

Senator **Dan R. Eastman** proposes the following substitute bill:

UTAH EMERGENCY MEDICAL SERVICES ACT

AMENDMENTS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Dan R. Eastman

House Sponsor: Rebecca D. Lockhart

LONG TITLE

General Description:

This bill amends the Utah Emergency Medical Service System Act.

Highlighted Provisions:

This bill:

▶ defines the term "governing body" for purposes of who is authorized to select a provider under an RFP process.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26-8a-405.1, as last amended by Chapter 205, Laws of Utah 2005

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

Section 1. Section **26-8a-405.1** is amended to read:

26-8a-405.1. Selection of provider by political subdivision.

(1) For purposes of this section and Sections 26-8a-405.2 and 26-8a-405.3:

27 (a) "911 ambulance or paramedic services" means either 911 ambulance service, or 911
28 paramedic service, or both and:

29 (i) means a 911 call received by a designated dispatch center that receives 911 or E911
30 calls; and

31 (ii) does not mean a seven digit telephone call received directly by an ambulance
32 provider licensed under this chapter;

33 (b) "governing body" means:

34 (i) in the case of a municipality or county, the elected council, commission or other
35 legislative body that is vested with the legislative power of the municipality;

36 (ii) in the case of a special service district, local service district or county service area,
37 each elected council, commission or other legislative body that is vested with the legislative
38 power of the municipalities or counties that are members of the district or service area; and

39 (iii) in the case of a special district for fire protection or interlocal entity, the board of
40 other body vested with the power to adopt, amend, and repeal rules, bylaws, policies, and
41 procedures for the regulation of its affairs and the conduct of its business.

42 [~~(b)~~] (c) "political subdivision" means:

43 (i) a city or town located in a county of the first or second class as defined in Section
44 17-50-501;

45 (ii) a county of the first or second class;

46 (iii) the following districts or service areas located in a county of the first or second
47 class:

48 (A) a special service district created under Title 17A, Chapter 2, Part 13, Utah Special
49 Service District Act;

50 (B) a local district created under Title 17B, Chapter 2, Local Districts, for the purpose
51 of providing fire protection, paramedic, and emergency services; and

52 (C) a county service area created under Title 17A, Chapter 2, Part 4, County Service
53 Area Act, for the purpose of providing fire protection, paramedic, and emergency services; or

54 (iv) areas coming together as described in Subsection 26-8a-405.2(2)(b)(ii);

55 (v) municipalities and counties joining together pursuant to Title 11, Chapter 13,
56 Interlocal Cooperation Act; or

57 (vi) a special district for fire protection as defined in Section 17A-2-1304.

58 (2) (a) Only an applicant approved under Section 26-8a-405 may respond to a request
59 for a proposal for 911 ambulance or paramedic services issued in accordance with Section
60 26-8a-405.2 by a political subdivision.

61 (b) A response to a request for proposal is subject to the maximum rates established by
62 the department under Section 26-8a-403.

63 (c) A political subdivision may award a contract to an applicant for the provision of
64 911 ambulance or paramedic services:

65 (i) in accordance with Section 26-8a-405.2; and

66 (ii) subject to Subsection (3).

67 (3) (a) The department shall issue a license to an applicant selected by a political
68 subdivision under Subsection (2) unless the department finds that issuing a license to that
69 applicant would jeopardize the health, safety, and welfare of the citizens of the geographic
70 service area.

71 (b) A license issued under this Subsection (3):

72 (i) is for the exclusive geographic service area approved by the department in
73 accordance with Subsection 26-8a-405.2(2);

74 (ii) is valid for four years;

75 (iii) is not subject to a request for license from another applicant under the provisions
76 of Sections 26-8a-406 through 26-8a-409 during the four-year term, unless the applicant's
77 license is revoked under Section 26-8a-504; and

78 (iv) is subject to supervision by the department under Sections 26-8a-503 and
79 26-8a-504.

80 (4) Except as provided in Subsection 26-8a-405.3(4)(a), the provisions of Sections
81 26-8a-406 through 26-8a-409 do not apply to a license issued under this section.