
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1137 Session of
2003

INTRODUCED BY HANNA, BELARDI, CREIGHTON, DeWEESE, FREEMAN,
GRUCELA, McCALL, MUNDY, PISTELLA, PRESTON, SCRIMENTI, SHANER,
SOLOBAY, STABACK, THOMAS, TIGUE, WANSACZ, WASHINGTON AND
YOUNGBLOOD, APRIL 11, 2003

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, APRIL 11, 2003

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 receive emergency calls; to determine the

1 appropriate agency, equipment and/or vehicles required to
2 respond to these calls; and then to dispatch the appropriate
3 agency, equipment and/or emergency vehicle or vehicles to the
4 location of the emergency situation, incident or event.

5 "Emergency services provider." A municipal, public, private
6 or nonprofit service whose purpose is to respond to emergency
7 situations, incidents and events and provide emergency or
8 nonemergency assistance and service to the public. The term
9 includes, but is not limited to, a hazardous materials response
10 unit, fire service, ambulance, heavy and light rescue squad
11 unit, quick response unit and other related vehicle used in the
12 normal operation of an emergency service, and a volunteer
13 emergency service.

14 "Emergency situation, incident or event." A disaster;
15 hazardous materials incident; fire; industrial or private
16 security or fire alarm systems; industrial accidents; auto
17 accidents; medical emergencies; nonemergency calls for medical
18 assistance; or to any other situation, incident or event that
19 does or may present a potential danger and/or threat to the
20 health and safety of members of the public.

21 "False alarm." A willfully fraudulent and intentional
22 transmission or request for a response by a volunteer emergency
23 services organization where the person making the transmission
24 or request knows there is no need for the transmission or
25 request. A person transmitting or requesting a response by a
26 volunteer emergency services organization who perceives or feels
27 there could be or may be a need for the transmission or request
28 shall not be considered to have transmitted or requested a
29 willfully fraudulent and intentional false alarm.

30 "Municipal emergency services department." A fire

1 department, ambulance service or rescue squad established,
2 operated and funded by the municipality.

3 "Officially recognized dispatch." The dispatch of a
4 volunteer emergency services organization by an officially
5 recognized and approved emergency communication center or
6 response to a special call or request from the Pennsylvania
7 State Police or local police whether it comes through an
8 emergency communication center or not. A volunteer emergency
9 services organization that responds to a special call or request
10 from the Pennsylvania State Police or local police that has not
11 come through an officially recognized and approved emergency
12 communication center must be approved by an officially
13 recognized emergency communication center prior to responding to
14 the special call or request. Upon notification by a volunteer
15 emergency services organization of a request for dispatch, the
16 emergency communication center shall approve the response and
17 assign a dispatch number to the volunteer emergency services
18 organization and then contact the municipal emergency services
19 department, organization or person making the request to confirm
20 the request.

21 "Person." Includes a corporation, partnership, business
22 trust, other association, governmental entity other than the
23 Commonwealth, estate, trust, foundation or natural person.

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

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

1 "Volunteer emergency service organization." An organization
2 which is a volunteer fire company, volunteer ambulance service,
3 volunteer rescue squad or volunteer hazardous material response
4 team.

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

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

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

20 Section 3. Reimbursement for emergency services responses.

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

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

30 (c) Payment.--The department shall reimburse an emergency

1 services provider under this act by making payment as follows:

2 (1) to the volunteer emergency service organization that
3 responded;

4 (2) where a municipal emergency services department that
5 serves one municipality responded, to the municipality; or

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

9 Section 4. Certain municipalities exempt.

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

14 Section 5. Effective date.

15 This act shall take effect in 60 days.