



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 861

PRINTERS NO. 1072

PRIME SPONSOR: Stefano

COST / (SAVINGS)

FUND	FY 2021/22	FY 2022/23
General Fund	\$0	See Fiscal Impact

SUMMARY: Senate Bill 861, Printer's Number 1072, would enter Pennsylvania into the Emergency Medical Services Personnel Licensure Interstate Compact to allow for the movement and operation of EMS personnel across states boundaries during the performance of their duties.

ANALYSIS: This bill establishes the Recognition of Emergency Medical Services Personnel Licensure Interstate Compact Act (REPLICA) to allow for the movement and operation of Pennsylvania EMS personnel across states boundaries during the performance of their duties. The Compact is governed by commissioners appointed by the Interstate Commission for EMS Personnel Practice with each state having one seat on the Commission. The purpose of the compact is designed to achieve the following:

1. Increase public access to EMS personnel;
2. Enhance the states' ability to protect public health and safety, especially patient safety;
3. Encourage cooperation in the areas of EMS personnel licensure and regulation;
4. Support licensing of military members separating from active duty and their spouses;
5. Facilitate the exchange of information between member states regarding EMS personnel licensure, adverse action and significant investigatory information;
6. Promote compliance with EMS personnel practice laws in member states; and
7. Invest all member states with the authority to hold EMS personnel accountable through the mutual recognition of member state licenses.

Section 3 addresses rules and conditions related to Home State Licensure, such as any member state in which an individual holds a current license shall be deemed a home state for purposes of this Compact; has mechanisms for receiving and investigating complaints about individuals; and complies with the rules of the Commission.

Section 4 states that members shall recognize the privilege to practice of an individual licensed in another member state that meets rules and conditions related to Home State Licensure and additional criteria. Section 5 adds to this listing several conditions of practice in a remote state.

Section 6 reaffirms the state's relationship to the Emergency Management Assistance Compact (EMAC) when a member state's governor's declaration of a state of emergency or disaster activates the EMAC and that all relevant terms and provisions of EMAC shall apply.

Section 7 highlights that member states shall consider a veteran, active military service member, and member of the National Guard and Reserves, and a spouse thereof, who holds a current valid and unrestricted certification at or above the level of the state license being sought as satisfying the minimum training and examination requirements for such licensure. Section 8 adds that a home state shall have exclusive power to impose adverse action against an individual's license issued by the home state.

Section 9 lists powers invested in a member state's EMS authority related to the Compact that are in addition to any other powers granted under state law.

Section 10 outlines how the Compact establishes a joint public agency known as the Interstate Commission for EMS Personnel Practice and the "Commission is a body politic and an instrumentality of the Compact states." It further lists criteria related to membership, voting, meetings, publishing of bylaws, maintain financial record, and establish a budget and make expenditures.

It also addresses additional budget and payment duties of the Commission such as:

- It shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.
- It may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.
- It may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the Commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Commission, which shall promulgate a rule binding upon all member states.

Section 11 states that the Commission shall provide for the development and maintenance of a coordinated database and reporting system containing licensure, adverse action, and significant investigatory information on all licensed individuals in member states.

Section 12 states that the Commission shall exercise its rulemaking powers pursuant to the criteria set forth in this Section and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

Section 13 outlines the oversight, dispute resolution and enforcement provisions related to the Compact and the member states. For example, the executive, legislative, and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

Section 14 addresses the date of implementation of the Interstate Commission for EMS personnel practice and associated rules, withdrawal, and amendment. The compact shall come into effect on the date on which the compact statute is enacted into law in the tenth member state. Any state that joins the compact subsequent to the Commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the Commission shall have the full force and effect of law on the day the compact becomes law in that state.

This Compact may be amended by the member states, but no amendment shall become effective and binding upon any member state until it is enacted into the laws of all member states.

Any member state may withdraw from this compact by enacting a statute repealing the same. A member state's withdrawal shall not take effect until six (6) months after enactment of the repealing statute. Withdrawal shall not affect the continuing requirement of the withdrawing state's EMS authority to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

Section 15 addresses construction and severability, specifically that nothing in this compact supersedes state law or rules related to licensure of EMS agencies.

This legislation would take effect immediately upon enactment.

FISCAL IMPACT: Enactment of this bill would allow Pennsylvania to enter the Emergency Medical Services Personnel Licensure Interstate Compact with no immediate fiscal impact. However, future costs to the Commonwealth may occur if the Commission charges annual assessments to Compact member states.

Compact member states are not charged an annual assessment currently by the Commission because it receives other revenues, including a grant provided by the National Registry of EMTs. While total grant funding provided to the Commission is not listed, the National Registry had \$16.8 million in total revenues per its 2020 Annual Report. Therefore, member states may be charged an assessment if the Commission no longer receives funding support from the National Registry or similar organizations for its activities.

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House Appropriations Committee (R)

DATE: June 27, 2022

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