

2019 HOUSE HUMAN SERVICES COMMITTEE

HB 1269

2019 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Union Room, State Capitol

HB1269
1/15/2019
30851

- Subcommittee
 Conference Committee

Committee Clerk: Elaine Stromme by Caitlin Fleck

Explanation or reason for introduction of bill/resolution:

Relating to ambulance service partnerships.

Minutes:

A,B,C

Vice Chairman Rohr opened the Hearing on HB 1269

Representative Fegley: (see attachment A)

Representative Skroch: Did you do any research into the possibly of having shared services between counties?

Representative Fegley: No I haven't looked into the administration side. The point of this is to have operations that coincide with our 24/7 service.

Representative Skroch: If you could find a way to share those people, maybe we could find a way to share squad people across district lines.

Representative Fegley: That could be a possibility. But there is a concern with that. For the legal aspect of being covered, those squads would have to be covered on both.

Vice Chairman Rohr: Anyone here in opposition to HB1269?

Bill Kilonik, ND Emergency Medical Services Association (NDEMOSA): introduced Adam Parker.

(7.39) Adam Parker Chair of the NDEMOSA Advocacy Committee: (see attachment B)

(11.18) Chris Price, Director of the Division of Emergency Medical System for the ND Department of Health: (see attachment C)

(12.20) Tim Wiedrich, Second Chief of our Supervised Response Section: There are 16 of these subunits that exist throughout the state. There will be more information to come. As we look through how to operate this, there is individual contract law, taxation law. If the intent

of this is to collaborate, then we think that that mechanism already does exist. I think that there can be more work done to better organize those though.

Representative Fegley: That information surprised me because one time I jumped into a subunit ambulance to fulfill their EMT needs, and I was told that that wasn't appropriate to do. I'm confused as to what's available in that way.

Mr. Wiedrich: I think that there is a lot of misinformation, or information from people that aren't sure what they are talking about. As far as administrative ruling, there are no rules that you can't do that. Now it may be that there are rules between insurance carriers or many other reasons, but it is not statutory or administrative rule.

Representative Fegley: That's good to hear because my discussion with some people, that was not the information that I had received.

Mr. Wiedrich: We are just as adamant about how this change needs to occur.

Representative Porter: You talked about the potential laws of substation agreements that services would breach, is there anything that we could do to streamline that process to take some of that out of play?

Mr. Wiedrich: When we have encountered these, the main one is about sharing g assets. It boils down to the assets to be merged. If there are issues of contract law that are preventing that from occurring, but I that would resolve the issues that we are seeing as reluctance.

Representative Porter: Inside of the private entity, all kind of come together with the marriage and divorce clause as you form this entity that they are advised by those in practice of law that as you put this together, you full explain and agree upon the divorce of the entity. Maybe we should look that for a substation, we just spell it out that way.

Mr. Wiedrich: Exactly, that is what I am talking about. If that could occur, I think that would resolve the reluctance to form these substations.

No further questions. Meeting closed.

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HB 1269
1/16/2019
30932

- Subcommittee
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Committee Clerk: Elaine Stromme by Caitlin Fleck

Explanation or reason for introduction of bill/resolution:

Roll call vote was taken.

Minutes:

Representative Ruby: I make a motion for a do not pass.

Representative Devlin: I second that.

Vice Chairman Rohr: Any discussion?

Representative Fegley: There is a little issue with the current law in the fact that the substations are not lawful under the century code. There code and the fact that the current law says that they take all the assets and control from the substation and give it to the house ambulance. In reality, Hb1269 would give rural ambulance a chance to collaborate and work together which allows for some flexibility in out bringing services. It is difficult to find people that are willing to be around during the day to provide the 24/7 services that are in the code. It is becoming more difficult to recruit EMTs due to the increase in education requirements for being an EMT.

Roll call vote taken on a do not pass recommendation: 11 Yes. 1 No. 2 Absent.

Representative Ruby will carry the bill on the floor.

Meeting closed.

**2019 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 1269**

House Human Services Committee

Subcommittee

Amendment LC# or Description: _____

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
- Other Actions: Reconsider _____

Motion Made By Rep. M. Ruby Seconded By Rep. Devlin

Representatives	Yes	No	Representatives	Yes	No
Robin Weisz - Chairman		<u>A</u>	Gretchen Dobervich	<u>X</u>	
Karen M. Rohr - Vice Chairman	<u>X</u>		Mary Schneider		<u>A</u>
Dick Anderson	<u>X</u>				
Chuck Damschen	<u>X</u>				
Bill Devlin	<u>X</u>				
Clayton Fegley		<u>X</u>			
Dwight Kiefert	<u>X</u>				
Todd Porter	<u>X</u>				
Matthew Ruby	<u>X</u>				
Bill Tveit	<u>X</u>				
Greg Westlind	<u>X</u>				
Kathy Skroch	<u>X</u>				

Total (Yes) 11 No 1

Absent 2

Floor Assignment Rep. M. Ruby

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

REPORT OF STANDING COMMITTEE

HB 1269: Human Services Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). HB 1269 was placed on the Eleventh order on the calendar.

2019 TESTIMONY

HB 1269

HB 1269
1/15/2019
A

Chairman Weisz and the committee, we have before you HB 1269. I am Representative Fegley. I bring before you this bill to help ambulance services meet their on-call requirements. Two adjoining ambulances maybe able to afford to hire someone to help with to help with their day time on call and they then would not have problems with the state wanting to pull their license, if in the past they missed a call.

The state through their grants have push the ideal of collaboration this is in fact a good example of that being able to happen. This just give ambulance services another option to get the job done.

I ask for your consideration.

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HB 1269
1/15/2019

B

Testimony
House Bill 1269
House Human Service Committee
Tuesday, January 15 2019; 2 p.m.
North Dakota Emergency Medical Services Association

Good afternoon, Chairman Weisz and members of the committee. My name is Adam Parker. I am the Chair of the North Dakota Emergency Medical Services Association's (NDEMSEA) Advocacy Committee and a member of their Board of Directors representing the Southwest region of our state. I am here today in opposition of House Bill 1269.

It is unclear in the proposed legislation what the term "collaborate" entails. However, through conversations with various individuals, it seems that this is intended that ambulance services would collaborate on scheduling and, therefore, would not need to be available 24 hours a day as long as a neighboring service has agreed to "collaborate" the response and cover any gaps. Essentially, if one service is unable to fill their mandatory on-call schedule for a day, the other service could cover their service area.

Ambulance response boundaries are drawn in accordance to NDCC 57-40.6-10, which states "emergency medical services that has been determined to be the quickest to arrive to the scene" are to be dispatched. Therefore, just because two ambulance services "collaborate" does not mean that they would be the closest, most appropriate, ambulance to respond to an emergency.

This proposed legislation will delay response times to patients in need of medical care. It may result in sending an ambulance that is not the quickest to respond or result in delays as dispatchers attempt to determine which service is now the quickest based on their availability for that particular day or time. Furthermore, communication between both services and then to the dispatch centers would add more layers of potential failure which could result in delayed response times.

NDEMSEA supports a strong EMS system in North Dakota to ensure reliable response to the citizens and visitors of North Dakota. If ambulance services cannot be relied upon to respond within their pre-determined response areas, the integrity of the entire 911 system will be degraded.

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

Good afternoon Chairman Weisz and members of the Committee. My name is Chris Price and I am the Director of the Division of Emergency Medical Systems for the North Dakota Department of Health. I am here to provide informational testimony on House Bill 1269.

The existing statute and rules provide the opportunity for ambulance services to collaborate to answer calls. For example, two ambulance services may collaborate to share personnel to ensure that each is able to answer calls. If this speaks to the intent, then no additional legislation is necessary.

Because House Bill 1269 does not define the meaning of collaborate, the Department of Health is unable to determine the impact it may have on statewide EMS system development.

Thank you for the opportunity to testify. I am happy to answer any questions you may have.