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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 2444** Session of  
2008

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INTRODUCED BY CAUSER, O'NEILL, SOLOBAY, PAYNE, BAKER, BEYER,  
BOYD, CAPPELLI, CARROLL, CLYMER, DALEY, DENLINGER, EVERETT,  
FABRIZIO, FLECK, GEIST, GEORGE, GILLESPIE, GINGRICH, GOODMAN,  
HARRIS, HENNESSEY, HESS, HICKERNELL, HUTCHINSON, M. KELLER,  
KILLION, KOTIK, MAJOR, MARSHALL, MCGEEHAN, MILLARD,  
R. MILLER, MURT, PETRONE, PHILLIPS, PICKETT, QUINN, READSHAW,  
REICHLEY, SAYLOR, SCAVELLO, SIPTROTH, SONNEY, STERN, SURRA,  
THOMAS, VEREB, VULAKOVICH, WATSON AND ROAE, APRIL 15, 2008

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REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY  
PREPAREDNESS, APRIL 15, 2008

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AN ACT

1 Establishing the State Director of Emergency Medical Services  
2 within the Department of Health.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the State  
7 Director of Emergency Medical Services Act.

8 Section 2. Definitions.

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

12 "Department." The Department of Health of the Commonwealth.

13 "Director." The State Director of Emergency Medical  
14 Services.

1 "Emergency medical services." The medical care, including  
2 medical assessment, monitoring, treatment and transportation  
3 that may be provided to a person in responding to an actual or  
4 reported emergency to prevent or protect against loss of life or  
5 a deterioration in physiological or psychological condition, and  
6 to address pain or morbidity associated with the person's  
7 condition. This term also includes the transport of a person  
8 with medical assessment, monitoring or treatment of a person  
9 who, due to the person's condition, requires medical assessment,  
10 monitoring or treatment during transport.

11 "Secretary." The Secretary of Health of the Commonwealth.  
12 Section 3. State Director of Emergency Medical Services.

13 (a) Hierarchy.--Within the department there shall be the  
14 State Director of Emergency Medical Services, who, through the  
15 Lieutenant Governor, shall report to the Governor on all matters  
16 that pertain to maintaining a fully operational emergency  
17 medical service system throughout this Commonwealth.

18 (b) Powers and duties.--The director shall be responsible  
19 for fulfilling, on behalf of the secretary and the department as  
20 stipulated in the act of July 3, 1985 (P.L.164, No.45), known as  
21 the Emergency Medical Services Act, only those powers and duties  
22 solely related to the function and operation of the  
23 Commonwealth's emergency medical services system.

24 (c) Additional powers and duties.--Additionally, the  
25 director shall have the power and duty to:

26 (1) Provide and evaluate Statewide certification  
27 programs for prehospital practitioners and establish the  
28 criteria and standards associated with certification and  
29 recertification.

30 (2) Assist in the development and oversight of

1 continuing education and training programs needed for  
2 emergency medical services personnel to become recertified.

3 (3) Coordinate the activities of State and local  
4 community interests engaged in the delivery of emergency and  
5 nonemergency treatment and transportation within this  
6 Commonwealth, pursuant to the provisions of the Emergency  
7 Medical Services Act.

8 (4) Serve as a focal point for information relative to  
9 emergency medical service, injuries, prevention and loss of  
10 life resulting from trauma or medical events in this  
11 Commonwealth.

12 (5) Gather and retain data relevant to standards of care  
13 and submit periodic reports a minimum of annually, regarding  
14 the performance and safety of the emergency medical system.

15 (6) Develop and participate in a program of public  
16 awareness and education concerning the roles and uses of the  
17 emergency medical system, and education to individuals  
18 regarding the prevention of its misuse.

19 (7) Serve as a central point to support local efforts  
20 and interests in all matters pertaining to treatment and  
21 transportation within the emergency medical system.

22 (8) Cause economic impact studies to be performed prior  
23 to introducing or changing existing laws, rules or  
24 regulations governing the performance and delivery of  
25 clinical protocols, financial mandates or operational  
26 mandates that cause change to the clinical, fiscal or  
27 operational health of the emergency medical system.

28 (9) Coordinate and participate, in cooperation with the  
29 secretary, in all matters that pertain to both the department  
30 and the Bureau of Emergency Medical Services to ensure a

1 seamless delivery system of health care to the residents and  
2 visitors of this Commonwealth.

3 (d) Powers and duties of secretary and department.--Any  
4 powers or duties as stipulated in the Emergency Medical Services  
5 Act that are not solely related to the function and operation of  
6 the Commonwealth's emergency medical services system or any  
7 power or duty that may be construed to involve public health  
8 facilities or trauma centers, as defined in the Emergency  
9 Medical Services Act, shall remain the responsibility of the  
10 secretary and the department.

11 (e) Qualifications and appointment.--The director shall be a  
12 person who, by reason of training, experience and attainment, is  
13 qualified to coordinate emergency medical services and control  
14 activities. The person shall have documented experience managing  
15 the day-to-day clinical, financial and operational activities of  
16 emergency medical services. The director shall be appointed by  
17 the Governor after consultation with the emergency medical  
18 services community. The director shall act as the Commonwealth's  
19 primary representative with the Statewide emergency medical  
20 services community.

21 (f) Transfer.--The director shall use, employ and expend, in  
22 connection with the functions, powers and duties enumerated in  
23 subsection (b) for the position of the director, personnel,  
24 contract obligations, if any, records, files, property, supplies  
25 and equipment now being used or held in connection with such  
26 functions, powers and duties and the unexpended balance of  
27 appropriations, allocations, Federal grants and other funds  
28 available or to be made available for use in connection with  
29 such functions, powers and duties as previously were vested in  
30 the department under sections 11 and 12 of the Emergency Medical

1 Services Act.

2 Section 4. Emergency Medical Services Advisory Committee.

3 (a) Establishment.--There is hereby established the  
4 Emergency Medical Services Advisory Committee to assist the  
5 State Director of Emergency Medical Services. The committee  
6 shall consist of nine members as follows:

7 (1) The secretary of the department, ex officio.

8 (2) The State Director of Emergency Medical Services,  
9 who shall serve as chairman.

10 (3) Two members of the emergency medical services  
11 community to be appointed by the Governor from a list of at  
12 least six nominees submitted by the Ambulance Association of  
13 Pennsylvania and the Pennsylvania Fire and Emergency Services  
14 Institute.

15 (4) One member of the public, to be appointed by the  
16 Governor.

17 (5) Four members of the emergency medical services  
18 community, one each to be appointed by the President pro  
19 tempore of the Senate, the Minority Leader of the Senate, the  
20 Speaker of the House of Representatives and the Minority  
21 Leader of the House of Representatives.

22 (b) Service.--Members of the committee shall serve at the  
23 pleasure of their appointing authority. The committee shall  
24 advise the director on matters pertaining to system improvement  
25 and policy issues. The establishment of the Emergency Medical  
26 Services Advisory Committee shall in no way supersede the duties  
27 of the State Advisory Council as stipulated in the act of July  
28 3, 1985 (P.L.164, No.45), known as the Emergency Medical  
29 Services Act.

30 (c) Compensation and expenses.--The members shall serve

1 without compensation, but shall be reimbursed for their actual  
2 and necessary traveling and other expenses incurred in  
3 connection with attendance at meetings.

4 (d) Regular meetings.--For the conduct of routine business,  
5 including particularly the consideration of matters of basic  
6 policy, the committee shall meet at the call of the chairman and  
7 at least three times during each calendar year.

8 Section 5. Appropriation.

9 An appropriation providing for this act shall be by a  
10 separate line item in the general appropriation act.

11 Section 6. Effective date.

12 This act shall take effect in 60 days.