
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 656 Session of
2009

INTRODUCED BY DALLY, BEYER, BOYD, BRENNAN, CLYMER, CREIGHTON,
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KORTZ AND GINGRICH, FEBRUARY 27, 2009

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, FEBRUARY 27, 2009

AN ACT

1 Providing for certain emergency services reimbursements.

2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Volunteer
6 Emergency Services Reimbursement Act.

7 Section 2. Legislative findings and declaration.

8 (a) Findings enumerated.--The General Assembly finds as
9 follows:

10 (1) Volunteer emergency services organizations are
11 experiencing ever-increasing financial burdens.

12 (2) The increasing financial burdens and costs are
13 having an adverse and seriously negative impact upon
14 maintaining and providing adequate emergency services
15 response capabilities for communities across this

1 Commonwealth.

2 (3) Volunteer emergency services organizations can no
3 longer realistically afford or be expected to exist and
4 provide services at a financial loss.

5 (b) Declaration.--The General Assembly declares as follows:

6 (1) It is vital to establish for our volunteer emergency
7 services providers a mechanism and process whereby they can
8 be reimbursed financially for real and reasonable expenses
9 related to responding to emergency situations, incidents or
10 events.

11 (2) Such a process and mechanism should be self-
12 supporting.

13 Section 3. Definitions.

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

17 "Emergency communication center." An officially recognized
18 and approved Federal, State, county or municipal operation whose
19 purpose is to receive emergency calls, to determine the
20 appropriate agency, equipment and vehicles required to respond
21 to these calls and then to dispatch the appropriate agency,
22 equipment and emergency vehicle or vehicles to the location of
23 the emergency situation, incident or event.

24 "Emergency situation, incident or event." A disaster;
25 hazardous materials incident; fire; industrial or private
26 security or fire alarm systems incident; industrial accident;
27 auto accident; medical emergency; nonemergency call for medical
28 assistance; or any other situation, incident or event that does
29 or may present a potential danger and threat to the health and
30 safety of members of the public.

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

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

21 "Volunteer ambulance service." A nonprofit chartered
22 corporation, association or organization located in this
23 Commonwealth which is regularly engaged in the service of
24 providing emergency medical care and transportation of patients.

25 "Volunteer emergency services organization." An organization
26 which is a volunteer fire company, volunteer ambulance service,
27 volunteer rescue squad or volunteer hazardous material response
28 team.

29 "Volunteer fire company." A nonprofit chartered
30 organization, association or organization located in this

1 Commonwealth which provides fire protection services, including
2 fire police services and other volunteer emergency services
3 within this Commonwealth. Volunteer emergency services provided
4 by a volunteer fire company may include volunteer ambulance and
5 volunteer rescue service.

6 Section 4. Requirement to pay for response to emergencies.

7 A person involved in an emergency situation, incident or
8 event that necessitates a response from a volunteer emergency
9 services organization shall be liable for the actual and
10 reasonable response costs incurred by the volunteer emergency
11 services organization unless the person:

12 (1) has paid to the municipality wherein the volunteer
13 emergency services organization is located, a tax which funds
14 at least in part volunteer emergency services; or

15 (2) has made a monetary contribution to an annual fund
16 drive of an emergency services organization recognized by the
17 resident's municipality within the preceding 12 months from
18 the date of the emergency situation, incident or event that
19 necessitates a response from a volunteer emergency services
20 organization.

21 Section 5. Establishment of reimbursement procedures.

22 (a) Billing.--Volunteer emergency services organizations may
23 bill for real and reasonable reimbursement for costs related to
24 responding to calls dispatched by an officially recognized and
25 approved emergency communication center.

26 (b) Reimbursement.--When a person receives a bill for
27 reimbursement from a volunteer emergency services organization,
28 the person shall be responsible for payment. If the person is
29 forwarding the bill for reimbursement to an insurance company,
30 the person must notify the volunteer emergency services

1 organization from which the bill for reimbursement was received.
2 Forwarding the bill for reimbursement to an insurance company
3 does not relieve the person from financial responsibility for
4 payment.

5 (c) Legal process.--If negotiations to recover response
6 costs do not resolve the dispute to the satisfaction of the
7 parties involved, the volunteer emergency services organization
8 may recover its response costs in an action at law or in equity
9 brought before a court of competent jurisdiction. Should more
10 than one volunteer emergency services organization incur
11 response costs for the same emergency situation, incident or
12 event, the volunteer emergency services organizations involved
13 may file a joint action at law or in equity and may designate
14 one such organization to represent the others in the action.

15 Section 6. Rules and regulations.

16 The rules and regulations necessary for the implementation of
17 this act shall be established as follows:

18 (1) The Office of the State Fire Commissioner, in
19 consultation with the Fire Safety Advisory Committee
20 established under the act of November 13, 1995 (P.L.604, No.
21 61), known as the State Fire Commissioner Act, shall
22 promulgate rules and regulations pertaining to reimbursing
23 volunteer fire companies.

24 (2) The Department of Health, in consultation with the
25 Pennsylvania Emergency Health Services Council, shall
26 promulgate rules and regulations under this act pertaining to
27 reimbursing volunteer ambulance services.

28 Section 7. Penalties.

29 A volunteer emergency services organization filing a false
30 request for reimbursement commits a summary offense and, upon

1 conviction, shall be sentenced to pay a fine of not more than
2 \$100 for each false request.
3 Section 8. Effective date.
4 This act shall take effect in 180 days.