

Representative Derrin R. Owens proposes the following substitute bill:

EMERGENCY MEDICAL SERVICES AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Derrin R. Owens

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions relating to emergency medical services.

Highlighted Provisions:

This bill:

▶ establishes the Emergency Medical Services System Account to be administered by the Department of Health (department) for certain purposes related to emergency medical services;

▶ modifies the expenditure requirements for certain funds transferred to the department;

▶ requires the department to appoint five regional emergency medical services liaisons to serve the needs of certain rural counties;

▶ requires the department to submit a report to the Health and Human Services Interim Committee;

▶ establishes a repeal date for the reporting requirement; and

▶ provides that the department may use money in the Tourism Marketing Performance Account for certain purposes related to emergency medical services.

Money Appropriated in this Bill:

This bill appropriates in Fiscal Year 2021:



- 26 ▶ to the Department of Health -- Family Health and Preparedness -- Emergency
- 27 Medical Services and Preparedness, as an ongoing appropriation:
- 28 • From the Emergency Medical Services System Account, \$4,000,000;
- 29 ▶ to the Emergency Medical Services System Account -- Emergency Medical
- 30 Services System Account, as an ongoing appropriation:
- 31 • From the Tourism Marketing Performance Account, \$4,000,000.

32 **Other Special Clauses:**

33 None

34 **Utah Code Sections Affected:**

35 AMENDS:

- 36 **26-8a-207**, as last amended by Laws of Utah 2011, Chapters 297 and 303
- 37 **63I-2-226**, as last amended by Laws of Utah 2019, Chapters 262, 393, 405 and last
- 38 amended by Coordination Clause, Laws of Utah 2019, Chapter 246
- 39 **63N-7-301**, as last amended by Laws of Utah 2019, Chapters 136 and 237

40 ENACTS:

- 41 **26-8a-108**, Utah Code Annotated 1953
- 42 **26-8a-210**, Utah Code Annotated 1953
- 43 **26-8a-211**, Utah Code Annotated 1953



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

46 Section 1. Section **26-8a-108** is enacted to read:

47 **26-8a-108. Emergency Medical Services System Account.**

48 (1) There is created within the General Fund a restricted account known as the
49 Emergency Medical Services System Account.

50 (2) The account consists of:

- 51 (a) interest earned on the account; and
- 52 (b) appropriations made by the Legislature.

53 (3) The department shall use:

54 (a) an amount equal to 25% of the money in the account for administrative costs
55 related to this chapter; and

56 (b) an amount equal to 75% of the money in the account for grants awarded in

57 accordance with Subsection 26-8a-207(3).

58 Section 2. Section **26-8a-207** is amended to read:

59 **26-8a-207. Emergency medical services grant program.**

60 (1) ~~[(a)]~~ The department shall receive as dedicated credits the amount established in
61 Section 51-9-403. That amount shall be transferred to the department by the Division of
62 Finance from funds generated by the surcharge imposed under Title 51, Chapter 9, Part 4,
63 Criminal Conviction Surcharge Allocation.

64 ~~[(b) Funds transferred to the department under this section shall be used for~~
65 ~~improvement of delivery of emergency medical services and administrative costs as described~~
66 ~~in Subsection (2)(a). Appropriations to the department for the purposes enumerated in this~~
67 ~~section shall be made from those dedicated credits.]~~

68 ~~[(2)(a) The department may use the funds transferred to it under Subsection (1):]~~

69 (2) From the funds transferred to the department under Subsection (1), the department
70 shall use:

71 (a) an amount equal to 50% of the funds:

72 (i) to provide staff support; and

73 (ii) for other expenses incurred in:

74 (A) administration of grant funds; and

75 (B) other department administrative costs under this chapter[:]; and

76 (b) an amount equal to 50% of the funds to provide emergency medical services grants

77 in accordance with Subsection (3).

78 (3) (a) A recipient of a grant under this section shall actively provide emergency
79 medical services within the state.

80 ~~[(b) After funding staff support, administrative expenses, and trauma system~~
81 ~~development, the department and the committee shall make emergency medical services grants~~
82 ~~from the remaining funds received as dedicated credits under Subsection (1). A recipient of a~~
83 ~~grant under this Subsection (2)(b) shall actively provide emergency medical services within the~~
84 ~~state:]~~

85 ~~[(c) The department shall distribute not less than 25% of the funds, with the percentage~~
86 ~~being authorized by a majority vote of the committee;]~~

87 (b) From the funds used to provide grants under Subsection (2)(b), the department shall

88 distribute \$700,000 each year as per capita block grants for use specifically related to the
89 provision of emergency medical services to nonprofit prehospital emergency medical services
90 providers that are either licensed or designated and to emergency medical services that are the
91 primary emergency medical services for a service area. The department shall determine the
92 grant amounts by prorating available funds on a per capita basis by county as described in
93 department rule.

94 ~~[(d) The committee shall award the remaining funds as competitive grants for use~~
95 ~~specifically related to the provision of emergency medical services based upon rules~~
96 ~~established by the committee.]~~

97 (c) Subject to Subsections (3)(d) through (f), the committee shall use any remaining
98 grant funds to award competitive grants to licensed emergency medical services providers that
99 provide emergency medical services within counties of the third through sixth class, in
100 accordance with rules made by the committee.

101 (d) A grant awarded under Subsection (3)(c) shall be used:

102 (i) for the purchase of equipment, subject to Subsection (3)(e); or

103 (ii) for the recruitment, training, or retention of licensed emergency medical services
104 providers.

105 (e) A recipient of a grant under Subsection (3)(c) may not use more than \$100,000 in
106 grant proceeds for the purchase of vehicles.

107 (f) A grant awarded for the purpose described in Subsection (3)(d)(ii) is ongoing for a
108 period of up to three years.

109 Section 3. Section **26-8a-210** is enacted to read:

110 **26-8a-210. Regional Emergency Medical Services Liaisons -- Qualifications --**

111 **Duties.**

112 (1) As used in this section:

113 (a) "Liaison" means a regional emergency medical services liaison appointed under this
114 section.

115 (b) "Rural county" means a county of the third, fourth, fifth, or sixth class.

116 (2) The department shall appoint five individuals to serve as regional emergency
117 medical services liaisons to:

118 (a) serve the needs of rural counties in providing emergency medical services in

119 accordance with this chapter;

120 (b) act as a liaison between the department and individuals or entities responsible for
121 emergency medical services in rural counties, including:

122 (i) emergency medical services providers;

123 (ii) local officials; and

124 (iii) local health departments or agencies;

125 (c) provide support and training to emergency medical services providers in rural
126 counties; and

127 (d) assist rural counties in utilizing state and federal grant programs for financing
128 emergency medical services.

129 (3) Each liaison appointed under Subsection (2) shall:

130 (a) reside in a rural county; and

131 (b) be licensed as an advanced emergency medical technician as defined in Section
132 [26-8c-102](#).

133 Section 4. Section **26-8a-211** is enacted to read:

134 **26-8a-211. Report.**

135 The department shall report to the Health and Human Services Interim Committee
136 before November 30, 2022, regarding:

137 (1) the activities and accomplishments of the regional medical services liaisons
138 appointed under Section [26-8a-210](#);

139 (2) the efficacy of the emergency medical services grant program established in Section
140 [26-8a-207](#), including grant distribution;

141 (3) the condition of emergency medical services within the state, including emergency
142 medical services provider response times and personnel numbers; and

143 (4) the financial condition of the department, including department operational costs
144 under this chapter.

145 Section 5. Section **63I-2-226** is amended to read:

146 **63I-2-226. Repeal dates -- Title 26.**

147 (1) Subsection [26-7-8\(3\)](#) is repealed January 1, 2027.

148 (2) Section [26-8a-107](#) is repealed July 1, 2024.

149 (3) Subsection [26-8a-203\(3\)\(a\)\(i\)](#) is repealed January 1, 2023.

- 150 (4) Section 26-8a-211 is repealed July 1, 2023.
- 151 ~~[(4)]~~ (5) Subsection 26-18-2.3(5) is repealed January 1, 2020.
- 152 ~~[(5)]~~ (6) Subsection 26-18-2.4(3)(e) is repealed January 1, 2023.
- 153 ~~[(6)]~~ (7) Subsection 26-18-411(8), related to reporting on the health coverage
154 improvement program, is repealed January 1, 2023.
- 155 ~~[(7)]~~ (8) Subsection 26-18-604(2) is repealed January 1, 2020.
- 156 ~~[(8)]~~ (9) Subsection 26-21-28(2)(b) is repealed January 1, 2021.
- 157 ~~[(9)]~~ (10) Subsection 26-33a-106.1(2)(a) is repealed January 1, 2023.
- 158 ~~[(10)]~~ (11) Subsection 26-33a-106.5(6)(c)(iii) is repealed January 1, 2020.
- 159 ~~[(11)]~~ (12) Title 26, Chapter 46, Utah Health Care Workforce Financial Assistance
160 Program, is repealed July 1, 2027.
- 161 ~~[(12)]~~ (13) Subsection 26-50-202(7)(b) is repealed January 1, 2020.
- 162 ~~[(13)]~~ (14) Subsections 26-54-103(6)(d)(ii) and (iii) are repealed January 1, 2020.
- 163 ~~[(14)]~~ (15) Subsection 26-55-107(8) is repealed January 1, 2021.
- 164 ~~[(15)]~~ (16) Subsection 26-56-103(9)(d) is repealed January 1, 2020.
- 165 ~~[(16)]~~ (17) Title 26, Chapter 59, Telehealth Pilot Program, is repealed January 1, 2020.
- 166 ~~[(17)]~~ (18) Subsection 26-61-202(4)(b) is repealed January 1, 2022.
- 167 ~~[(18)]~~ (19) Subsection 26-61-202(5) is repealed January 1, 2022.
- 168 Section 6. Section **63N-7-301** is amended to read:
- 169 **63N-7-301. Tourism Marketing Performance Account.**
- 170 (1) There is created within the General Fund a restricted account known as the Tourism
171 Marketing Performance Account.
- 172 (2) The account shall be administered by GOED for the purposes listed in Subsection
173 (5).
- 174 (3) (a) The account shall earn interest.
- 175 (b) All interest earned on account money shall be deposited into the account.
- 176 (4) The account shall be funded by appropriations made to the account by the
177 Legislature in accordance with this section.
- 178 ~~[(5) The executive director of GOED's Office of Tourism shall use account money~~
179 ~~appropriated to GOED to pay for the statewide advertising, marketing, and branding campaign~~
180 ~~for promotion of the state as conducted by GOED.]~~

181 (5) Money in the account shall be used:

182 (a) by the executive director of GOED's Office of Tourism to pay for the statewide
183 advertising, marketing, and branding campaign for promotion of the state as conducted by
184 GOED; or

185 (b) by the Department of Health to pay for emergency medical services in accordance
186 with Section [26-8a-108](#).

187 (6) (a) For each fiscal year beginning on or after July 1, 2007, GOED shall annually
188 allocate 10% of the account money appropriated to GOED to a sports organization for
189 advertising, marketing, branding, and promoting Utah in attracting sporting events into the
190 state.

191 (b) The sports organization shall:

192 (i) provide an annual written report to GOED that gives an accounting of the use of
193 funds the sports organization receives under this Subsection (6); and

194 (ii) promote the state and encourage economic growth in the state.

195 (c) For purposes of this Subsection (6), "sports organization" means an organization
196 that:

197 (i) is exempt from federal income taxation in accordance with Section 501(c)(3),
198 Internal Revenue Code;

199 (ii) maintains its principal location in the state;

200 (iii) has a minimum of 15 years experience in the state hosting, fostering, and attracting
201 major summer and winter sporting events statewide; and

202 (iv) was created to foster state, regional, national, and international sports competitions
203 in the state, to drive the state's Olympic and sports legacy, including competitions related to
204 Olympic sports, and to promote and encourage sports tourism throughout the state, including
205 advertising, marketing, branding, and promoting the state for the purpose of attracting sporting
206 events in the state.

207 (7) Money deposited into the account shall include a legislative appropriation from the
208 cumulative sales and use tax revenue increases described in Subsection (8), plus any additional
209 appropriation made by the Legislature.

210 (8) (a) In fiscal years 2006 through 2019, a portion of the state sales and use tax
211 revenues determined under this Subsection (8) shall be certified by the State Tax Commission

212 as a set-aside for the account, and the State Tax Commission shall report the amount of the
213 set-aside to the office, the Office of Legislative Fiscal Analyst, and the Division of Finance,
214 which shall set aside the certified amount for appropriation to the account.

215 (b) For fiscal years 2016 through 2019, the State Tax Commission shall calculate the
216 set-aside under this Subsection (8) in each fiscal year by applying one of the following
217 formulas: if the annual percentage change in the Consumer Price Index for All Urban
218 Consumers, as published by the Bureau of Labor Statistics of the United States Department of
219 Labor, for the fiscal year two years before the fiscal year in which the set-aside is to be made is:

220 (i) greater than 3%, and if the annual percentage change in the state sales and use tax
221 revenues attributable to the retail sales of tourist-oriented goods and services from the fiscal
222 year three years before the fiscal year in which the set-aside is to be made to the fiscal year two
223 years before the fiscal year in which the set-aside is to be made is greater than the annual
224 percentage change in the Consumer Price Index for the fiscal year two years before the fiscal
225 year in which the set-aside is to be made, then the difference between the annual percentage
226 change in the state sales and use tax revenues attributable to the retail sales of tourist-oriented
227 goods and services and the annual percentage change in the Consumer Price Index shall be
228 multiplied by an amount equal to the state sales and use tax revenues attributable to the retail
229 sales of tourist-oriented goods and services from the fiscal year three years before the fiscal
230 year in which the set-aside is to be made; or

231 (ii) 3% or less, and if the annual percentage change in the state sales and use tax
232 revenues attributable to the retail sales of tourist-oriented goods and services from the fiscal
233 year three years before the fiscal year in which the set-aside is to be made to the fiscal year two
234 years before the fiscal year in which the set-aside is to be made is greater than 3%, then the
235 difference between the annual percentage change in the state sales and use tax revenues
236 attributable to the retail sales of tourist-oriented goods and services and 3% shall be multiplied
237 by an amount equal to the state sales and use tax revenues attributable to the retail sales of
238 tourist-oriented goods and services from the fiscal year three years before the fiscal year in
239 which the set-aside is to be made.

240 (c) The total money appropriated to the account in a fiscal year under Subsections
241 (8)(a) and (b) may not exceed the amount appropriated to the account in the preceding fiscal
242 year by more than \$3,000,000.

243 (d) As used in this Subsection (8), "state sales and use tax revenues" are revenues
244 collected under Subsections 59-12-103(2)(a)(i)(A) and 59-12-103(2)(c)(i).

245 (e) As used in this Subsection (8), "retail sales of tourist-oriented goods and services"
246 are calculated by adding the following percentages of sales from each business registered with
247 the State Tax Commission under one of the following codes of the 2012 North American
248 Industry Classification System of the federal Executive Office of the President, Office of
249 Management and Budget:

250 (i) 80% of the sales from each business under NAICS Codes:

251 (A) 532111 Passenger Car Rental;

252 (B) 53212 Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing;

253 (C) 5615 Travel Arrangement and Reservation Services;

254 (D) 7211 Traveler Accommodation; and

255 (E) 7212 RV (Recreational Vehicle) Parks and Recreational Camps;

256 (ii) 25% of the sales from each business under NAICS Codes:

257 (A) 51213 Motion Picture and Video Exhibition;

258 (B) 532292 Recreational Goods Rental;

259 (C) 711 Performing Arts, Spectator Sports, and Related Industries;

260 (D) 712 Museums, Historical Sites, and Similar Institutions; and

261 (E) 713 Amusement, Gambling, and Recreation Industries;

262 (iii) 20% of the sales from each business under NAICS Code 722 Food Services and
263 Drinking Places;

264 (iv) 18% of the sales from each business under NAICS Codes:

265 (A) 447 Gasoline Stations; and

266 (B) 81293 Parking Lots and Garages;

267 (v) 14% of the sales from each business under NAICS Code 8111 Automotive Repair
268 and Maintenance; and

269 (vi) 5% of the sales from each business under NAICS Codes:

270 (A) 445 Food and Beverage Stores;

271 (B) 446 Health and Personal Care Stores;

272 (C) 448 Clothing and Clothing Accessories Stores;

273 (D) 451 Sporting Goods, Hobby, Musical Instrument, and Book Stores;

274 (E) 452 General Merchandise Stores; and
 275 (F) 453 Miscellaneous Store Retailers.

276 Section 7. **Appropriation.**

277 The following sums of money are appropriated for the fiscal year beginning July 1,
 278 2020, and ending June 30, 2021. These are additions to amounts previously appropriated for
 279 fiscal year 2021. The Legislature authorizes the State Division of Finance to transfer the
 280 following amounts between the following funds or accounts as indicated. Expenditures and
 281 outlays from the funds or accounts to which the money is transferred must be authorized by an
 282 appropriation.

283 ITEM 1

284	<u>To Department of Health -- Family Health and Preparedness</u>	
285	<u>From Emergency Medical Services System Account</u>	<u>\$4,000,000</u>
286	<u>Schedule of Programs:</u>	
287	<u>Emergency Medical Services and Preparedness</u>	<u>\$4,000,000</u>

288 ITEM 2

289	<u>To Emergency Medical Services System Account</u>	
290	<u>From Tourism Marketing Performance Account</u>	<u>\$4,000,000</u>
291	<u>Schedule of Programs:</u>	
292	<u>Emergency Medical Services System Account</u>	<u>\$4,000,000</u>