
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1608 Session of
2003

INTRODUCED BY HANNA, BELARDI, BELFANTI, CAPPELLI, CREIGHTON,
DALEY, DeWEESE, FABRIZIO, GEORGE, GRUCELA, JAMES, MELIO,
PALLONE, SOLOBAY, SURRA, YOUNGBLOOD, McNAUGHTON, S. MILLER,
PISTELLA, STABACK AND WOJNAROSKI, JUNE 16, 2003

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, JUNE 16, 2003

AN ACT

1 Providing for reimbursement to certain emergency services
2 providers of the cost of responding to a request for
3 emergency services on State-owned lands.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Emergency
8 Services Provider Reimbursement Act.

9 Section 2. Definitions.

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

13 "Commonwealth agency." An executive agency, an independent
14 agency or a State-affiliated entity, as those terms are defined
15 in 62 Pa.C.S. § 103 (relating to definitions).

16 "Emergency communication center." An officially recognized
17 and approved Federal, State, county or municipal operation whose

1 purpose is to receive emergency calls; to determine the
2 appropriate agency, equipment and/or vehicles required to
3 respond to these calls; and then to dispatch the appropriate
4 agency, equipment and/or emergency vehicle or vehicles to the
5 location of the emergency situation, incident or event.

6 "Emergency services provider." A municipal, public, private
7 or nonprofit service whose purpose is to respond to emergency
8 situations, incidents and events and provide emergency or
9 nonemergency assistance and service to the public. The term
10 includes, but is not limited to, a hazardous materials response
11 unit, fire service, ambulance, heavy and light rescue squad
12 unit, quick response unit and other related vehicle used in the
13 normal operation of an emergency service, and a volunteer
14 emergency service.

15 "Emergency situation, incident or event." A disaster;
16 hazardous materials incident; fire; industrial or private
17 security or fire alarm systems; industrial accidents; auto
18 accidents; medical emergencies; nonemergency calls for medical
19 assistance; or to any other situation, incident or event that
20 does or may present a potential danger and/or threat to the
21 health and safety of members of the public.

22 "False alarm." A willfully fraudulent and intentional
23 transmission or request for a response by a volunteer emergency
24 services organization where the person making the transmission
25 or request knows there is no need for the transmission or
26 request. A person transmitting or requesting a response by a
27 volunteer emergency services organization who perceives or feels
28 there could be or may be a need for the transmission or request
29 shall not be considered to have transmitted or requested a
30 willfully fraudulent and intentional false alarm.

1 "Municipal emergency services department." A fire
2 department, ambulance service or rescue squad established,
3 operated and funded by the municipality.

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

22 "Person." Includes a corporation, partnership, business
23 trust, other association, governmental entity other than the
24 Commonwealth, estate, trust, foundation or natural person.

25 "State-owned land." Land that is owned or leased by or under
26 the control of a Commonwealth agency.

27 "Volunteer ambulance service." A nonprofit chartered
28 corporation, association or organization located in this
29 Commonwealth which is regularly engaged in the service of
30 providing emergency medical care and transportation of patients.

1 "Volunteer emergency service organization." An organization
2 which is a volunteer fire company, volunteer ambulance service,
3 volunteer rescue squad or volunteer hazardous material response
4 team.

5 "Volunteer fire company." A nonprofit chartered
6 organization, association or organization located in this
7 Commonwealth which provides fire protection services, including
8 fire police services, and other volunteer emergency service
9 within this Commonwealth. Volunteer emergency service provided
10 by a volunteer fire company may include volunteer ambulance and
11 volunteer rescue service.

12 "Volunteer hazardous material response team." A nonprofit
13 chartered corporation, association or organization located in
14 this Commonwealth whose members are specially trained to respond
15 to accidents or situations where hazardous or toxic material are
16 released into the environment.

17 "Volunteer rescue squad." A nonprofit chartered corporation,
18 association or organization located in this Commonwealth which
19 provides rescue service in this Commonwealth.

20 Section 3. Reimbursement for emergency services responses.

21 (a) General rule.--A Commonwealth agency shall pay to an
22 emergency services provider \$225 for each time that the
23 Commonwealth agency requests emergency services on State-owned
24 land from the emergency services provider and the emergency
25 services provider responds to the request.

26 (b) Procedures.--Each Commonwealth agency shall develop
27 procedures by which the Commonwealth agency requests emergency
28 services on State-owned land from an emergency services provider
29 and makes payment to the emergency services provider as required
30 by subsection (a).

1 (c) Payment.--A Commonwealth agency required to reimburse an
2 emergency services provider under this act shall make payment:

3 (1) to the volunteer emergency service organization that
4 responded;

5 (2) where a municipal emergency services department that
6 serves one municipality responded, to the municipality; or

7 (3) where a municipal emergency services department that
8 serves more than one municipality responded, directly to the
9 municipal emergency services department.

10 Section 4. Certain municipalities exempt.

11 This act shall not apply to an agreement for the provision of
12 emergency services entered into between a Commonwealth agency
13 and an emergency services provider on or before the effective
14 date of this act.

15 Section 5. Effective date.

16 This act shall take effect in 60 days.