

HOUSE BILL NO. HB0146

Emergency medical services sustainability trust.

Sponsored by: Representative(s) Steward, Davison,
Esquibel, K., Hales, Harvey, Landon and
Millin

A BILL

for

1 AN ACT relating to emergency medical services; creating an
2 emergency medical services sustainability trust account and
3 income account; providing for needs analysis grants as
4 specified; providing for emergency medical services master
5 plan implementation grants as specified; providing for a
6 local match as specified; requiring reports; providing for
7 statewide and regional trauma coordinators; authorizing
8 positions; providing appropriations; and providing for an
9 effective date.

10

11 *Be It Enacted by the Legislature of the State of Wyoming:*

12

13 **Section 1.** W.S. 33-36-115 is created to read:

14

1 **33-36-115. Emergency medical services sustainability**
2 **trust account; account established; planning grants;**
3 **implementation grants.**

4
5 (a) A trust account is created to be known as the
6 emergency medical services sustainability trust account.
7 The trust account shall consist of those funds designated
8 to the account by law and all monies received from federal
9 grants and other contributions, grants, gifts, transfers,
10 bequests and donations to the trust account. The trust
11 account is specifically empowered to accept grants, gifts,
12 transfers, bequests and donations including those which are
13 limited in their purposes by the grantor. Funds deposited
14 within the trust account are intended to be inviolate and
15 constitute a perpetual trust account which shall be
16 invested by the state treasurer as authorized under W.S.
17 9-4-715(a), (d) and (e) and in a manner to obtain the
18 highest return possible consistent with preservation of the
19 account corpus.

20
21 (b) The state treasurer shall credit annually to an
22 emergency medical services sustainability trust income
23 account earnings from investment of the trust account
24 corpus. The legislature may, from time to time, appropriate

1 funds directly to the income account for distribution in
2 accordance with the terms of this section. Such specially
3 appropriated funds shall be credited directly by the state
4 treasurer to the income account and are available to the
5 division for award of grants as otherwise permitted by this
6 section.

7
8 (c) Individuals and other entities may also grant,
9 give, transfer, bequeath or donate funds to the trust
10 account or the income account. Such funds shall be
11 credited by the state treasurer to either the trust account
12 or the income account, as appropriate, in a manner
13 consistent with the conditions attached to their receipt.

14
15 (d) Funds in the trust income account are
16 continuously appropriated to the department for purposes of
17 providing grants to improve the delivery and quality of
18 emergency medical services as provided in this section.

19
20 (e) The department shall establish by rule and
21 regulation a grant application calendar and procedure for
22 needs analysis grants, which shall include the following
23 provisions:

1 (i) Needs analysis grants shall be for the
2 purpose of assessing the provision of emergency medical
3 services in a service area and preparing a master plan for
4 an efficient, coordinated system of emergency medical
5 service delivery, subject to the following:

6
7 (A) Grant applications may be submitted by
8 persons, entities or groups interested in improving
9 emergency medical services in a proposed service area which
10 shall correspond to a rural urban commuting area as defined
11 by the United States department of agriculture. The grant
12 application shall be signed by authorized representatives
13 of all political subdivisions within the proposed service
14 area;

15
16 (B) Applications shall include a detailed
17 description of existing emergency medical services, call
18 volume, response times and the objective of the assessment
19 and planning grant, if awarded;

20
21 (C) The division shall review applications
22 and, if it determines that further detailed study of
23 emergency medical services in the proposed service area is
24 appropriate and following consultation with the affected

1 entities described in subparagraph (A) of this paragraph,
2 shall contract for a study in the service area of emergency
3 medical services strengths, weaknesses and coverage gaps.
4 The contractor conducting the study shall prepare a written
5 report that shall include a master plan for a coordinated,
6 efficient emergency medical service delivery system within
7 the service area. The master plan shall also identify a
8 method of integration for statewide emergency medical
9 service coverage through the state, counties, special
10 districts, new or existing regional authorities, or a
11 combination of these methods. The master plan shall
12 identify the governmental entity that will oversee and
13 coordinate implementation of the plan, the areas and
14 entities included in the plan, an estimate of funds
15 available to implement the plan and continuing revenue
16 sources, the approximate number of volunteer and paid
17 emergency medical technicians available to provide services
18 in the area and include provision, if necessary, for
19 transition from an all volunteer service model to one
20 combining volunteer and paid technicians. The master plan
21 shall identify major problems and opportunities concerning
22 emergency medical services, and provide for a desired
23 sequence of events for implementation of the plan;

24

1 (D) Any needs analysis shall include
2 consultation with the affected entities described in
3 subparagraph (A) of this paragraph, representatives of
4 public, private and volunteer ambulance services in the
5 proposed service area, county and local government
6 organizations, hospitals furnishing emergency medical
7 services and other appropriate stakeholders;

8
9 (E) Any needs analysis shall provide for
10 the collection of data by service area using a common
11 benchmark, indicator and scoring format on emergency
12 medical service workforce shortfalls, strengths and
13 weaknesses of current service delivery models. The needs
14 analysis shall build upon but avoid duplication of the
15 study completed by the rural policy research institute for
16 the Wyoming health care commission in June, 2007;

17
18 (F) Grant applications shall include a
19 commitment of local matching funds of at least five
20 thousand dollars (\$5,000.00).

21
22 (ii) Following completion of a needs analysis as
23 provided in paragraph (i) of this subsection, a county,
24 joint powers board or emergency medical services special

1 district may apply for a master plan implementation grant
2 to assist in the master plan implementation, subject to the
3 following:

4
5 (A) Grants shall be documented in writing
6 signed by the department and an authorized representative
7 of the grantee. The document shall specify the intended
8 use of the funds to improve emergency medical service
9 delivery by assisting with the cost of implementing the
10 master plan;

11
12 (B) Award of grants shall be based on
13 demonstrable need. Those service areas demonstrating the
14 greatest need, at the discretion of the department, shall
15 be given the highest priority in receiving grants pursuant
16 to this section;

17
18 (C) Implementation grant applications
19 shall include a working budget to demonstrate how the grant
20 will be used to address revenue gaps on a temporary basis
21 while transitioning to a defined time when revenue is
22 expected to be sufficient to sustain services in the master
23 plan service area.

24

1 (f) The department is authorized to enter into such
2 contracts as it deems appropriate to conduct and coordinate
3 needs analyses and implementation grants authorized by this
4 section, including contracts with local providers or other
5 stakeholders to report on service needs in the respective
6 service areas.

7
8 (g) The department shall provide a report by November
9 1 of each year on the emergency medical services trust
10 account to the joint labor, health and social services
11 interim committee. The reports shall include the status of
12 the account, a description of all grants from the income
13 account and any recommendations for providing more cost
14 effective and accessible delivery of emergency medical
15 services, including recommendations regarding regional
16 approaches to providing those services, and any recommended
17 statutory or rule changes.

18

19 **Section 2.** W.S. 33-36-102(a)(xi) and 35-1-801 are
20 amended to read:

21

22 **33-36-102. Definitions.**

23

24 (a) As used in this act:

1

2 (xi) "This act" means W.S. 33-36-101 through
3 ~~33-36-113~~ 33-36-115.

4

5 **35-1-801. Department of health to develop**
6 **comprehensive emergency medical services and trauma system.**

7

8 The department of health shall develop a comprehensive
9 emergency medical services and trauma system. The
10 department shall report annual progress on the system to
11 the legislature. The administrator of the department's
12 division responsible for emergency medical services shall
13 serve as a statewide trauma coordinator. To carry out the
14 purposes of this article, the department shall assign one
15 (1) emergency medical technician to each trauma region to
16 assist local emergency medical service providers in
17 improving coordination and integration of trauma and
18 emergency medical services and to better accomplish the
19 goals of safely and efficiently transporting critically
20 injured patients.

21

22 **Section 3.**

23

1 (a) There is appropriated one million dollars
2 (\$1,000,000.00) from the general fund to the emergency
3 medical services sustainability trust account. This
4 appropriation shall be used only for the purposes of W.S.
5 33-36-115 created by this act. Notwithstanding any other
6 provision of law, this appropriation shall not be expended
7 and shall not be transferred for any other purpose.

8
9 (b) There is appropriated one hundred thousand
10 dollars (\$100,000.00) from the general fund to the
11 emergency medical services sustainability trust income
12 account. This appropriation shall only be expended for the
13 purposes of W.S. 33-36-115 created by this act.
14 Notwithstanding any other provision of law, this
15 appropriation shall not be transferred or expended for any
16 other purpose. Any unexpended monies in the income account
17 shall not revert but shall remain in the account to be
18 expended for the purposes specified in this act.

19
20 (c) There is appropriated four hundred thousand
21 dollars (\$400,000.00) from the general fund to the
22 department of health. This appropriation shall be for the
23 period beginning with the effective date of this act and
24 ending June 30, 2010. This appropriation shall only be

1 expended for the purpose of funding the regional emergency
2 medical service coordinator positions authorized by this
3 act. Notwithstanding any other provision of law, this
4 appropriation shall not be transferred or expended for any
5 other purpose and any unexpended, unobligated funds
6 remaining from this appropriation shall revert as provided
7 by law on June 30, 2010.

8
9 (d) None of the appropriations in this section shall
10 be included in the department's 2011-2012 standard biennial
11 budget request.

12
13 (e) There are authorized five (5) full-time at-will
14 employee contract positions to the department of health to
15 be used for five (5) regional emergency medical service
16 coordinators.

17
18 **Section 4.** This act is effective immediately upon
19 completion of all acts necessary for a bill to become law
20 as provided by Article 4, Section 8 of the Wyoming
21 Constitution.

22
23 (END)