

1 Introduced by Committee on Government Operations

2 Date:

3 Subject: Emergency medical services; credentialing; ambulance license terms;

4 ambulance service health insurance reimbursement; Department of

5 Public Safety; Electricians' Licensing Board; Plumbers' Examining

6 Board; license extension; county reserve funds; sheriff emergency

7 needs; COVID-19 response

8 Statement of purpose of bill as introduced: In response to COVID-19, this bill

9 proposes to:

10 (1) eliminate the requirement that emergency medical personnel be

11 credentialed by their affiliated agency;

12 (2) extend ambulance license terms from one to three years;

13 (3) require the Department of Financial Regulation to enforce the

14 current law requirement for health insurers to directly reimburse ambulance

15 services for the emergency medical treatment they provide;

16 (4) provide a temporary extension for electrician and plumber license

17 renewal; and

18 (5) allow a county's reserve funds to be used for the sheriff's emergency

19 needs relating to COVID-19.

1 An act relating to government operations regarding emergency medical  
2 services **and public safety** in response to COVID-19

3 It is hereby enacted by the General Assembly of the State of Vermont:

4 Sec. 1. 24 V.S.A. chapter 71 is amended to read:

5 CHAPTER 71. AMBULANCE SERVICES

6 Subchapter 1. Emergency Medical Services Districts

7 \* \* \*

8 § 2657. PURPOSES AND POWERS OF EMERGENCY MEDICAL  
9 SERVICES DISTRICTS

10 (a) It shall be the function of each emergency medical services district to  
11 foster and coordinate emergency medical services within the district, in the  
12 interest of affording adequate ambulance services within the district. Each  
13 emergency medical services district shall have powers ~~which~~ that include the  
14 power to:

15 \* \* \*

16 (3) enter into agreements and contracts for furnishing technical,  
17 educational, and support services ~~and credentialing~~ related to the provision of  
18 emergency medical treatment;

19 \* \* \*

20 (10) assist the Department of Health in a program of testing for  
21 licensure of emergency medical services personnel;

1           (11) ~~assure that each affiliated agency in the district has implemented a~~  
2 ~~system for the credentialing of all its licensed emergency medical personnel;~~  
3 ~~and [Repealed.]~~

4           (12) develop protocols for providing appropriate response times to  
5 requests for emergency medical services.

6   \* \* \*

7       Subchapter 2. Licensing Operation of ~~Ambulance Service~~ Affiliated Agencies

8   \* \* \*

9       § 2682. POWERS OF STATE BOARD

10       (a) The State Board shall administer this subchapter and shall have power  
11 to:

12   \* \* \*

13           (3) Make, adopt, amend, and revise, as it deems necessary or expedient,  
14 reasonable rules in order to promote and protect the health, safety, and welfare  
15 of members of the public using, served by, or in need of emergency medical  
16 treatment. Any rule may be repealed within 90 days of the date of its adoption  
17 by a majority vote of all the district boards. Such rules may cover or relate to:

18           (A) age, training, ~~credentialing~~, and physical requirements for  
19 emergency medical services personnel;

20   \* \* \*

1 § 2683. TERM OF LICENSE

2 Full licenses shall be issued on forms to be prescribed by the State Board  
3 for a period of ~~one year~~ three years beginning on January 1, or for the balance  
4 of any such ~~year~~ three-year period. Temporary, conditional, or provisional  
5 licenses may also be issued by the Board.

6 \* \* \*

7 § 2689. REIMBURSEMENT FOR AMBULANCE SERVICE PROVIDERS

8 (a)(1) When an ambulance service provides emergency medical treatment  
9 to a person who is insured by a health insurance policy, plan, or contract that  
10 provides benefits for emergency medical treatment, the health insurer shall  
11 reimburse the ambulance service directly, subject to the terms and conditions  
12 of the health insurance policy, plan, or contract.

13 (2) The Department of Financial Regulation shall enforce the provisions  
14 of this subsection.

15 (b) Nothing in this section shall be construed to interfere with coordination  
16 of benefits or to require a health insurer to provide coverage for services not  
17 otherwise covered under the insured's policy, plan, or contract.

18 (c) Nothing in this section shall preclude an insurer from negotiating with  
19 and subsequently entering into a contract with a nonparticipating ambulance  
20 service to establish rates of reimbursement for emergency medical treatment.

1       Sec. 2. DEPARTMENT OF FINANCIAL REGULATION; REPORT ON  
2                   ENFORCEMENT OF HEALTH INSURER REIMBURSEMENTS  
3                   TO AMBULANCE SERVICES

4           On or before January 15, 2021, the Department of Financial Regulation  
5           shall report to the Senate Committees on Government Operations and on  
6           Health and Welfare and the House Committees on Government Operations and  
7           on Health Care regarding its enforcement of 24 V.S.A. § 2689(a) (health  
8           insurers' direct reimbursement to ambulance services) as set forth in Sec. 1 of  
9           this act.

10       Sec. 3. 18 V.S.A. chapter 17 is amended to read:

11                   CHAPTER 17. EMERGENCY MEDICAL SERVICES

12       § 901. POLICY

13           It is the policy of the State of Vermont that all persons who suffer sudden  
14           and unexpected illness or injury should have access to the emergency medical  
15           services system in order to prevent loss of life or the aggravation of the illness  
16           or injury, and to alleviate suffering.

17           (1) The system should include competent emergency medical ~~care~~  
18           treatment provided by adequately trained, licensed, ~~credentialed~~, and equipped  
19           personnel acting under appropriate medical control.

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

4   \* \* \*

5           § 903. AUTHORIZATION FOR PROVISION OF EMERGENCY  
6           MEDICAL SERVICES

7           Notwithstanding any other provision of law, including provisions of  
8           26 V.S.A. chapter 23, persons who are licensed ~~and credentialed~~ to provide  
9           emergency medical ~~care~~ treatment pursuant to the requirements of this chapter  
10          and ~~implementing regulations~~ the rules adopted under it are hereby authorized  
11          to provide such care without further certification, registration, or licensing.

12   \* \* \*

13          § 906. EMERGENCY MEDICAL SERVICES DIVISION;  
14          RESPONSIBILITIES

15          To implement the policy of section 901 of this ~~title~~ chapter, the Department  
16          of Health shall be responsible for:

17   \* \* \*

18          (4) ~~Establishing by rule minimum standards for the credentialing of~~  
19          ~~emergency medical personnel by their affiliated agency, which shall be~~  
20          ~~required in addition to the licensing requirements of this chapter in order for a~~  
21          ~~person to practice as an emergency medical provider. Credentialing shall~~

1 ~~consist of the minimum and appropriate requirements necessary to ensure that~~  
2 ~~an emergency medical provider can demonstrate the competence and minimum~~  
3 ~~skills necessary to practice within his or her scope of licensure. Any rule shall~~  
4 ~~balance the need for documenting competency against the burden placed on~~  
5 ~~rural or smaller volunteer squads with little or no administrative staff.~~

6 [Repealed.]

7 \* \* \*

8 (10) Establishing, by rule, license levels for emergency medical  
9 personnel. The Commissioner shall use the guidelines established by the  
10 National Highway Traffic Safety Administration (NHTSA) in the U.S.  
11 Department of Transportation as a standard or other comparable standards,  
12 except that a felony conviction shall not necessarily disqualify an applicant.  
13 The rules shall also provide that:

14 \* \* \*

15 (B) An individual licensed by the Commissioner as an emergency  
16 medical technician, advanced emergency medical technician, or a paramedic,  
17 ~~who is credentialed by an affiliated agency,~~ shall be able to practice fully  
18 within the scope of practice for such level of licensure as defined by NHTSA's  
19 National EMS Scope of Practice Model consistent with the license level of the  
20 affiliated agency, and subject to the medical direction of the emergency  
21 medical services district medical advisor.

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\* \* \*

(E) An applicant who has served as a hospital corpsman or a medic in the U.S. Armed Forces, or who is licensed as a registered nurse or a physician assistant shall be granted a permanent waiver of the training requirements to become a licensed emergency medical technician, an advanced emergency medical technician, or a paramedic, provided the applicant passes the applicable examination approved by the Commissioner for that level of licensure ~~and further provided that the applicant is credentialed by an affiliated agency.~~

(F) An applicant who is registered on the National Registry of Emergency Medical Technicians as an emergency medical technician, an advanced emergency medical technician, or a paramedic shall be granted licensure as a Vermont emergency medical technician, an advanced emergency medical technician, or a paramedic without the need for further testing, provided he or she is ~~credentialed by an affiliated agency or is serving as a medic with the Vermont National Guard.~~

\* \* \*

§ 909. EMS ADVISORY COMMITTEE

(a) The Commissioner shall establish ~~an advisory committee~~ the Emergency Medical Services Advisory Committee to advise on matters relating to the delivery of emergency medical services (EMS) in Vermont.



1 (b) The ~~Emergency Medical Services Advisory~~ Committee shall include  
2 the following members:

3 \* \* \*

4 (e) ~~Beginning~~ Annually, on or before January 1, ~~2019~~, the Committee shall  
5 report ~~annually~~ on the ~~emergency medical services~~ EMS system to the House  
6 Committees on Government Operations, on Commerce and Economic  
7 Development, and on Human Services and to the Senate Committees on  
8 Government Operations, on Economic Development, Housing and General  
9 Affairs, and on Health and Welfare. The Committee's reports shall include  
10 information on the following:

11 \* \* \*

12 (5) funding mechanisms and funding gaps for EMS personnel and  
13 providers across the State, including for the funding of infrastructure,  
14 equipment, and operations and costs associated with initial and continuing  
15 training; and licensure, ~~and credentialing~~ of personnel;

16 \* \* \*

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

21 (9) how EMS instructor training and licensing could be improved; ~~and~~

1           ~~(10) the impact of the State’s credentialing requirements for EMS~~  
2 ~~personnel on EMS providers.~~

3           Sec. 4. DEPARTMENT OF PUBLIC SAFETY; ELECTRICIANS’

4                   LICENSING BOARD; PLUMBERS’ EXAMINING BOARD;

5                   TEMPORARY LICENSE EXTENSION AND LATE FEE WAIVER

6           Notwithstanding the provisions of 26 V.S.A. §§ 908 (electricians) and 2195  
7 (plumbers) regulating the renewal of licenses by the Electricians’ Licensing  
8 Board and Plumbers’ Examining Board, all electrician and plumber licenses  
9 that were due to expire between March 30, 2020 and September 30, 2020 shall  
10 remain valid and be deemed to expire on September 30, 2020, and any  
11 associated late fees for renewal that would have applied during that time frame  
12 shall be waived.

13           **Sec. 5. COVID-19 STATE OF EMERGENCY; COUNTY RESERVE**

14                   **FUNDS; COUNTY SHERIFFS; FUNDING OF EMERGENCY**

15                   **NEEDS**

16           **(a) Funding.**

17                   **(1) To support the emergency needs of sheriffs due to the State’s**  
18 **COVID-19 response, a county’s reserve funds described in 24 V.S.A. § 133(e)**  
19 **shall be allowed to be used for the emergency needs of the county sheriff.**  
20 **“Emergency needs” means the needs to respond to COVID-19 and includes**

1 hiring deputies, dispatchers, and other personnel and purchasing equipment  
2 and supplies.

3 (2) The funding of these emergency needs under this subsection shall be  
4 in addition to the support of the sheriff's department set forth in 24 V.S.A.  
5 § 73.

6 (b) Application for FEMA reimbursement. Any sheriff who receives  
7 county reserve funds for emergency needs under subsection (a) of this section  
8 shall apply to the Federal Emergency Management Agency (FEMA) for any  
9 allowable reimbursement.

10 (c) Sunset. This section shall be repealed two weeks after the day the  
11 Governor terminates the state of emergency for the State of Vermont in  
12 response to COVID-19.

13 **Sec. 6. EFFECTIVE DATE**

14 This act shall take effect on passage.