



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 2058

PRINTERS NO. 3428

PRIME SPONSOR: Farry

COST / (SAVINGS)

| FUND | FY 2015/16 | FY 2016/17 |
|--------------|------------|------------|
| General Fund | \$0 | \$0 |

SUMMARY: House Bill 2058, Printer's Number 3428, amends Title 35 to expand the scope of practice for paramedics related to drawing of blood; and Title 42 regarding paramedic user fees.

ANALYSIS: This bill amends Title 35 (Health and Safety) requiring the Department of Health to promulgate regulations to establish standards and criteria for blood draw services by a paramedic. It expands the scope and practice of a paramedic to provide legal blood draws and assistance to law enforcement upon request on behalf of a licensed EMS agency from persons suspected of driving under the influence of alcohol or a controlled substance.

Services provided under this subsection shall be considered to be within the paramedics' scope of practice. It also authorizes the use of an EMS agency's vehicle in the provision of services. The EMS agency must implement vehicle use policies to ensure that an ambulance is always available for a 911 emergency call.

A paramedic performing a legal blood draw service within the paramedic's scope of practice shall maintain the same liability protections under existing statute. A law enforcement officer who witnessed the blood draw is permitted to testify in court proceedings as to the chain of custody in place of the paramedic who drew the blood.

The legislation also amends Title 42 (Judiciary and Judicial Procedure) to require the payment of a paramedic user fee for laboratory services, including the cost of sending a laboratory technician or paramedic to court proceedings. The paramedic user fee is payable when a person is: placed on probation without a verdict; receives Accelerated Rehabilitative Disposition; pleads guilty or nolo contendere to or is convicted of certain offenses. This fee shall be paid to the EMS agency and used solely for the provision of criminal laboratory services.

This legislation would take effect in 90 days, except the Department of Health's requirement to promulgate regulations to establish standards for EMS services is effective immediately.

FISCAL IMPACT: Enactment of this bill will have no fiscal impact on Commonwealth funds. The Department of Health should be able to cover any administrative costs related to the promulgation of regulations under its existing operations.

The legislation also establishes a paramedic user fee to cover operating and court proceeding costs to the paramedic and EMS agency as a result of providing services. Any fees would be available upon an offender's conviction for a related offense.

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House Appropriations Committee (R)

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Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.