

**SECOND ENGROSSMENT  
with Senate Amendments  
REENGROSSED HOUSE BILL NO. 1044**

Introduced by

Legislative Management

(Public Safety and Transportation Committee)

1 A BILL for an Act to create and enact a new chapter to title 23 of the North Dakota Century  
2 Code, relating to ambulance operations areas, an emergency medical services advisory  
3 council, emergency medical services funding areas, and state financial assistance for  
4 emergency medical services; to amend and reenact subsection 1 of section 23-27-01 of the  
5 North Dakota Century Code, relating to emergency medical services operations service areas;  
6 to repeal chapter 23-40 of the North Dakota Century Code, relating to emergency medical  
7 services allocations; to provide a statement of legislative intent; to provide an appropriation; and  
8 to provide an effective date.

9 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

10 **SECTION 1. AMENDMENT.** Subsection 1 of section 23-27-01 of the North Dakota Century  
11 Code is amended and reenacted as follows:

12 1. The state department of health shall license emergency medical services operations—  
13 ~~After June 30, 2001, the~~ and may designate their service areas. The department shall  
14 limit the issuance of a license for any new emergency medical services operation  
15 based on the needs of the service area ~~if the applicant for the new license was~~  
16 ~~licensed before July 1, 2001, and was subsequently relicensed under section~~  
17 ~~23-27-04.5.~~ A license for an emergency medical services operation is nontransferable.

18 **SECTION 2.** A new chapter to title 23 of the North Dakota Century Code is created and  
19 enacted as follows:

20 **Definitions.**

21 For purposes of this chapter:

22 1. "Emergency medical services funding area" means a geographic area eligible for state  
23 assistance and includes one or more licensed ambulance operations.

1       2. "Minimum reasonable cost" means the cost of operating one transporting ambulance  
2       service or the sum of the cost to operate one transporting ambulance service and any  
3       combination of one substation and one quick response unit.

4       3. "Required local matching funds" means revenue generated by the provision of  
5       emergency medical services, local mill levies, local sales tax, local donations, and  
6       in-kind donations of services.

7       **Emergency medical services advisory council.**

8       The state department of health shall establish an emergency medical services advisory  
9       council. The council must include at least three representatives appointed by the North Dakota  
10      emergency medical services association, one individual to represent basic life support and one  
11      individual to represent advanced life support, both appointed by the state health officer, and  
12      other members designated by the state health officer, not to exceed a total of fourteen  
13      members. The department shall consider the recommendations of the council on the plan for  
14      integrated emergency medical services in the state, development of emergency medical  
15      services funding areas, development of the emergency medical services funding areas  
16      application process and budget criteria, and other issues relating to emergency medical  
17      services as determined by the state health officer. Council members are entitled to  
18      reimbursement for expenses in the manner provided in section 44-08-04. The department shall  
19      establish by policy the length of terms and the method for rotation of membership.

20      **Emergency medical services funding areas.**

21      The state department of health shall establish and update biennially a plan for integrated  
22      emergency medical services in this state. The plan must identify ambulance operations areas,  
23      emergency medical services funding areas that require state financial assistance to operate a  
24      minimally reasonable level of emergency medical services, and a minimum reasonable cost for  
25      an emergency medical services operation. The department shall designate emergency medical  
26      services funding areas based on criteria adopted by the health council and published in the  
27      North Dakota Administrative Code.

28      **State financial assistance for emergency medical services - Confidential information**  
29      **- Annual allocation.**

30      Emergency medical services operations that request financial assistance from the state  
31      must provide requested fiscal information to the state department of health for use in financial

1 assistance determinations. All information provided to the department under this section is  
2 confidential. The state department of health shall determine annually the allocation amount of  
3 state financial assistance for each emergency medical services funding area based on the  
4 department's determination of:

- 5 1. The minimum annual funding necessary to operate the emergency medical services  
6 operation or service designated to operate in the ambulance funding area, based on  
7 the financial needs unique to each emergency medical services funding area.
- 8 2. Required local matching funds commensurate with at least ten dollars per capita within  
9 the emergency medical services funding area.

10 **State financial assistance for emergency medical services - Distribution limit.**

11 During the first year of the biennium, the state department of health may not distribute more  
12 than one million two hundred fifty thousand dollars of the biennial legislative appropriation for  
13 state financial assistance for emergency medical services.

14 **SECTION 3. REPEAL.** Chapter 23-40 of the North Dakota Century Code is repealed.

15 **SECTION 4. STATEMENT OF LEGISLATIVE INTENT.** The \$4,000,000 appropriation in  
16 section 5 of this Act is in addition to the appropriation in 2011 House Bill No. 1004. The  
17 combined appropriations must be used as the base level for the purpose of budgeting for the  
18 2013-15 executive budget.

19 **SECTION 5. APPROPRIATION.** There is appropriated out of any moneys in the general  
20 fund in the state treasury, not otherwise appropriated, the sum of \$4,000,000, or so much of the  
21 sum as may be necessary, to the state department of health, for the purpose of providing state  
22 assistance grants to emergency medical services operations and related administrative costs,  
23 for the biennium beginning July 1, 2011, and ending June 30, 2013.

24 **SECTION 6. EFFECTIVE DATE.** Section 2 of this Act becomes effective on June 30, 2012.