

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 687 Session of 2011

INTRODUCED BY HANNA, SAINATO, BRENNAN, CARROLL, CAUSER, CONKLIN, FABRIZIO, GEIST, GEORGE, GOODMAN, HESS, KULA, MANN, MIRABITO, MURT, READSHAW, STABACK AND VULAKOVICH, FEBRUARY 15, 2011

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, FEBRUARY 15, 2011

AN ACT

1 Providing for reimbursement to certain emergency services
2 providers of the cost of responding to a request for
3 emergency services on certain State-owned lands.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Emergency
8 Services Provider Reimbursement Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Department." The Department of Conservation and Natural
14 Resources of the Commonwealth.

15 "Emergency communication center." An officially recognized
16 and approved Federal, State, county or municipal operation whose
17 purpose is to do all of the following:

1 (1) Receive emergency calls.

2 (2) Determine the appropriate agency, equipment and
3 vehicles required to respond to emergency calls.

4 (3) Dispatch the appropriate agency, equipment and
5 emergency vehicle or vehicles to the location of the
6 emergency situation, incident or event.

7 "Emergency services provider." A municipal, public, private
8 or nonprofit service whose purpose is to respond to emergency
9 situations, incidents and events and provide emergency or
10 nonemergency assistance and service to the public. The term
11 includes all of the following:

12 (1) A hazardous materials response unit, fire service,
13 ambulance, heavy and light rescue squad unit, quick response
14 unit and other related vehicle used in the normal operation
15 of an emergency service.

16 (2) A volunteer emergency service.

17 "Emergency situation, incident or event." Any of the
18 following:

19 (1) A disaster.

20 (2) A hazardous materials incident.

21 (3) A fire.

22 (4) Industrial or private security or fire alarm
23 systems.

24 (5) Industrial accidents.

25 (6) Auto accidents.

26 (7) Medical emergencies.

27 (8) Nonemergency calls for medical assistance.

28 (9) Any other situation, incident or event that does or
29 may present a potential danger and threat to the health and
30 safety of members of the public.

1 "False alarm." A willfully fraudulent and intentional
2 transmission or request for a response by a volunteer emergency
3 services organization where the person making the transmission
4 or request knows there is no need for the transmission or
5 request. The term does not include a person transmitting or
6 requesting a response by a volunteer emergency services
7 organization who perceives or feels there could be or may be a
8 need for the transmission or request.

9 "Municipal emergency services department." A fire
10 department, ambulance service or rescue squad established,
11 operated and funded by the municipality.

12 "Officially recognized dispatch." Any of the following:

13 (1) The dispatch of a volunteer emergency services
14 organization by an officially recognized and approved
15 emergency communication center.

16 (2) A response to a special call or request from the
17 Pennsylvania State Police or local police whether it comes
18 through an emergency communication center or not.

19 "Person." The term includes a corporation, partnership,
20 business trust, other association, governmental entity other
21 than the Commonwealth, estate, trust, foundation or natural
22 person.

23 "State-owned land." Land that is owned or leased by or under
24 the control of the Department of Conservation and Natural
25 Resources.

26 "Volunteer ambulance service." A nonprofit chartered
27 corporation, association or organization located in this
28 Commonwealth which is regularly engaged in the service of
29 providing emergency medical care and transportation of patients.

30 "Volunteer emergency service organization." An organization

1 which is a volunteer fire company, volunteer ambulance service,
2 volunteer rescue squad or volunteer hazardous material response
3 team.

4 "Volunteer fire company." A nonprofit chartered
5 organization, association or organization located in this
6 Commonwealth which provides fire protection services, including
7 fire police services, and other volunteer emergency service
8 within this Commonwealth. Volunteer emergency service provided
9 by a volunteer fire company may include volunteer ambulance and
10 volunteer rescue service.

11 "Volunteer hazardous material response team." A nonprofit
12 chartered corporation, association or organization located in
13 this Commonwealth whose members are specially trained to respond
14 to accidents or situations where hazardous or toxic materials
15 are released into the environment.

16 "Volunteer rescue squad." A nonprofit chartered corporation,
17 association or organization located in this Commonwealth which
18 provides rescue service in this Commonwealth.

19 Section 3. Reimbursement for emergency services responses.

20 (a) General rule.--The department shall pay to an emergency
21 services provider \$225 for each time that the department
22 requests emergency services on State-owned land from the
23 emergency services provider and the emergency services provider
24 responds to the request.

25 (b) Procedures.--The department shall develop procedures by
26 which the department requests emergency services on State-owned
27 land from an emergency services provider and makes payment to
28 the emergency services provider under subsection (a).

29 (c) Payment.--The department shall reimburse an emergency
30 services provider under this act by making payment as follows:

1 (1) To the volunteer emergency service organization that
2 responded.

3 (2) If a municipal emergency services department that
4 serves one municipality responded, to the municipality.

5 (3) If a municipal emergency services department that
6 serves more than one municipality responded, directly to the
7 municipal emergency services department.

8 Section 4. Certain municipalities exempt.

9 This act shall not apply to an agreement for the provision of
10 emergency services entered into between the department and an
11 emergency services provider on or before the effective date of
12 this section.

13 Section 5. Approval of response.

14 (a) Prerequisite.--A volunteer emergency services
15 organization that responds to a special call or request from the
16 Pennsylvania State Police or local police that has not come
17 through an officially recognized and approved emergency
18 communication center must be approved by an officially
19 recognized emergency communication center prior to responding to
20 the special call or request.

21 (b) Duties of emergency communication center.--Upon
22 notification by a volunteer emergency services organization of a
23 request for dispatch, the emergency communication center shall:

24 (1) Approve the response.

25 (2) Assign a dispatch number to the volunteer emergency
26 services organization.

27 (3) Contact the municipal emergency services department,
28 organization or person making the request to confirm the
29 request.

30 Section 6. Effective date.

1 This act shall take effect in 60 days.