

# SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

**BILL NO.** Senate Bill 240

**PRINTER'S NO.** 1071

**AMOUNT**

Minimal Fiscal Impact

**FUND**

General

**DATE INTRODUCED**

February 19, 2009

**PRIME SPONSOR**

Senator Baker

**HISTORY OF BILL**

Referred to VETERANS AFFAIRS & EMERGENCY PREPAREDNESS,  
Feb. 19, 2009

Reported as amended, March 18, 2009

First consideration, March 18, 2009

Re-referred to APPROPRIATIONS, March 30, 2009

Re-reported as amended, June 1, 2009

**DESCRIPTION AND PURPOSE OF BILL**

Act 45 of 1985 (Emergency Medical Services Act) currently governs the Emergency Medical Services (EMS) delivery system with the Commonwealth. Under the Act, the Department of Health contracts with sixteen Regional Emergency Medical Services Councils to assist in training EMS providers and administering the Emergency Medical Services Operation Fund. Senate Bill 240 amends Title 35 (Health and Safety) and Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes by repealing the existing Emergency Medical Services Act (Act 45-1985) and adding a new Chapter 72 to re-establish and consolidate the Emergency Medical Services System Act.

Specifically, this legislation contains the following provisions:

- Adopts the Emergency Medical Services (EMS) scope of practice model that was developed for the National Highway Traffic Safety Administration by the National Association of State Emergency Medical Services Officials;

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- Requires the Department of Health (DOH) to establish EMS personnel regulations and an expanded scope of practice;
- Requires all EMS organization licenses and personnel certifications permanent, subject to removal for disciplinary reasons and subject to registration;
- Provide for ambulance services to be statutorily defined as EMS agencies, including but not limited to services such as, ambulance services, quick response services, wilderness EMS services, and tactical EMS services. Licensing requirements in each service are specific to each type of license or certified service;
- Requires all EMS agencies to have an EMS Medical Director on staff or on contract;
- Requires ambulance drivers and ambulance attendants to be certified by the DOH as Emergency Medical Responders;
- Provides the DOH with emergency suspension powers when the EMS provider presents a clear and immediate danger to the public health and safety;
- Allows for the DOH to enter into reciprocity agreements with other states for the certification of EMS personnel;
- Allows for the DOH to issue conditional temporary licenses;
- Gives the DOH the authority to enter into sole source contracts with regional EMS councils to provide sole source grant funding;
- Allows for Physician assistants to become EMS personnel, based upon their education and experience;
- Requires applicants with criminal or disciplinary records who are seeking certification as an EMS provider to provide the DOH with a certified copy of their criminal or disciplinary record;
- Provides standards for EMS providers governing their access to persons in need of EMS in a police incident when the police also need access or need to take an individual into custody; and,
- Provides for civil immunity for peer review of the emergency medical services delivery system.

### **FISCAL IMPACT:**

With the passage of Senate Bill 240, the Department of Health has estimated that they would incur approximately \$55,000 in administrative costs due to software changes and revisions within their Information Technology department for EMS application and licensure processes. This would be slightly offset by the annual collection of approximately \$10,000 in civil penalties. The Department has also stated that there may be possible cost-savings with staffing

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responsibilities due to the redesign. Therefore, it is estimated that there would be a very minimal fiscal impact to Commonwealth funds.