

2009 SENATE HUMAN SERVICES

SB 2050

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2050

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 1-12-09

Recorder Job Number: 6796, 6798

Committee Clerk Signature

Mary K. Moulton

Minutes:

Chairman Senator J. Lee opened the hearing on SB 2050 relating to regulation of emergency medical services operation dispatch. This has a fiscal note of \$5000.

Rep. Porter, District #34, introduced SB 2050. This bill goes back to where the language was a few years ago. Last session a change was made that is allowing non scheduled wheelchair transports of patients who should be going by ambulance to hospital emergency rooms.

Section one changed that back to how it use to be. Section, line 26, allows the dept. to start working towards performance based emergency medical services.

Last session a change was made to the way mill levy's are done to help offset the services of the ambulance service who primarily responds to a large area outside their county and. The language was clear enough so they want to fix it now.

The last area in section 4 is new and talks about dispatch procedures and protocols directly in relation to emergency medical services. Existing law requires a course for dispatchers to take and dispatch centers are required to give those instructions but nobody oversees the content of the course to make sure it is keeping up with current medical practices. Section four puts that responsibility in with the health department.

Senator J. Lee asked if the other county is just keeping the money.

Rep. Porter replied that if they have it set up as an ambulance district it could be going just to the ambulance service who has responsibility for the larger area even though a piece of that isn't being served by them. It it' a county wide mill levy, the county is taking the money in and redistributing it only to those ambulance services reside in their county. That is where the big problem lies. They aren't recognizing those services that are serving part of their county as a primary responder.

Tim Meyer – Director of Division of Emergency Medical Services, Department of Health.

See attached testimony #1 providing information on SB 2047.

State radio was discussed briefly. About half the counties around the state use state radio dispatch.

Mark Weber, President of the ND EMS Association, testified in support of SB 2050.

Attachment #2.

One of the reasons they want to make the change is because there are ambulance services arguing with each other over the funding. They need to be working together better so when one service is not available the other one will take the calls. He referred to the map attached to his testimony showing ambulance coverage areas. (Meter 15:40)

Senator Heckaman thought it was still confusing on who would get how much.

Mr. Weber replied that the way he believes it is written is when one ambulance service responds into a taxing district the responding ambulance would get whatever mill levy that is generated in that response area.

Senator J. Lee asked if 5 mills is the maximum that an ambulance district can levy.

Mr. Weber said up to 10 mills.

There was no opposition to SB 2050.

Terry Traynor, Assistant Director of the Association of Counties, provided information to help the committee in their deliberations on SB 2050. Attachment #3. His interest was mainly with the distribution of the funds. The first page of his handout dealt with the emergency medical service tax levies involved. He is hoping that clarification can be made as to whether this is the source of revenue making allocations. Is this limited to public "not for profit" ambulances or also for the private "for profit" ambulances. Does it deal with the general funds allocations as well as just the "for special funds". How do the fire districts that levy and run a quick response service enter into this? The counties want to know what this entails and how they are to implement it.

Meter 25:16 talked about the EMS Levy Illustration chart. Legislation from last session has changed the boundaries where ambulances go. Some EMS services will stretch into counties that don't have a levy.

Senator Dever asked if the area an ambulance serves is legally defined.

Mr. Traynor said the area they serve is dictated by state law and is whatever is the closest.

(Meter 29:00) Discussion continued on service areas.

Senator J. Lee asked if there was any chance that all the parties involved visit a little and see how this could be best addressed. No one argues about the money going to where the service is but wondered if there was a larger picture to address. There is a broad spectrum of funding.

Mr. Traynor replied that he would be happy to work with the others to make it cleaner.

The hearing on SB 2050 was closed.

Job #6798 (Meter 38:50)

General discussion on SB 2050 indicated that using mills levies can be very confusing. There is an inconsistency in funding that is creating hardships in some areas.

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2050

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 1-14-09

Recorder Job Number: 7022

Committee Clerk Signature

Mary K Monson

Minutes:

Senator J. Lee opened SB 2050 for discussion. She presented the committee with an amendment (attachment 4) provided by Ken Tupa. She said that those involved with this discussion are comfortable with this language.

Page 2 was discussed first which was a study.

Senator Dever pointed out that part of the discussions last session involving EMS funding was that smaller community ambulance service funding was not a problem. The communities are very supportive of their ambulance services. Would statewide funding take something away from that kind of spirit?

Senator J. Lee pointed out that this time they can't find volunteers to do the 24-7 calling so they need to have money to pay people to do day call so the evenings/weekends can be covered by the volunteers.

There was discussion that this wouldn't discount the importance of community support.

It wouldn't necessarily be all state funding. With four different mill levy possibilities it is very different from one ambulance service district to another. There wasn't objection to the study.

Section 4 was discussed with relationship to radio systems.

Tim Meyer from the health department appeared to answer questions from the committee.

Tax assessment from county to county was discussed. Counties talk back and forth.

Ambulance service districts can be set up independent of other geopolitical boundaries so they do occasionally cross county lines.

Senator J. Lee asked if he had anything to add to the study portion of this amendment.

Mr. Meyer said his understanding was that the study would take a look at the hodgepodge of tax money that is being generated and hopefully help them come to some recommendation of how that could become uniform across the state.

Senator J. Lee pointed out that the page numbers on the remainder of the amendment were wrong. It said page 2 and should be page 3.

Mr. Meyer said it is generally agreed to by the Association of Counties and the EMS. The department is neutral about the tax part of it but understand that it was a little ambiguous as it was written in the original bill. This amendment would identify a tax for ambulance services not all EMS agencies.

Senator Heckaman asked if section 4 is connected to any kind of a radio system being looked at for the state.

Mr. Meyer replied he thought it did have to do with hardware – that the ambulance services are getting the equipment they need and that they are programmed appropriately. Part of the communications issues with ambulance services is the proliferation of cell phones. They rely more on the cell phones than the radios. In a real disaster cell phone use won't be available. They want to reinforce the notion of talking on the radio and making sure the 911 call centers understand what is going on.

Discussion continued on state radio and dispatchers.

Senator J. Lee asked Mr. Meyer if he thought this gives enough authority to address communications issues.

Mr. Meyer said yes.

There was some discussion to make it the responsibility of the Department of EMS to regulate the communications or add in the words "consistent with protocols established by the Department of EMS.

Senator J. Lee recapped the amendment as discussed by the committee. She asked for changes to the amendment with the correction to say page 3 instead of page 2, with the addition of "consistent with protocols" as discussed, and the study resolution added on as section 5.

Discussion on SB 2050 was closed.

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2050

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 1-20-09

Recorder Job Number: 7349, 7354

Committee Clerk Signature

Mary R. Monson

Minutes:

Senator J. Lee opened discussion on SB 2050 (meter 3:25). An amendment had been proposed including a study resolution. There was also discussion with adding "consistent with protocols in the Department of Emergency Management".

The committee requested the intern to draw up the amendment for approval by the committee.

Senator J. Lee closed work on SB 2050.

Job #7354 (Meter 1:55)

Senator J. Lee reopened SB 2050.

A short discussion on the feasibility of transitioning to a statewide funding program took place. The main problem is four different funding sources that aren't coordinated at all. The feeling is maybe there is a better way to do it. The wording preferred by the committee in the amendment was "shall consider studying" which would make the study optional.

Work on SB 2050 was closed.

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2050

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 1-21-09

Recorder Job Number: 7463

Committee Clerk Signature

Mary R. Morrison

Minutes:

Senator J. Lee opened SB 2050 for consideration of the amendment which the intern prepared for them on the ambulance service levy.

Corrections to the amendment were discussed.

Senator Dever moved to adopt the corrected amendment.

Seconded by **Senator Heckaman**.

Roll call vote 6-0-0. **Amendment adopted.**

Senator Erbele moved a **Do Pass as Amended**.

Senator Heckaman seconded the motion.

Roll call vote 6-0-0. **Motion passed.**

Carrier is **Senator Heckaman**.

FISCAL NOTE
Requested by Legislative Council
12/08/2008

Bill/Resolution No.: SB 2050

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2007-2009 Biennium		2009-2011 Biennium		2011-2013 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			\$5,000			
Appropriations			\$5,000			

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2007-2009 Biennium			2009-2011 Biennium			2011-2013 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill would require promulgation of administrative rules for emergency medical services communications.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Approximately \$5,000 of staff time will be needed to promulgate administrative rules.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

We estimate the administrative rules process costing \$2,500 in staff time to meet all of the statutory requirements for rulemaking and \$2,500 in staff time to develop administrative rules.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

Funds for this project are not included in the Department's appropriation bill (SB 2004). The Department will need these funds appropriated to carry out out this project.

Name:	Kathy J. Albin	Agency:	Health Department
Phone Number:	328.4542	Date Prepared:	12/31/2008

1-21-09

PROPOSED AMENDMENTS TO SENATE BILL 2050

Page 1, line 6, after "operations" insert "; and to provide a Legislative Council Study"

Page 3, line 12, after "levies" insert "a special" and overstrike "property taxes for support of"

Page 3, line 13, after "services" insert "or ambulance service levy" and overstrike "emergency medical services operation" and insert immediately thereafter "ambulance service"

Page 3, line 15, after "tax" insert an underscored period and replace "which is equal to the revenue from mills levied" with "The taxing district shall allocate the special tax levy revenue to each ambulance service based upon the taxable value of the property within each township of the taxing district, allocating the taxable value of each township to the ambulance service that serves the largest area within that township."

Page 3, remove lines 16 and 17

Page 3, line 22, remove the period after "operations" and insert "in a manner consistent with the protocols established by the Department of Emergency Services."

Page 3, after line 22, insert:

"SECTION 5. LEGISLATIVE COUNCIL STUDY-EMERGENCY MEDICAL SERVICES. The Legislative Council shall consider study, during the 2009-10 interim, of the emergency medical services funding system within the state, including state and local emergency medical services and ambulance services funding and the feasibility of transitioning to a statewide funding formula."

Re-number accordingly

AB
1-22-09

PROPOSED AMENDMENTS TO SENATE BILL NO. 2050

Page 1, line 2, remove "and"

Page 1, line 6, after "operations" insert "; and to provide for a legislative council study"

Page 3, line 12, overstrike "property taxes for support of" and insert immediately thereafter "a special"

Page 3, line 13, after the first "services" insert "or ambulance service levy" and overstrike "emergency medical services operation" and insert immediately thereafter "ambulance service"

Page 3, line 15, replace "which is equal to the revenue from mills levied" with ". The taxing district shall allocate the special tax levy revenue to each ambulance service based upon the taxable value of the property within each township of the taxing district, allocating the taxable value of each township to the ambulance service that serves the largest area within that township"

Page 3, remove line 16

Page 3, line 17, remove "medical services operation"

Page 3, line 22, after "operations" insert "in a manner consistent with the protocols established by the department of emergency services"

Page 3, after line 22, insert:

"SECTION 5. LEGISLATIVE COUNCIL STUDY - EMERGENCY MEDICAL SERVICES. The legislative council shall consider studying, during the 2009-10 interim, the emergency medical services funding system within the state, including state and local emergency medical services and ambulance services funding and the feasibility and desirability of transitioning to a statewide funding formula. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-second legislative assembly."

Renumber accordingly

Date: 1-21-09

Roll Call Vote #: 1

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. SB 2050

Senate Human Services Committee

Check here for Conference Committee

Legislative Council Amendment Number 1-21-09

Action Taken Do Pass Do Not Pass Amended Rerefer to Appropriations
 Adopt Amendment Reconsider

Motion Made By Sen. Dever Seconded By Sen. Heckaman

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee, Chairman	✓		Senator Joan Heckaman	✓	
Senator Robert Erbele, V.Chair	✓		Senator Richard Marcellais	✓	
Senator Dick Dever	✓		Senator Jim Pomeroy	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 1-21-09

Roll Call Vote #: 2

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. SB 2050

Senate Human Services Committee

Check here for Conference Committee

Legislative Council Amendment Number 90286.0201 Title .0300

Action Taken Do Pass Do Not Pass Amended Rerefer to Appropriations

Adopt Amendment Reconsider

Motion Made By Sen. Erbele Seconded By Sen. Heckaman

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee, Chairman	✓		Senator Joan Heckaman	✓	
Senator Robert Erbele, V.Chair	✓		Senator Richard Marcellais	✓	
Senator Dick Dever	✓		Senator Jim Pomeroy	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Heckaman

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2050: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2050 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and"

Page 1, line 6, after "operations" insert "; and to provide for a legislative council study"

Page 3, line 12, overstrike "property taxes for support of" and insert immediately thereafter "a special"

Page 3, line 13, after the first "services" insert "or ambulance service levy" and overstrike "emergency medical services operation" and insert immediately thereafter "ambulance service"

Page 3, line 15, replace "which is equal to the revenue from mills levied" with ". The taxing district shall allocate the special tax levy revenue to each ambulance service based upon the taxable value of the property within each township of the taxing district, allocating the taxable value of each township to the ambulance service that serves the largest area within that township"

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Page 3, line 17, remove "medical services operation"

Page 3, line 22, after "operations" insert "in a manner consistent with the protocols established by the department of emergency services"

Page 3, after line 22, insert:

"SECTION 5. LEGISLATIVE COUNCIL STUDY - EMERGENCY MEDICAL SERVICES. The legislative council shall consider studying, during the 2009-10 interim, the emergency medical services funding system within the state, including state and local emergency medical services and ambulance services funding and the feasibility and desirability of transitioning to a statewide funding formula. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-second legislative assembly."

Re-number accordingly

2009 HOUSE HUMAN SERVICES

SB 2050

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2050

House Human Services Committee

Check here for Conference Committee

Hearing Date: February 25, 2009

Recorder Job Number: 9733

Committee Clerk Signature

Vicky Crabtree

Minutes:

Chairman Weisz opened the hearing on SB 2050.

Mark Weber, President of ND Emergency Medical Services Association testified in support of the bill: See Testimony #1.

Chairman Weisz: We passed last session that they had to do something. Haven't they done it?

Mark Weber: It was to receive a benefit which could just be a thank you.

Chairman Weisz: No one has done dollars?

Mark Weber: No.

Rep. Frantsvog: Do all ambulance service have a defined response area?

Mark Weber: They do. The Health Dept. has maps that shows the specific response areas.

Rep. Holman: If you give someone more money, you are going to give someone else less money. Have you investigated that? If someone is getting all the tax levy and all of a sudden you are going to shift some of that somewhere else, then maybe someone might be affected negatively.

Mark Weber: Yes, we have had a couple of ambulance services doing that (inaudible).

Bottineau Co. ambulance services may lose some money, but they also responded in other counties.

Rep. Nathe: How and you determines how much revenue is distributed?

Mark Weber: In our county, Pierce, our auditor finds out how many townships has ambulance services and then she figures out what the mil levy amount for those townships responded to and (inaudible) with that money.

Rep. Conrad: Are you all organized by townships?

Mark Weber: No, we are not. Service areas are defined by whatever address you are closest to.

Rep. Conrad: If one-half goes to one town and one-half goes to another town, which one gets that (inaudible)?

Mark Weber: We sat down after the Senate hearing and worked through the details (inaudible). (Too much background noise makes this inaudible).

Rep. Kilichowski: How many counties levy now?

Mark Weber: Don't know, probably one-third, maybe one-half.

Chairman Weisz: I thought it was 16.

Rep. Kilichowski: One to how many mill?

Mark Weber: Varies from 0-10. Majority are below 5.

Rep. Damschen: Is that voted on?

Mark Weber: Yes.

Rep. Damschen: I have a concern about that. If Bottineau Co. votes for mills and share of it goes to West Hope, I wonder if there'd be a miff about that.

Mark Weber: The county can have a mill levy or the ambulance can form an ambulance service district. If the citizens are worried that their (inaudible) is coming from an ambulance service other than theirs then they will have to pay for that and the money will have to go somewhere else. They can call an ambulance service district just for their service area and then that money would all go for that specific ambulance service.

Rep. Damschen: Have you discussed reimbursing for a call?

Mark Weber: No, we talked about different ways of figuring that out. And we felt that if you service a certain area and we generate certain amount of (inaudible) that's what you get. I think there is a study attached to this bill and they will look at the funding sources for EMS.

Rep. Frantsvog: Earlier this week someone talked to me about the Velva ambulance service and I was told you operate an ambulance service in Velva three days a week, is that correct?

Mark Weber: No, the Velva ambulance service, their community runs their ambulance service. We do provide them with some staff during the day from 6 a.m. 6 p.m. five days a week.

Rep. Frantsvog: How would you propose, if this bill were to pass, how would you propose that Rugby would get that share from Velva?

Mark Weber: Velva would keep their money.

Rep. Kilichowski: (Inaudible), where would that money come from?

Mark Weber: This bill doesn't address that.

Rep. Hofstad: You've added new language in Section 3, paragraph 3, "ambulance service levy"; does that allow the ambulance district to levy a tax?

Mark Weber: Changed language because the original bill was too vague. Any county has the authority to levy a tax.

Rep. Hofstad: The counties or ambulance district?

Mark Weber: It is initiated by county people and then they vote for it.

Rep. Hofstad: You don't have the authority to authorize a mill levy do you?

Mark Weber: It goes through the channels.

Rep. Todd Porter: Testified in support of the bill. I was the chairman of the interim committee that came up with this bill.

Chairman Weisz: If I call 911 on medical issue, it's transferred and dispatcher is suppose to (drops sentence).

Rep. Porter: Some places in the state, once a call comes in, they transfer it to other facilities that provide that service for them. Not everyone does it in house, but they have to provide the service.

Rep. Holman: Did you run by association of counties?

Rep. Porter: We worked through this very closely with the association of counties. During interim they were in full support.

Rep. Damschen: West Hope and Bottineau Co. and Bottineau Co. voted to tax themselves for the ambulance service. Renville Co. maybe didn't, I don't know, just as an example, so Bottineau Co. people say; these people are using the same service in Renville Co., but not paying. Is there a better way to distribute that money?

Rep. Porter: Where does the buck stop? Nowhere in the Century Code does it stop anywhere and that was the argument with the bill last time that we had it stopping at the level of county government. Every county is responsible for law enforcement, fire protection and roads. We added ambulance service and the counties didn't like that because of the financial responsibility. The county agrees to subsidize an ambulance service as a general fund. The boundaries they choose for their district aren't necessarily their service boundaries.

Rep. Damschen: I hope we can do something that doesn't separate the mandate that causes unrest among the people.

Rep. Porter: I certainly agree with that.

Rep. Frantsvog: I agree with your concept, I think it's a good idea. I have some questions about the transition into it. Using Bottineau Co. as an example, they pass a mill levy to provide an ambulance service, now who will makes the decision of the distribution?

Rep. Porter: The Geo political fence pops up. On page 3, they went down through the level of townships because it is easiest dividable unit if you get down to that level of government. Areas like Bismarck/Mandan are much bigger than Wilton ambulance service because the staffing is 24/7 in Bis/Man as in Wilton they are volunteers. Are there going to be winners and losers in dollars? Yes.

Chairman Weisz: Your breaking it down to township level makes sense, but are you going to have a dispute where who in reality should have that township when drawing your circle around your service area and if a dispute, is it going to be up to the county to say what belongs where? Did you have discussion on that.

Rep. Porter: Most of that work is done. None is laid out as a law or administrative rule. The 911 system already knows who they have to send.

Chairman Weisz: When you are closer to respond is that factored in?

Rep. Porter: Did that 4-6 years ago.

Terry Traynor from Association of Counties: Testified in support of Section 5. County commissioners reluctant to dole out money. This legislation gives them the authority. Problem is we don't all tax for ambulance services.

Chairman Weisz: Currently an ambulance service district, did they define their area by township?

Terry Traynor: Yes, if the auditor can anyway influence that. Easiest way to tax.

Rep. Hofstad: The logistics for doing this for the auditors, is this going to be a time consuming issue for them?

Terry Traynor: I've shared this with the auditors. The property tax system is computerized. There are 6 different computerized systems out there and all define which combination of taxing districts each township is in and once they do that once, there shouldn't be a problem. They recognize that it is doable.

Rep. Damschen: The commissioners (inaudible) tax (inaudible)

Terry Traynor: That is my understanding that state law would govern, they would share that as the law allows.

Tim Meyer, Director Medical Services and Trauma ND Dept. of Health: Gave information only. **See Testimony #2**

NO OPPOSITION.

Chairman Weisz closed the hearing.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2050

House Human Services Committee

Check here for Conference Committee

Hearing Date: February 25, 2009

Recorder Job Number: 9735

Committee Clerk Signature

Vicky Crattree

Minutes:

Chairman Weisz: Let's take up SB 2050. I have a concern on page 2, line 28, mandating performance and response time standards.

Rep. Porter: Looked at that during interim we had an induct discussion over bench marks and standards and the health dept. envision was there would be three sets of response time standards. First is urban, rural and frontier standards If you drew a circle on map of Burleigh Co. and said here is Wilton's perceived area of closest available unit and here's Bismarck's perceived area. Bismarck because of performance standards in Wilton, they would have to refine their service.

Chairman Weisz: What happens if Wilton pulls service area in and can't meet response standards set up?

Rep. Porter: The way this reads, that is certainly a possibility. The other side of this bill is the bill the Senate killed so we don't get to discuss it from a policy standpoint, but they took all the money and put it in the Health Dept. budget to increase the number of grants for personnel across the state. You shouldn't fund personnel if a county if they are only going to have 10 calls a year.

Rep. Kilichowski: You said it was 4-6 years ago they drew these circles out?

Rep. Porter: It was more like 6-10 years ago.

Rep. Kilichowski: (Inaudible) 4 to 5 miles all the way around.

Rep. Porter: No they really can't because when this was done as a onetime thing it was right at the start of computerized dispatching and the start of the automatic location system for 911. When you call 911, it says who is the police, fire and EMS for this physical address.

Rep. Kilichowski: No one should pull back on an area.

Rep. Porter: They certainly could. They would have to call the emergency manager or the 911 coordinator and tell them we no longer service these five miles. Then they would have to contract another ambulance service and ask if they are willing to pick up these five miles.

Rep. Frantsvog: Say Wilton is on a call 25 north of Wilton, do they every call you and ask you to assist them?

Rep. Porter: We do. All bigger ambulance services do intercepts with local volunteer services if they get into bind and need assistance or higher level of care.

Chairman Weisz: Rep. Porter are you comfortable with this language?

Rep. Porter: The time standards are within reasonable.

Rep. Kilichowski: **Motion for a DO PASS.**

Rep. Potter: **Second.**

Rep. Damschen: I think it would be easier for commissioners to get the tax money and (inaudible) to another county than it would be if the county taxed the resident from a different county. Hope this study gets priority.

Chairman Weisz: I was quite disappointed the counties not doing what we wanted them to do last session.

Roll Call Vote: 11 yes, 0 no, 2 absent, Rep. Conrad and Uglem.

BILL CARRIER: Rep. Conklin.

Date: 2-25-09

Roll Call Vote #:

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2050

House HUMAN SERVICES Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass Amended

Motion Made By Rep. Kilichowski Seconded By Rep. Potter

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN ROBIN WEISZ	✓		REP. TOM CONKLIN	✓	
VICE-CHAIR VONNIE PIETSCH	✓		REP. KARI L CONRAD	✓	
REP. CHUCK DAMSCHEN	✓		REP. RICHARD HOLMAN	✓	
REP. ROBERT FRANTSVOG	✓		REP. ROBERT KILICHOWSKI	✓	
REP. CURT HOFSTAD	✓		REP. LOUISE POTTER	✓	
REP. MICHAEL R. NATHE	✓				
REP. TODD PORTER	✓				
REP. GERRY UGLEM	✓				

Total (Yes) 11 No 0

Absent 2

Bill Carrier Rep. Conklin

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2050, as engrossed: Human Services Committee (Rep. Weisz, Chairman)
recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING).
Engrossed SB 2050 was placed on the Fourteenth order on the calendar.

2009 TESTIMONY

SB 2050

Testimony

Senate Bill 2050

Senate Human Services Committee

Monday, January 12, 2009; 9:15 a.m.

North Dakota Department of Health

Same given to House.

Good morning, Chairman Lee and members of the Human Services Committee. My name is Tim Meyer, and I am director of the Division of Emergency Medical Services and Trauma for the North Dakota Department of Health. I am here today to provide information about Senate Bill 2050.

Section one of the bill refines the definition of emergency medical services (EMS). During the last legislative session, a seemingly benign change of an "and" to an "or" made the definition somewhat ambiguous and would allow wheelchair van businesses that provide transportation services to handicapped people to do ambulance-like transports. As the statute is written now, as long as they do not provide medical care to the patient, they do not have to be licensed as an ambulance. We feel that allowing that practice places the public at risk, particularly those individuals who are not making transport decisions for themselves, such as nursing home residents.

Section two of the bill gives the Department of Health the authority to establish performance standards for emergency medical services. In 2008, independent studies by outside entities were conducted of North Dakota's trauma system and the EMS system. We received over 160 recommendations for improvement of the state's emergency care system. One common theme in the recommendations was to improve quality and quality assurance. To begin this process, we need to first establish benchmarks for EMS agencies to meet. Section two of this bill would allow the department to establish performance standards through the administrative rules process. Any performance standards that we establish would be reasonable and designed to be achievable by volunteer agencies; in addition, they would help improve the quality of services provided to our citizens during an emergency.

Section four gives the department the authority to regulate the communications process for EMS. This includes standardizing the radio hardware and programming configurations for EMS agencies. This would ensure that all ambulance services have uniform, interoperable capabilities allowing for communication with other public safety entities such as law enforcement and fire departments.

The Department of Health has received accounts of inconsistent or inadequate communications by EMS agencies. For example, there are times when an ambulance dispatched by a 911 call center fails to communicate its status to the 911 call center. As a result, the 911 operator might not know if the page was received or if the ambulance was en route to the emergency and may dispatch another ambulance to the

same location. Standardization of the communications process will help to ensure that public safety is not compromised and resources are used efficiently.

This concludes my testimony. I am happy to answer any questions you may have.

SB2050

January 12, 2009

Testimony – Human Services Committee
North Dakota EMS Association
Mark Weber, NDEMSA President

Good Morning Chairman Lee and members of the committee. My name is Mark Weber, I am the President of the North Dakota Emergency Medical Services (EMS) Association. I thank you for the opportunity to testify in support of SB 2050.

We support the wording changes in this bill. We would like you to pay special attention to section 3 where it discusses the taxing for EMS. Currently when an ambulance service's normal emergency response area is included within the boundaries of a taxing district, there is no requirement for that taxing district to reimburse the ambulance service from outside the district.

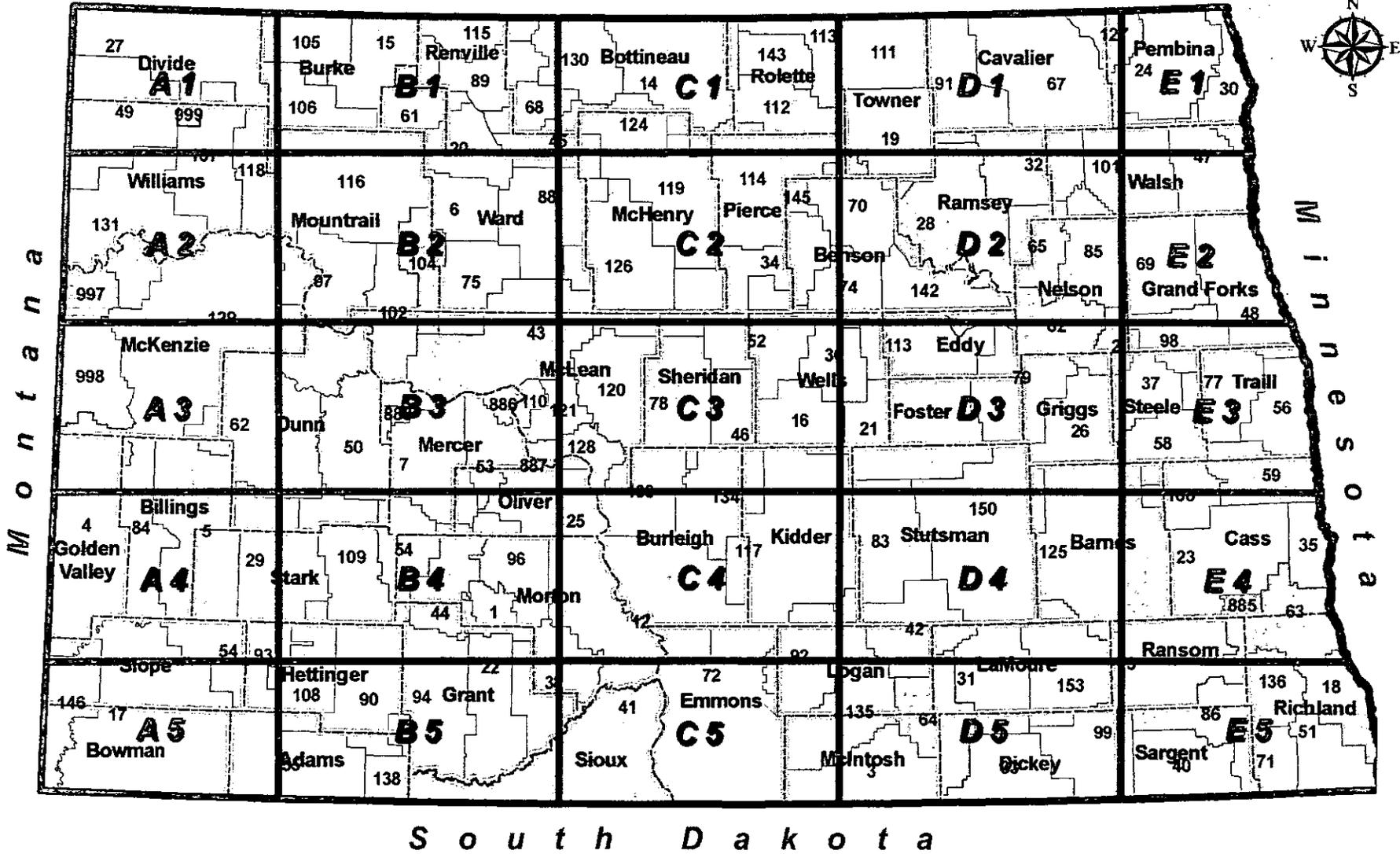
We believe it is only fair that any service responding into a taxing district, receive the money collected for EMS in that services normal emergency response area.

I have attached a map of normal emergency response areas which was developed by the ND DoH Department of EMS and Trauma. The map will help explain how this bill will help ND EMS services.

Chairman Lee, thank you for this opportunity to testify and I would be happy to answer questions the committee may have.

Index to Detailed Map Sheets

C A N A D A



#224

SB2050 – Emergency Medical Service Tax Levies Involved

57-15-50. Levy authorized for county emergency medical service. Upon petition of ten percent of the number of qualified electors of the county voting in the last election for governor or upon its own motion, the board of county commissioners of each county shall levy annually a tax not exceeding the limitation in subsection 23 of section 57-15-06.7, for the purpose of subsidizing county emergency medical services; provided, that this tax must be approved by a majority of the qualified electors of the county voting on the question at a regular or special countywide election. The county may budget, in addition to its annual operating budget for subsidizing emergency medical service, no more than ten percent of its annual operating budget as a depreciation expense to be set aside in a dedicated emergency medical services sinking fund deposited with the treasurer for the replacement of equipment and ambulances. The ten percent emergency medical services sinking fund must be in addition to the annual operating budget for subsidization, but the total of the annual operating budget and the annual ten percent emergency medical services sinking fund may not exceed the approved mill levy. If the county contains a rural ambulance service district or rural fire protection district that levies for and provides emergency medical service, the property within that district is exempt from the county tax levy under this section upon notice from the governing body of the district to the board of county commissioners of the existence of the district.

57-15-51. Levy authorized for city emergency medical service. Upon petition of ten percent of the number of qualified electors of the city voting in the last election for governor or upon its own motion, the governing body of a city shall levy annually a tax of not to exceed ten mills upon its taxable valuation, for the purpose of subsidizing city emergency medical services; provided, that such tax must be approved by a majority of the qualified electors of the city voting on the question at a regular or special city election. Whenever a tax for county emergency medical services is levied by a county, any city levying a tax for, or subsidizing city emergency medical services, shall upon written application to the county board of such county be exempted from such county tax levy. The city may set aside, as a depreciation expense, up to ten percent of its annual emergency medical service operating or subsidization budget in a dedicated emergency medical services sinking fund, deposited with the auditor for replacement of equipment and ambulances. The ten percent emergency medical services sinking fund may be in addition to the actual annual emergency medical services budget but the total of the annual emergency medical services budget and the annual ten percent emergency medical services fund may not exceed the approved mill levy.

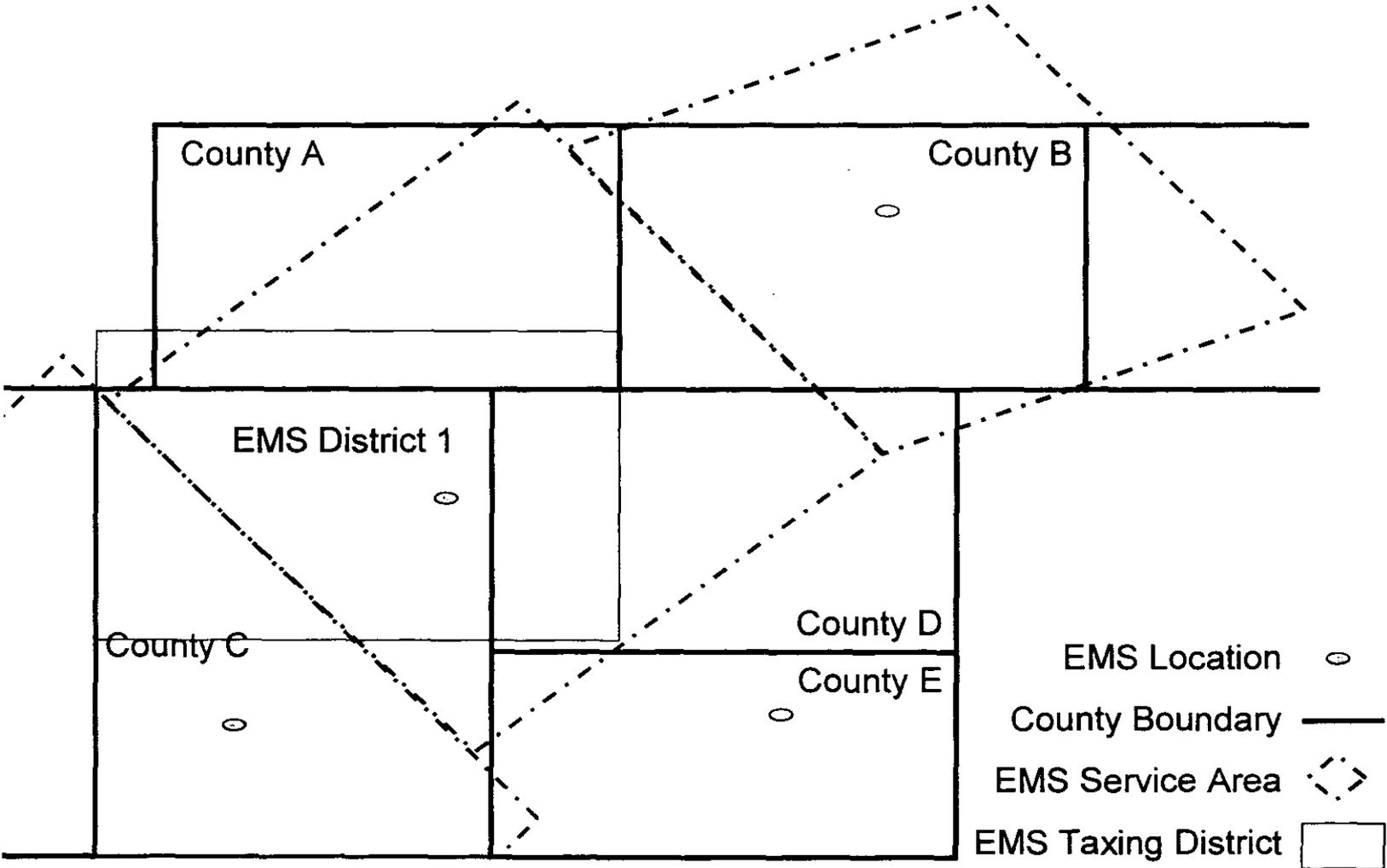
57-15-51.1. Levy authorized for township emergency medical service. Pursuant to a vote of sixty percent of the qualified electors voting at the annual township meeting, or at a special election called for that purpose upon petition of fifty percent of the number of qualified electors of the township voting in the last election for governor, the board of township supervisors shall levy annually a tax approved by the qualified electors not exceeding the limitation in subsection 7 of section 57-15-20.2 for the purpose of subsidizing township emergency medical service.

11-28.3-04. Form of ballot - Vote required to approve. The ballot on the question of forming a rural ambulance service district must be in substantially the following form:

Shall (name of taxing district or districts) levy a tax of not to exceed _____ mills for the purpose of forming a rural ambulance district? Yes No

If a majority of all the votes cast on the question of levying a tax and forming a rural ambulance service district are in favor of such a tax levy, then the formation of the district is approved.

EMS Levy Illustration



Dedicated EMS Levies - 2007 (for 2008 Budgets)

	County EMS Levy - Levied Countywide	County EMS Levy - Levied Less than Countywide	Township Ambulance Levy - Somewhere within County	City Ambulance Levy - Somewhere within County	Rural Ambulance District Levy - Somewhere within Co.
Adams Barnes Benson Billings Bottineau		37,958		2,346	53,813
Bowman Burke Burleigh Cass Cavalier	43,501		251		19,609 36,280
Dickey Divide Dunn Eddy Emmons	63,368		249		32,620 22,033
Foster Golden Valley Grand Forks Grant Griggs	4,567 29,251 1,024,656 18,308 9,563				
Hettinger Kidder LaMoure Logan McHenry	53,256 52,307			552 1,362	
McIntosh McKenzie McLean Mercer Morton	31,298			2,796	411 117,126
Mountrail Nelson Oliver Pembina Pierce	25,026 156,564 28,937			5,998	15,891 18,183
Ramsey Ransom Renville Richland Rolette	35,367			28,869	13,382 117,862
Sargent Sheridan Sioux Slope Stark	10,733	66,808 127,973			13,473 15,862
Steele Stutsman Towner Traill Walsh	261,613	58,468			
Ward Wells Williams					31,793
TOTAL	1,903,928	291,207	499	41,924	508,337

Source: ND Tax Dept. - 2007 Property Tax Statistical Report

PROPOSED AMENDMENTS TO SENATE BILL 2050

Page ~~3~~, line 12, after "levies" insert "a special" and overstrike "property taxes for support of"

Page ~~3~~, line 13, after "services" insert "or ambulance service" and overstrike "emergency medical services operation" and insert immediately thereafter "ambulance service"

Page ~~3~~, line 15, after "tax" insert an underscored period and replace "which is equal to the revenue from mills levied" with "The taxing district shall allocate the special tax levy revenue to each ambulance service based upon the taxable value of the property within each township of the taxing district, allocating the taxable value of each township to the ambulance service that serves the largest area within that township."

Page ~~3~~, remove lines 16 and 17

Renumber accordingly

The Engrossed version of the language should then read as follows:

A taxing district that levies a special ~~property taxes for support of~~ emergency medical services ~~or ambulance service~~ levy shall ensure that every ~~emergency medical services operation~~ ambulance service that ~~operates~~ has portions of its service area in that taxing district receives a benefit portion of the revenue from this tax. The taxing district shall allocate the special tax levy revenue to each ambulance service based upon the taxable value of the property within each township of the taxing district, allocating the taxable value of each township to the ambulance service that serves the largest area within that township.

SB 2050

Ken Tupa

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Section 5. Legislative Council Study – Emergency Medical Services

The Legislative Council shall study, during the 2009-10 interim, the emergency medical services funding system within the state, including state and local emergency medical services and ambulance services funding and the feasibility of transitioning to a statewide funding formula.

SB2050

February 25, 2009

Testimony – Human Services Committee
North Dakota EMS Association
Mark Weber, NDEMSEA President

Good Morning Chairman Weisz and members of the committee. My name is Mark Weber, and I am the President of the North Dakota Emergency Medical Services (EMS) Association. I thank you for the opportunity to testify in support of SB 2050.

We support the wording changes in this bill. We would like you to pay special attention to section 3 where it discusses the taxing for EMS. Currently when EMS Services respond into an area that levies property taxes for support of EMS it is not required for that area/district to provide funding to that ambulance service. We believe it is only fair that any ambulance service responding into a taxing district, receive the money collected for EMS in that services response area.

Chairman Weisz, thank you for this opportunity to testify and I would be happy to answer questions the committee may have.