HOUSE BILL NO. HB0146

Emergency medical services sustainability trust.

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

A BILL

for

AN ACT relating to emergency medical services; creating an emergency medical services sustainability trust account and income account; providing for needs analysis grants as specified; providing for emergency medical services master plan implementation grants as specified; providing for a local match as specified; requiring reports; providing appropriations; and providing for an effective date.

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

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

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

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

(b) The state treasurer shall credit annually to an emergency medical services sustainability trust income account earnings from investment of the trust account corpus. The legislature may, from time to time, appropriate funds directly to the income account for distribution in accordance with the terms of this section. Such specially appropriated funds shall be credited directly by the state treasurer to the income account and are available to the

division for award of grants as otherwise permitted by this section.

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

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

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

(i) Needs analysis grants shall be for the purpose of assessing the provision of emergency medical services in a service area and preparing a master plan for

an efficient, coordinated system of emergency medical service delivery, subject to the following:

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

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

(C) The department shall review applications and, if it determines that further detailed study of emergency medical services in the proposed service area is appropriate and following consultation with the affected entities described in subparagraph (A) of this paragraph, shall contract for a study in the service area of emergency medical services strengths, weaknesses and

coverage gaps. The contractor conducting the study shall prepare a written report that shall include a master plan for a coordinated, efficient emergency medical service delivery system within the service area. The master plan shall identify the governmental or private entity that will oversee and coordinate implementation of the plan, the areas and entities included in the plan, an estimate of funds available to implement the plan and continuing revenue sources, the approximate number of volunteer and paid emergency medical technicians available to provide services in the area and include provision, if necessary, for transition from an all volunteer service model to one combining volunteer and paid technicians. The master plan shall identify major problems and opportunities concerning emergency medical services, and provide for a desired sequence of events for implementation of the plan;

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

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

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

(ii) Following completion of a needs analysis as provided in paragraph (i) of this subsection, a county, joint powers board or emergency medical services special district may apply for a master plan implementation grant to assist in the master plan implementation, subject to the following:

(A) Grants shall be documented in writing signed by the department and an authorized representative of the grantee. The document shall specify the intended

use of the funds to improve emergency medical service delivery by assisting with the cost of implementing the master plan;

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

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

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

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

Section 2. W.S. 33-36-102(a)(xi) is amended to read:

33-36-102. Definitions.

(a) As used in this act:

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

Section 3.

(a) There is appropriated one million dollars ($1,000,000.00) from the tobacco trust fund income account

to the emergency medical services sustainability trust account. This appropriation shall be used only for the purposes of W.S. 33-36-115 created by this act. Notwithstanding any other provision of law, this appropriation shall not be expended and shall not be transferred for any other purpose.

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

(c) None of the appropriations in this section shall be included in the department's 2011-2012 standard biennial budget request.

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

(END)