment**
11 **appropriation for the State match for the increased reimbursement rate**
12 **set forth in Sec. 3 (33 V.S.A. § 1901m) of this act.**

13 Sec. 9. EFFECTIVE DATES

14 This act shall take effect on passage, except that Sec. 6(f) (EMS Advisory
15 Committee appropriation) and Sec. 8 (Medicaid emergency medical
16 services; treatment without transport; appropriation) shall take effect on
17 July 1, 2024.

18 (Committee vote: _____)

19 _____

20 Representative _____

21 FOR THE COMMITTEE