

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: David P. Hinkins

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, as]~~

87 (b) (i) Subject to Subsection (3)(b)(ii), the department shall award per capita block

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

93 (ii) From the funds used to provide grants under Subsection (2)(b), the department
94 shall use the following amount for per capita block grants described in Subsection (3)(b)(i):

95 (A) in a fiscal year beginning on or after July 1, 2020, and before July 1, 2022, an
96 amount equal to 17% of the funds; and

97 (B) in a fiscal year beginning on or after July 1, 2022, an amount equal to 25% of the
98 funds.

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

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

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

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

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

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

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

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

115 **26-8a-210. Regional Emergency Medical Services Liaisons -- Qualifications --**

116 **Duties.**

117 (1) As used in this section:

118 (a) "Liaison" means a regional emergency medical services liaison appointed under this

119 section.

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

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

123 (a) serve the needs of rural counties in providing emergency medical services in
124 accordance with this chapter;

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

127 (i) emergency medical services providers;

128 (ii) local officials; and

129 (iii) local health departments or agencies;

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

132 (d) assist rural counties in utilizing state and federal grant programs for financing
133 emergency medical services; and

134 (e) serve as emergency medical service personnel to assist licensed providers with
135 ambulance staffing needs within rural counties.

136 (3) Each liaison appointed under Subsection (2):

137 (a) shall reside in a rural county;

138 (b) shall be licensed as an advanced emergency medical technician as defined in
139 Section [26-8c-102](#); and

140 (c) may hold one or more licenses in addition to the license described in Subsection
141 (3)(b).

142 (4) The department shall provide each liaison with a vehicle and other equipment in
143 accordance with rules established by the department.

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

145 **26-8a-211. Report.**

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

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

150 (2) the efficacy of the emergency medical services grant program established in Section
151 26-8a-207, including grant distribution;

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

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

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

157 **63I-2-226. Repeal dates -- Title 26.**

158 (1) Subsection 26-7-8(3) is repealed January 1, 2027.

159 (2) Section 26-8a-107 is repealed July 1, 2024.

160 (3) Subsection 26-8a-203(3)(a)(i) is repealed January 1, 2023.

161 (4) Section 26-8a-211 is repealed July 1, 2023.

162 [~~4~~] (5) Subsection 26-18-2.3(5) is repealed January 1, 2020.

163 [~~5~~] (6) Subsection 26-18-2.4(3)(e) is repealed January 1, 2023.

164 [~~6~~] (7) Subsection 26-18-411(8), related to reporting on the health coverage
165 improvement program, is repealed January 1, 2023.

166 [~~7~~] (8) Subsection 26-18-604(2) is repealed January 1, 2020.

167 [~~8~~] (9) Subsection 26-21-28(2)(b) is repealed January 1, 2021.

168 [~~9~~] (10) Subsection 26-33a-106.1(2)(a) is repealed January 1, 2023.

169 [~~10~~] (11) Subsection 26-33a-106.5(6)(c)(iii) is repealed January 1, 2020.

170 [~~11~~] (12) Title 26, Chapter 46, Utah Health Care Workforce Financial Assistance
171 Program, is repealed July 1, 2027.

172 [~~12~~] (13) Subsection 26-50-202(7)(b) is repealed January 1, 2020.

173 [~~13~~] (14) Subsections 26-54-103(6)(d)(ii) and (iii) are repealed January 1, 2020.

174 [~~14~~] (15) Subsection 26-55-107(8) is repealed January 1, 2021.

175 [~~15~~] (16) Subsection 26-56-103(9)(d) is repealed January 1, 2020.

176 [~~16~~] (17) Title 26, Chapter 59, Telehealth Pilot Program, is repealed January 1, 2020.

177 [~~17~~] (18) Subsection 26-61-202(4)(b) is repealed January 1, 2022.

178 [~~18~~] (19) Subsection 26-61-202(5) is repealed January 1, 2022.

179 Section 6. Section **63N-7-301** is amended to read:

180 **63N-7-301. Tourism Marketing Performance Account.**

181 (1) There is created within the General Fund a restricted account known as the Tourism
182 Marketing Performance Account.

183 (2) The account shall be administered by GOED for the purposes listed in Subsection
184 (5).

185 (3) (a) The account shall earn interest.

186 (b) All interest earned on account money shall be deposited into the account.

187 (4) The account shall be funded by appropriations made to the account by the
188 Legislature in accordance with this section.

189 ~~[(5) The executive director of GOED's Office of Tourism shall use account money~~
190 ~~appropriated to GOED to pay for the statewide advertising, marketing, and branding campaign~~
191 ~~for promotion of the state as conducted by GOED.]~~

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

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

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

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

202 (b) The sports organization shall:

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

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

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

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

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

211 (iii) has a minimum of 15 years experience in the state hosting, fostering, and attracting

212 major summer and winter sporting events statewide; and

213 (iv) was created to foster state, regional, national, and international sports competitions
214 in the state, to drive the state's Olympic and sports legacy, including competitions related to
215 Olympic sports, and to promote and encourage sports tourism throughout the state, including
216 advertising, marketing, branding, and promoting the state for the purpose of attracting sporting
217 events in the state.

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

221 (8) (a) In fiscal years 2006 through 2019, a portion of the state sales and use tax
222 revenues determined under this Subsection (8) shall be certified by the State Tax Commission
223 as a set-aside for the account, and the State Tax Commission shall report the amount of the
224 set-aside to the office, the Office of Legislative Fiscal Analyst, and the Division of Finance,
225 which shall set aside the certified amount for appropriation to the account.

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

231 (i) greater than 3%, 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 the annual
235 percentage change in the Consumer Price Index for the fiscal year two years before the fiscal
236 year in which the set-aside is to be made, then the difference between the annual percentage
237 change in the state sales and use tax revenues attributable to the retail sales of tourist-oriented
238 goods and services and the annual percentage change in the Consumer Price Index shall be
239 multiplied by an amount equal to the state sales and use tax revenues attributable to the retail
240 sales of tourist-oriented goods and services from the fiscal year three years before the fiscal
241 year in which the set-aside is to be made; or

242 (ii) 3% or less, and if the annual percentage change in the state sales and use tax

243 revenues attributable to the retail sales of tourist-oriented goods and services from the fiscal
244 year three years before the fiscal year in which the set-aside is to be made to the fiscal year two
245 years before the fiscal year in which the set-aside is to be made is greater than 3%, then the
246 difference between the annual percentage change in the state sales and use tax revenues
247 attributable to the retail sales of tourist-oriented goods and services and 3% shall be multiplied
248 by an amount equal to the state sales and use tax revenues attributable to the retail sales of
249 tourist-oriented goods and services from the fiscal year three years before the fiscal year in
250 which the set-aside is to be made.

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

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

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

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

262 (A) 532111 Passenger Car Rental;

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

264 (C) 5615 Travel Arrangement and Reservation Services;

265 (D) 7211 Traveler Accommodation; and

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

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

268 (A) 51213 Motion Picture and Video Exhibition;

269 (B) 532292 Recreational Goods Rental;

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

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

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

273 (iii) 20% of the sales from each business under NAICS Code 722 Food Services and

- 274 Drinking Places;
- 275 (iv) 18% of the sales from each business under NAICS Codes:
- 276 (A) 447 Gasoline Stations; and
- 277 (B) 81293 Parking Lots and Garages;
- 278 (v) 14% of the sales from each business under NAICS Code 8111 Automotive Repair
- 279 and Maintenance; and
- 280 (vi) 5% of the sales from each business under NAICS Codes:
- 281 (A) 445 Food and Beverage Stores;
- 282 (B) 446 Health and Personal Care Stores;
- 283 (C) 448 Clothing and Clothing Accessories Stores;
- 284 (D) 451 Sporting Goods, Hobby, Musical Instrument, and Book Stores;
- 285 (E) 452 General Merchandise Stores; and
- 286 (F) 453 Miscellaneous Store Retailers.

287 Section 7. **Appropriation.**

288 The following sums of money are appropriated for the fiscal year beginning July 1,
 289 2020, and ending June 30, 2021. These are additions to amounts previously appropriated for
 290 fiscal year 2021. The Legislature authorizes the State Division of Finance to transfer the
 291 following amounts between the following funds or accounts as indicated. Expenditures and
 292 outlays from the funds or accounts to which the money is transferred must be authorized by an
 293 appropriation.

294 ITEM 1

295 To Department of Health -- Family Health and Preparedness

296 <u>From Emergency Medical Services System Account</u>	<u>\$4,000,000</u>
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297 Schedule of Programs:

298 <u>Emergency Medical Services and Preparedness</u>	<u>\$4,000,000</u>
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299 ITEM 2

300 To Emergency Medical Services System Account

301 <u>From Tourism Marketing Performance Account</u>	<u>\$4,000,000</u>
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302 Schedule of Programs:

303 <u>Emergency Medical Services System Account</u>	<u>\$4,000,000</u>
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