

Introduced by

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 primary emergency medical services funding areas and state financial  
3 assistance for emergency medical services; to amend and reenact section 18-04-04.1 and  
4 subsection 1 of section 26.1-03-17 of the North Dakota Century Code, relating to the insurance  
5 tax distribution fund; to repeal chapter 23-40 of the North Dakota Century Code, relating to  
6 emergency medical services allocations; and to provide an appropriation.

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

8 **SECTION 1. AMENDMENT.** Section 18-04-04.1 of the North Dakota Century Code is  
9 amended and reenacted as follows:

10 **18-04-04.1. Insurance tax distribution fund.** The insurance tax distribution fund is a  
11 special fund in the state treasury. The portion of revenue provided in section 26.1-03-17 must  
12 be deposited in the fund for disbursement as provided in this chapter and ~~chapter 23-40~~  
13 section 2 of this Act, subject to legislative appropriation.

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

16 **Strategic plan - Emergency medical services funding areas.** The state department  
17 of health shall establish and update biennially a strategic plan for integrated emergency medical  
18 services in this state. The plan must include the designation of eighty-eight primary emergency  
19 medical services funding areas based on the department's determination of reasonable  
20 emergency medical service.

21 **Primary emergency medical services funding area - Oversight board established -**  
22 **Membership.** An oversight board must be established for each primary emergency medical  
23 services funding area. Each oversight board must consist of at least one local government  
24 representative and at least one patient advocate and may include other members with

1 demonstrated expertise in the areas of law, accounting, business, medicine, or health care.  
2 The membership of each oversight board is subject to approval by the state health officer.

3 **Oversight board duties.** Each oversight board for its primary emergency medical  
4 services funding area shall:

- 5 1. Establish and maintain a plan for the provision of emergency medical services.
- 6 2. Establish performance standards for emergency medical services operations.
- 7 3. Monitor performance of emergency medical services operations.
- 8 4. Allocate state financial assistance for emergency medical services funds to  
9 emergency medical services operations.
- 10 5. Provide emergency medical services statistics as requested by the state  
11 department of health.

12 **State financial assistance for emergency medical services - Annual allocation.**

13 The state health officer shall determine annually the allocation of state financial assistance for  
14 emergency medical services for each primary emergency medical services funding area based  
15 on the department's determination of:

- 16 1. Minimum annual funding necessary for operating one transporting ambulance  
17 service for the primary emergency medical services funding area.
- 18 2. Required local matching funds.

19 **State financial assistance for emergency medical services - Distribution to**

20 **counties.** The state health officer shall distribute state financial assistance for emergency  
21 medical services to counties annually based on the percentage share of acres of coverage  
22 provided by each primary emergency medical services funding area within each county  
23 multiplied by the annual allocation of funds for the respective service area. The state health  
24 officer shall notify each county of the amount of state financial assistance to provide to each  
25 primary emergency medical services funding area designated as providing services within the  
26 county. During the first year of a biennium, the state health officer may not distribute more than  
27 one-half of the biennial legislative appropriation, and during the second year of a biennium, the  
28 state health officer may distribute the remainder of the biennial legislative appropriation.

29 **State financial assistance for emergency medical services - County distribution to**  
30 **primary emergency medical services funding areas.** Each county receiving state financial  
31 assistance for emergency medical services shall provide each primary emergency medical

1 services funding area oversight board its share of the funding within ten days of receiving the  
2 funding distribution and notification from the state department of health.

3 **SECTION 3. AMENDMENT.** Subsection 1 of section 26.1-03-17 of the North Dakota  
4 Century Code is amended and reenacted as follows:

5 1. Before issuing the annual certificate required by law, the commissioner shall collect  
6 from every stock and mutual insurance company, nonprofit health service  
7 corporation, health maintenance organization, and prepaid legal service  
8 organization, except fraternal benefit and benevolent societies, doing business in  
9 this state, a tax on the gross amount of premiums, assessments, membership fees,  
10 subscriber fees, policy fees, service fees collected by any third-party administrator  
11 providing administrative services to a group that is self-insured for health care  
12 benefits, and finance and service charges received in this state during the  
13 preceding calendar year, at the rate of two percent with respect to life insurance,  
14 one and three-fourths percent with respect to accident and health insurance, and  
15 one and three-fourths percent with respect to all other lines of insurance. This tax  
16 does not apply to considerations for annuities. The total tax is payable on or  
17 before March first following the year for which the tax is assessable. Collections  
18 from this tax, except for collections deposited in the firefighters death benefit fund,  
19 must be deposited in the insurance tax distribution fund under section 18-04-04.1  
20 but not in an amount exceeding one-half of the biennial amount appropriated for  
21 distribution under ~~sections~~ section 18-04-05 and ~~23-40-05~~ section 2 of this Act in  
22 any fiscal year. Collections from this tax in an amount of up to fifty thousand  
23 dollars per biennium, as may be necessary, are appropriated on a continuing basis  
24 for deposit in the firefighters death benefit fund for distribution under chapter  
25 18-05.1. Collections from this tax exceeding the sum of the amount deposited in  
26 the insurance tax distribution fund and the amount deposited in the firefighters  
27 death benefit fund each fiscal year must be deposited in the general fund in the  
28 state treasury. If the due date falls on a Saturday or legal holiday, the tax is  
29 payable on the next succeeding business day.

30 **SECTION 4. REPEAL.** Chapter 23-40 of the North Dakota Century Code is repealed.

1           **SECTION 5. APPROPRIATION.** There is appropriated out of any moneys in the  
2 insurance tax distribution fund in the state treasury, not otherwise appropriated, the sum of  
3 \$12,000,000, or so much of the sum as may be necessary, to the state department of health for  
4 the purpose of providing state financial assistance to counties for emergency medical services  
5 operations in accordance with section 2 of this Act, for the biennium beginning July 1, 2011,  
6 and ending June 30, 2013.