

EMERGENCY MEDICAL SERVICES

PROVISIONS

2001 GENERAL SESSION

STATE OF UTAH

Sponsor: Peggy Wallace

This act modifies the Municipal Code and the Health Code by amending provisions related to emergency medical services provided by municipalities. The act requires a municipality that intends to annex a geographic service area and provide emergency medical services to that area, to certify to the Department of Health that the municipality can meet current emergency medical service levels. The act requires the department to automatically amend a municipality's license for emergency medical services to include the annexed area after final approval of the annexation. The act makes technical amendments.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

10-2-425, as last amended by Chapter 318, Laws of Utah 2000

26-8a-414, as last amended by Chapter 86, Laws of Utah 2000

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **10-2-425** is amended to read:

10-2-425. Filing of plat or map and amended articles -- Notice requirements.

(1) Within 30 days after enacting an ordinance annexing an unincorporated area or adjusting a boundary under this part, the municipal legislative body shall:

(a) record with the county recorder a certified copy of the ordinance approving the annexation or boundary adjustment, together with a plat or map prepared by a licensed surveyor and approved by the municipal legislative body, showing the new boundaries of the affected area; ~~and~~

(b) file with the lieutenant governor amended articles of incorporation reflecting the annexation or boundary adjustment, as provided in Section 10-1-117[-]; and



28 (c) in accordance with Section 26-8a-414, file the documents described in Subsection
29 (1)(a) with the Department of Health.

30 (2) The municipal legislative body shall comply with the notice requirements of Section
31 10-1-116.

32 Section 2. Section **26-8a-414** is amended to read:

33 **26-8a-414. Annexations.**

34 (1) ~~[If a licensee is a]~~ A municipality shall comply with the provisions of this section if
35 the municipality [that] is licensed under this chapter and desires to provide service to an area that
36 [it has annexed,] is:

37 (a) included in a petition for annexation under Title 10, Chapter 2, Part 4, Annexation; and

38 (b) currently serviced by another provider licensed under this chapter.

39 (2) (a) At least 45 days prior to approving a petition for annexation, the municipality [may
40 apply] shall certify to the department [to amend its license to include the annexed area. Upon
41 receipt of a completed application to amend the license, the department shall notify in writing all
42 other licensed providers who serve any portion of the annexed area of the municipality's
43 application.] that by the time of the approval of the annexation of the geographic service area, the
44 municipality can meet or exceed the current level of service provided by the existing licensee for
45 the area.

46 ~~[(2) If the department does not receive an objection from a licensed provider that serves~~
47 ~~some portion of the annexed area within 30 days of issuing the notice that identifies an adverse~~
48 ~~impact to the provider or the public, the department shall:]~~

49 ~~[(a) review the application to amend the license to determine whether the applicant can~~
50 ~~adequately provide services to the proposed area and whether the public interest in the areas of~~
51 ~~cost, quality, and access would be harmed; and]~~

52 ~~[(b) if the application meets the requirements of Subsection (2)(a), amend the~~
53 ~~municipality's license and all other affected licenses to reflect the municipality's new boundaries.]]~~

54 ~~[(3) If an objection is received under Subsection (2), the municipality shall file a standard~~
55 ~~application for a license with the department under the provisions of Sections 26-8a-404 through~~
56 ~~26-8a-409.]]~~

57 (b) (i) After receiving a certification under Subsection (2)(a), but prior to the municipality
58 approving a petition for annexation, the department may audit the municipality to verify the

59 certification submitted by the municipality.

60 (ii) The department audit may only verify whether the municipality has or will have by the
61 time of the approval of the annexation:

62 (A) adequate trained personnel to deliver basic and advanced life support services;

63 (B) adequate apparatus and equipment to deliver emergency medical services;

64 (C) adequate funding for personnel and equipment; and

65 (D) appropriate medical controls, such as a medical director and base hospital.

66 (iii) If the department elects to conduct an audit under Subsection (2)(b)(i), the department
67 shall submit the results of the audit to the municipal legislative body.

68 (3) (a) When a petition for annexation is approved by the municipality, the municipality
69 shall notify the department in accordance with Section 10-2-425.

70 (b) Upon receipt of the notice required by this Subsection (3), the department shall issue
71 an amended license to the municipality and all other affected licensees to reflect the municipality's
72 new boundaries.

Legislative Review Note

as of 2-20-01 2:54 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel