

Representative Kory M. Holdaway proposes the following substitute bill:

EMERGENCY RESPONDER PRIORITY

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Kory M. Holdaway

This act amends provisions related to the Interlocal Cooperation Act and the Utah Emergency Medical Services System Act. The act requires providers of police, fire, emergency medical technicians, and paramedic services to enter into agreements to facilitate the most rapid appropriate responder regardless of geographic or political boundaries. The act limits the application of most rapid appropriate responder to public safety agencies in counties of the first class.

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

AMENDS:

26-8a-402, as last amended by Chapter 1, Laws of Utah 2000

ENACTS:

11-13-5.4, Utah Code Annotated 1953

26-8a-402.5, Utah Code Annotated 1953

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

Section 1. Section **11-13-5.4** is enacted to read:

11-13-5.4. Agreements for joint or cooperative actions -- Police and fire protection
-- Closest responder.

(1) Any two or more political subdivisions of this state shall enter into agreements with one another for joint or cooperative action pursuant to this act to:

(a) enhance regional police and fire protection;

(b) facilitate police and fire dispatch communication between political subdivisions, to the extent possible with existing technology and funding;



26 (c) facilitate the most rapid and appropriate response for police, fire protection, and
27 emergency medical services through a system which sends the most appropriate responder:

28 (i) based on:

29 (A) distance to location of the request;

30 (B) response times;

31 (C) staffing;

32 (D) special skills; and

33 (E) equipment; and

34 (ii) regardless of the political subdivision's geographic boundaries;

35 (d) facilitate the efficient transition of law enforcement services from the first responder
36 to the jurisdictionally appropriate law enforcement officer when the first responder is from a
37 political subdivision located outside the location of the request for services; and

38 (e) facilitate an association of law enforcement chiefs and fire chiefs within counties of
39 the first class to:

40 (i) provide oversight to ensure that the most appropriate and most rapid responses across
41 geographic boundaries are established and maintained; and

42 (ii) mediate interjurisdictional disputes regarding appropriate and timely responses.

43 (2) The provisions of this section apply to counties of the first class and to cities or towns
44 within a county of the first class:

45 (a) which provide fire, police, or emergency medical services protection; and

46 (b) to the extent that some part of the political subdivisions' boundaries are contiguous.

47 Section 2. Section **26-8a-402** is amended to read:

48 **26-8a-402. Exclusive geographic service areas.**

49 (1) Each ground ambulance provider license issued under this part shall be for an exclusive
50 geographic service area as described in the license. Only the licensed ground ambulance provider
51 may respond to an ambulance request that originates within the provider's exclusive geographic
52 service area, except as provided in Subsection (5), Section 26-8a-402.5 and Section 26-8a-416.

53 (2) Each paramedic provider license issued under this part shall be for an exclusive
54 geographic service area as described in the license. Only the licensed paramedic provider may
55 respond to a paramedic request that originates within the exclusive geographic service area, except
56 as provided in Subsection (6), Section 26-8a-402.5 and Section 26-8a-416.

57 (3) Nothing in this section may be construed as either requiring or prohibiting that the
58 formation of boundaries in a given location be the same for a licensed paramedic provider as it is
59 for a licensed ambulance provider.

60 (4) (a) A licensed ground ambulance or paramedic provider may, as necessary, enter into
61 ~~[a mutual aid]~~ an agreement to allow another licensed provider to give assistance ~~[in times of~~
62 ~~unusual demand, as that term is defined by the committee in rule]~~ within the licensee's exclusive
63 geographic service area.

64 (b) ~~[A mutual aid]~~ The agreement shall include a formal written plan detailing the type of
65 assistance and the circumstances under which it would be given.

66 (c) The parties to ~~[a mutual aid]~~ an agreement shall submit a copy of the agreement to the
67 department.

68 (d) Notwithstanding this Subsection (4), a licensed provider may not subcontract with
69 another ~~[entity]~~ unlicensed provider to provide services in the licensed provider's exclusive
70 geographic service area.

71 (5) Notwithstanding Subsection (1) or (2), a licensed ground ambulance provider or
72 paramedic provider may respond to ~~[an ambulance]~~ a request that originates from the exclusive
73 geographic area of another provider:

74 (a) pursuant to ~~[a mutual aid agreement]~~ Section 26-8a-402.5;

75 (b) to render assistance on a case-by-case basis to that provider; and

76 (c) as necessary to meet needs in time of disaster or other major emergency.

77 ~~[(6) Notwithstanding Subsection (2), a licensed paramedic provider may respond to a~~
78 ~~paramedic request that originates from the exclusive geographic area of another provider:]~~

79 ~~[(a) pursuant to a mutual aid agreement;]~~

80 ~~[(b) to render assistance on a case-by-case basis to that provider; and]~~

81 ~~[(c) as necessary to meet needs in time of disaster or other major emergency.]~~

82 Section 3. Section **26-8a-402.5** is enacted to read:

83 **26-8a-402.5. Agreement for most rapid and appropriate responder.**

84 (1) Notwithstanding the provisions of Section 26-8a-402, an emergency medical service
85 provider may respond to a request for service that originates outside of the provider's geographic
86 service area if the emergency medical service provider has entered into an agreement, pursuant to
87 Subsection (2), with the licensed provider for the geographic service area in which the call

88 originated.

89 (2) (a) Emergency medical service providers shall enter into an agreement under this
90 section with emergency medical service providers of contiguous geographic service areas if:

91 (i) the emergency medical service providers' geographic service area include a county of
92 the first class or a city or town located within a county of the first class; and

93 (ii) the emergency medical service providers entering into the agreement are designated
94 quick response providers capable of providing basic life support, advance life support or
95 emergency medical transport.

96 (b) The agreement required by Subsection (2)(a) shall:

97 (i) provide for improved emergency medical services through a system which sends the
98 most rapid appropriate quick response provider:

99 (A) based on:

100 (I) distance to location of the request;

101 (II) response time;

102 (III) staffing;

103 (IV) special skills; and

104 (V) needed equipment; and

105 (B) regardless of the geographic service area of that provider;

106 (ii) facilitate communication between providers in different geographic service areas, to
107 the extent possible with available funding and technology; and

108 (iii) contain other provisions necessary to carry out the requirements of Subsection
109 (2)(b)(i) which provisions may include cost recovery where reciprocity cannot be achieved.