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H.622

An act relating to emergency medical services

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

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

§ 901. PURPOSE, FINDINGS, POLICY

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

(b) Findings. The General Assembly finds that:

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

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

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

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

(B) a well-coordinated trauma care system;

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

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

4 (c) Policy. It is the policy of the State of Vermont that all persons who
5 suffer sudden and unexpected illness or injury should have access to the
6 emergency medical services system in order to prevent loss of life or the
7 aggravation of the 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
12 be encouraged to maintain and advance their levels of training and licensure,
13 and to 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
17 pursuant to 32 V.S.A. chapter 7, subchapter 5 comprising revenues received by
18 the Department from the Fire Safety Special Fund, pursuant to 32 V.S.A.
19 § 8557(a), that are designated for this Special Fund and public and private
20 sources as gifts, grants, and donations together with additions and interest
21 accruing to the Fund.

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

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

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

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

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
6 who was not transported to a different location during the period of the
7 emergency. The reimbursement shall be in an amount equal to the Medicare
8 basic life support rate.

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

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

15 § 2689. REIMBURSEMENT FOR AMBULANCE SERVICE PROVIDERS

16 * * *

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

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

20 § 909. EMS ADVISORY COMMITTEE; EMS EDUCATION
21 COUNCIL

1 (a) ~~The Commissioner shall establish the~~ Emergency Medical Services
2 Advisory Committee ~~to~~ shall advise the Department of Health on matters
3 relating to the 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
6 each representative being appointed by the EMS Board in ~~his or her~~ that
7 individual's district.;

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

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

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

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

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

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

21 (8) ~~The~~ the Commissioner of Health or designee. and

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

4 (c)(1) The Committee shall select from among its members a chair who is
5 not an 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
9 at any time by the Chair or at the request of 11 Committee members. Not more
10 than two meetings each year shall be held in the same EMS district. One
11 meeting each year shall be held at a Vermont EMS conference.

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

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

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

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

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

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

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

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

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

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

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

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

12 (C) cost data and alternative funding sources for achieving the stated
13 goals; and

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

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

19 (f) In addition to its plan and report set forth in subsection (e) of this
20 section, the Committee shall identify EMS resources and needs in each EMS
21 district and provide that information to the Green Mountain Care Board to

1 inform the Board's periodic revisions to the Health Resource Allocation Plan
2 developed pursuant to subsection 9405(b) of this title.

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

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

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

11 Sec. 6. EMS ADVISORY COMMITTEE STATEWIDE EMS SYSTEM

12 DESIGN

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

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

18 (2) the current total spending on emergency medical services in
19 Vermont, with itemized information for each emergency medical service
20 regarding all applicable federal, State, and municipal appropriations and

1 revenue sources; each contract for emergency medical services; and the
2 projected budget for each emergency medical service; and

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

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

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

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

12 (3) a resource allocation plan that ensures emergency medical services
13 are 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,
17 including identifying staffing and other operational needs to support the
18 oversight and management of the system;

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

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

10 (d) Assistance.

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

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

20 (e) Reports.

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

4 (2) On or before December 15, 2026, the EMS Advisory Committee
5 shall submit its design recommendations to the Commissioner of Health and
6 the General 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
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 funds
21 is appropriated to the Department of Vermont Health Access for the increased

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

13 Sec. 9. EMS ADVISORY COMMITTEE; APPROPRIATION

14 Notwithstanding any provision of 18 V.S.A. § 908 or 32 V.S.A. § 8557 to
15 the contrary, of the funds allocated to the Emergency Medical Services Special
16 Fund pursuant to 32 V.S.A. § 8557(a)(4), the sum of \$150,000.00 is
17 appropriated to the Department of Health in fiscal year 2025 to support the
18 EMS Advisory Committee in accomplishing the work set forth in Sec. 6 of this
19 act. To the extent that there are unobligated funds in the Emergency Medical
20 Services Special Fund in fiscal year 2025, up to an additional \$220,000.00 is
21 appropriated and shall be made available to the Department of Health to

1 support the EMS Advisory Committee's work pursuant to Sec. 6 of this act,
2 provided that total expenditures from the Fund to support that work shall not
3 exceed \$370,000.00.

4 Sec. 10. EFFECTIVE DATES

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