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1 H.622

2 An act relating to emergency medical services

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

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

5 § 901. PURPOSE, FINDINGS, POLICY

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

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

10 (1) Emergency medical services provided by an ambulance service are
11 essential services.

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

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

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

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

18 (C) effective communication between prehospital care providers and
19 hospitals; and

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

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

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

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

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

15 § 908. EMERGENCY MEDICAL SERVICES SPECIAL FUND

16 (a)(1) The Emergency Medical Services Special Fund is established pursuant to
17 32 V.S.A. chapter 7, subchapter 5 comprising revenues received by the Department
18 from the Fire Safety Special Fund, pursuant to 32 V.S.A. § 8557(a), that are
19 designated for this Special Fund and public and private sources as gifts, grants, and
20 donations together with additions and interest accruing to the Fund.

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

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

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

17 (b) From the funds in the Emergency Medical Services Special Fund, the
18 Commissioner of Health shall develop and implement by September 1, 2012 online
19 training opportunities and offer regional classes to enable individuals to comply with
20 the requirements of subdivision 906(10)(C) of this title.

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

2 § 1901m. REIMBURSEMENT FOR EMERGENCY MEDICAL SERVICES

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

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

13 Sec. 4. 24 V.S.A. § 2689 is amended to read:

14 § 2689. REIMBURSEMENT FOR AMBULANCE SERVICE PROVIDERS

15 * * *

16 (d) Reimbursement for ambulance services provided to Medicaid beneficiaries
17 shall be in accordance with 33 V.S.A. § 1901m.

18 Sec. 5. 18 V.S.A. § 909 is amended to read:

19 § 909. EMS ADVISORY COMMITTEE; EMS EDUCATION

20 COUNCIL

1 (a) The ~~Commissioner shall establish the~~ Emergency Medical Services Advisory
2 Committee ~~to~~ shall advise the Department of Health on matters relating to the
3 delivery of emergency medical services (EMS) in Vermont.

4 (b) The Committee shall ~~include~~ comprise the following members:

5 (1) ~~One~~ one representative from each EMS district in the State, with each
6 representative being appointed by the EMS Board in ~~his or her~~ that individual's
7 district.;

8 (2) ~~A~~ a representative from the Vermont Ambulance Association or designee.;

9 (3) ~~A~~ a representative from the Initiative for Rural Emergency Medical
10 Services program at the University of Vermont or designee.;

11 (4) ~~A~~ a representative from the Professional Firefighters of Vermont or
12 designee.;

13 (5) ~~A~~ a representative from the Vermont Career Fire Chiefs Association or
14 designee.;

15 (6) ~~A~~ a representative from the Vermont State Firefighters' Association or
16 designee.;

17 (7) ~~An~~ an emergency department nurse manager or emergency department
18 director of a Vermont hospital appointed by the Vermont Association of Hospitals
19 and Health Systems.;

20 (8) ~~The~~ the Commissioner of Health or designee.;

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1 (9) A a local government member not affiliated with emergency medical
2 services, firefighter services, or hospital services, appointed by the Vermont League
3 of Cities and Towns.

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

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

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

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

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

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

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

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

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

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

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

20 ~~(8) how the current system of preparing and licensing EMS personnel could~~
21 ~~be improved, including the role of Vermont Technical College's EMS program;~~

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1 ~~whether the State should create an EMS academy; and how such an EMS academy~~
2 ~~should be structured; and~~

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

7 ~~(A) specific goals for the delivery of emergency medical services in this~~
8 ~~State;~~

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

10 ~~(C) cost data and alternative funding sources for achieving the stated goals;~~
11 ~~and~~

12 ~~(D) performance standards for evaluating the stated goals.~~

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

17 (f) In addition to its plan and report set forth in subsection (e) of this section, the
18 Committee shall identify EMS resources and needs in each EMS district and provide
19 that information to the Green Mountain Care Board to inform the Board's periodic
20 revisions to the Health Resource Allocation Plan developed pursuant to subsection
21 9405(b) of this title.

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

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

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

9 Sec. 6. EMS ADVISORY COMMITTEE STATEWIDE EMS SYSTEM

10 DESIGN

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

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

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

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1 (3) information regarding all identified gaps in services and overlapping
2 service areas.

3 (b) The EMS Advisory Committee shall provide recommendations for the design
4 of a statewide EMS system **that aligns with the purpose expressed in 18 V.S.A.**
5 **§ 901, optimizes patient care, and incorporates nationally recognized best**
6 **practices,** including recommendations relating to:

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

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

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

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

15 (5) a governance model that provides for effective State and regional
16 oversight, management, and continuous improvement of the EMS system, including
17 identifying staffing and other operational needs to support the oversight and
18 management of the system;

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

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1 (7) facilitation and coordination of EMS training, including mobile EMS
2 training opportunities; and

3 (8) any other areas the EMS Advisory Committee deems necessary or
4 appropriate.

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

9 **(2) The EMS Advisory Committee and the Department of Health shall**
10 **coordinate with the Public Safety Communications Task Force and the County**
11 **and Regional Governance Study Committee to ensure appropriate coordination**
12 **and alignment of the groups' recommendations and system designs.**

13 (d) Assistance.

14 (1) The EMS Advisory Committee may hire a project manager and one or
15 more additional consultants with relevant expertise in emergency medical services
16 design and financing to assist the Committee in its work under this section.

17 (2) The EMS Advisory Committee shall have the administrative, technical,
18 and legal assistance of the Department of Health, and the Department shall contract
19 on the Committee's behalf with the project manager and any other consultants
20 selected by the Committee pursuant to subdivision (1) of this subsection.

21 (e) Reports.

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

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

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

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

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

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

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

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

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

16 Sec. 8. MEDICAID EMERGENCY MEDICAL SERVICES;

17 TREATMENT WITHOUT TRANSPORT; APPROPRIATION

18 (a) In fiscal year 2025, the sum of \$74,000.00 in Global Commitment funds is
19 appropriated to the Department of Vermont Health Access for the increased
20 reimbursement rate for emergency medical service providers set forth in Sec. 3 (33
21 V.S.A. § 1901m) of this act for delivering emergency medical services to Medicaid

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1 beneficiaries who are not transported to a different location during the period of their
2 emergency.

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

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

11 Sec. 9. EMS ADVISORY COMMITTEE; APPROPRIATION

12 Notwithstanding any provision of 18 V.S.A. § 908 or 32 V.S.A. § 8557 to the
13 contrary, of the funds allocated to the Emergency Medical Services Special Fund
14 pursuant to 32 V.S.A. § 8557(a)(4), the sum of \$150,000.00 is appropriated to the
15 Department of Health in fiscal year 2025 to support the EMS Advisory Committee
16 in accomplishing the work set forth in Sec. 6 of this act. To the extent that there are
17 unobligated funds in the Emergency Medical Services Special Fund in fiscal year
18 2025, up to an additional \$220,000.00 is appropriated and shall be made available to
19 the Department of Health to support the EMS Advisory Committee's work pursuant
20 to Sec. 6 of this act, provided that total expenditures from the Fund to support that
21 work shall not exceed \$370,000.00.

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1 Sec. 10. EFFECTIVE DATES

2 This act shall take effect on passage, except that Secs. 8 (Medicaid emergency
3 medical services; treatment without transport; appropriation) and 9 (EMS Advisory
4 Committee; appropriation) shall take effect on July 1, 2024.