
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 526 Session of
2021

INTRODUCED BY PITTMAN, ARGALL, PHILLIPS-HILL, MARTIN, AUMENT AND
MENSCH, APRIL 14, 2021

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,
APRIL 14, 2021

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in grants to fire companies and
3 emergency medical services companies, further providing for
4 definitions and for establishment, providing for increased
5 reimbursement to EMS agencies for transportation of Medicaid
6 recipients and further providing for publication and notice,
7 for award of grants, for Emergency Medical Services Company
8 Grant Program, for allocation of appropriated funds; and
9 making editorial changes.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. The definition of "grant program" in section 7802
13 of Title 35 of the Pennsylvania Consolidated Statutes is amended
14 to read:

15 § 7802. Definitions.

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

19 * * *

20 "Grant program." The Fire Company Grant Program established
21 in Subchapter B (relating to fire company grant program) [or the

1 Emergency Medical Services Grant Program established in
2 Subchapter C (relating to emergency medical services grant
3 program)].

4 * * *

5 Section 2. Subchapter C heading of Chapter 78 of Title 35 is
6 amended to read:

7 SUBCHAPTER C

8 EMERGENCY MEDICAL SERVICES [GRANT] REIMBURSEMENT PROGRAM

9 Section 3. Section 7821 of Title 35, amended October 29,
10 2020 (P.L.739, No.91), is amended to read:

11 § 7821. Establishment.

12 The Emergency Medical Services [Grant] Reimbursement Program
13 is established and shall be administered by the commissioner[.
14 Grants provided under this program shall be used to improve and
15 enhance the capabilities of EMS to provide ambulance, emergency
16 medical, basic life support and advanced life support services.]
17 in accordance with section 7821.1 (relating to increased
18 reimbursement to EMS agencies for transportation of Medicaid
19 recipients).

20 Section 4. Title 35 is amended by adding a section to read:
21 § 7821.1. Increased reimbursement to EMS agencies for
22 transportation of Medicaid recipients.

23 (a) Amendments to Title XIX State Plan.--

24 (1) Within 30 days of the effective date of this
25 section, the Department of Human Services shall submit a
26 request to the Federal Government for approval of necessary
27 amendments to the Title XIX State Plan for the purpose of
28 increasing the rate of Medicaid reimbursement to EMS agencies
29 in the transportation of Medicaid recipients.

30 (2) Within 10 days of approval by the Federal Government

1 of the necessary amendments to the Title XIX State Plan, the
2 Department of Human Services shall notify the agency.

3 (b) Distribution of funding.--After receipt of the
4 notification under subsection (a) (2) and from the funding
5 sources identified in subsection (c), the agency shall allocate
6 annually to the Department of Human Services an amount
7 sufficient for increasing the rate of Medicaid reimbursement to
8 EMS agencies in the transportation of Medicaid recipients.

9 (c) Sources of funding.--The sources of funding for the
10 allocation required under subsection (b) shall consist of the
11 following:

12 (1) The sum of \$3,000,000 of the amount appropriated to
13 the agency for EMS company grants under section 1799-E(a) of
14 the act of April 9, 1929 (P.L.343, No.176), known as The
15 Fiscal Code.

16 (2) The allocation specified under section 7833(b) (2)
17 (relating to allocation of appropriated funds).

18 (3) The amount transferred under section 2413(a) (1) of
19 the act of March 4, 1971 (P.L.6, No.2), known as the Tax
20 Reform Code of 1971.

21 Section 5. Sections 7822, 7823 and 7832 of Title 35, amended
22 October 29, 2020 (P.L.739, No.91), are repealed:

23 [§ 7822. Publication and notice.

24 The commissioner shall publish notice of the grant program
25 availability through the Legislative Reference Bureau for
26 publication in the Pennsylvania Bulletin by August 8 for each
27 fiscal year.

28 (1) (Deleted by amendment).

29 (2) (Deleted by amendment).

30 § 7823. Award of grants.

1 (a) Authorization.--The commissioner is authorized to make a
2 grant award to each eligible EMS company for the following:

3 (1) Construction and renovation of the EMS company's
4 facilities and purchase or repair of fixtures, furnishings,
5 office equipment and support services necessary to maintain
6 or improve the capability of the services to provide
7 ambulance, emergency medical, basic life support and advanced
8 life support services.

9 (2) Repair of ambulance equipment or purchase thereof.

10 (3) Debt reduction associated with paragraph (1) or (2).

11 (4) Training and certification of members.

12 (5) Education of the general public regarding community
13 risk reduction programs.

14 (6) Recruitment and retention programs, including, but
15 not limited to, programs for minors.

16 (7) Revenue loss for grants issued in 2021 and 2022.

17 (b) Limits.--

18 (1) Grants shall be not less than \$2,500 and not more
19 than \$10,000 per EMS company.

20 (2) Grants may be awarded on a pro rata basis if the
21 total dollar amount of the approved application exceeds the
22 amount of funds appropriated by the General Assembly for this
23 purpose.

24 (3) If two or more EMS companies consolidated their use
25 of equipment, personnel and services within 10 years
26 preceding the date of the current year application submission
27 deadline, the consolidated entity shall be deemed eligible to
28 receive a grant not to exceed the amount of the combined
29 total for which the individual companies would have been
30 eligible had they not consolidated.

1 (b.1) Eligibility.--To receive grant funds under this
2 chapter, an EMS company must be designated by a municipality as
3 the municipality's primary EMS provider.

4 (c) Time for filing application and department action.--

5 (1) By September 8 of each year, the commissioner shall
6 provide applications and written instructions for grants
7 under this chapter to the president or lead officer of every
8 EMS company in this Commonwealth.

9 (2) EMS companies seeking grants under this chapter
10 shall submit completed applications to the commissioner. The
11 application period shall remain open for 45 days each year.
12 The commissioner shall act to approve or disapprove
13 applications within 60 days of the application submission
14 deadline each year. Applications which have not been approved
15 or disapproved by the commissioner within 60 days after the
16 close of the application period each year shall be deemed
17 approved.

18 § 7832. Emergency Medical Services Company Grant Program.

19 The sum of \$3,000,000 of the amount appropriated to the
20 commissioner for EMS company grants under section 1799-E of the
21 act of April 9, 1929 (P.L.343, No.176), known as The Fiscal
22 Code, shall be expended for the purpose of making grants to
23 eligible EMS companies under Subchapter C (relating to emergency
24 medical services grant program).]

25 Section 6. Section 7833 of Title 35, amended October 29,
26 2020 (P.L.739, No.91), is amended to read:

27 § 7833. Allocation of appropriated funds.

28 (a) Administration.--

29 (1) Except as provided under paragraph (2), no money
30 from the appropriation for grants shall be used for expenses

1 or costs incurred by the commissioner for the administration
2 of the grant [programs] program authorized under
3 Subchapter[s] B (relating to fire company grant program) and
4 of making reimbursements under Subchapter C (relating to
5 emergency medical services [grant] reimbursement program).

6 (2) Notwithstanding paragraph (1), the commissioner may
7 use not more than \$800,000 of any unencumbered funds
8 remaining in the fund for administrative costs for grant
9 program implementation under this chapter.

10 (b) Grant allocation.--Unless otherwise expressly stated,
11 money appropriated to the commissioner for purposes of fire
12 company and EMS company grants shall be allocated as follows:

13 (1) Eighty-eight percent of the amount appropriated
14 shall be used for making grants to eligible fire companies
15 under Subchapter B.

16 (2) Twelve percent of the amount appropriated shall be
17 used for making [grants] reimbursements to eligible EMS
18 companies under Subchapter C.

19 Section 7. The following parts of acts are repealed to the
20 extent of any inconsistency with this act:

21 (1) Section 1799-E(a) of the act of April 9, 1929
22 (P.L.343, No.176), known as The Fiscal Code.

23 (2) Section 2413(a)(1) of the act of March 4, 1971
24 (P.L.6, No.2), known as the Tax Reform Code of 1971.

25 Section 8. This act shall take effect in 60 days.