

Derrin R. Owens proposes the following substitute bill:

Emergency Medical Services Modifications

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Derrin R. Owens

House Sponsor: Jefferson Moss

LONG TITLE

General Description:

This bill addresses ground ambulance interfacility transport services.

Highlighted Provisions:

This bill:

- grants authority to and requires municipalities and counties to ensure that a minimum level of ground ambulance interfacility transport services are provided within the respective municipality or county;
- requires a municipality or county to conduct a review and evaluation of emergency medical service provider's services every four years;
- requires a municipality or county to request competitive sealed proposals for the purpose of evaluating alternative qualified emergency medical service providers;
- removes the Bureau of Emergency Medical Services Management (bureau) from involvement in the process by which a municipality or county selects emergency medical service providers, except verifying and providing notice that an applicant emergency medical service provider meets minimum requirements;
- recognizes the bureau's jurisdiction to discipline non-911 ambulance service providers;
- requires a county or municipality to:
 - offer a first right to provide interfacility transports to the current 911 ambulance service provider;
 - conduct formal reviews of 911 service providers and interfacility transport service providers;
- grants investigative authority to the bureau;
- makes it a class B misdemeanor to willfully disobey a valid subpoena or cease and desist letter from the bureau; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:**AMENDS:****11-48-103**, as last amended by Laws of Utah 2024, Chapter 506**53-2d-103**, as renumbered and amended by Laws of Utah 2023, Chapters 307, 310 and last amended by Coordination Clause, Laws of Utah 2023, Chapter 307**53-2d-505**, as renumbered and amended by Laws of Utah 2023, Chapters 307, 310**53-2d-604**, as renumbered and amended by Laws of Utah 2023, Chapters 307, 310**53-2d-607**, as renumbered and amended by Laws of Utah 2023, Chapters 307, 310 and last amended by Coordination Clause, Laws of Utah 2023, Chapter 307**ENACTS:****53-2d-606.5**, Utah Code Annotated 1953**REPEALS:****53-2d-505.1**, as renumbered and amended by Laws of Utah 2023, Chapters 307, 310**53-2d-505.2**, as last amended by Laws of Utah 2023, Chapter 16 and renumbered and amended by Laws of Utah 2023, Chapters 307, 310**53-2d-505.3**, as last amended by Laws of Utah 2023, Chapter 435 and renumbered and amended by Laws of Utah 2023, Chapters 307, 310**53-2d-505.4**, as renumbered and amended by Laws of Utah 2023, Chapters 307, 310 and last amended by Coordination Clause, Laws of Utah 2023, Chapter 307**53-2d-505.5**, as renumbered and amended by Laws of Utah 2023, Chapters 307, 310**53-2d-506**, as renumbered and amended by Laws of Utah 2023, Chapters 307, 310**53-2d-507**, as renumbered and amended by Laws of Utah 2023, Chapters 307, 310**53-2d-508**, as renumbered and amended by Laws of Utah 2023, Chapters 307, 310**53-2d-509**, as last amended by Laws of Utah 2024, Chapter 147

*Be it enacted by the Legislature of the state of Utah:*Section 1. Section **11-48-103** is amended to read:**11-48-103 . Provision of ambulance services in municipalities and counties.**(1) The governing body of each municipality and county has exclusive authority to and shall, subject to Title 53, Chapter 2d, Part 5, Ambulance and Paramedic Providers,

ensure at least a minimum level of 911 ambulance services and ground ambulance interfacility transport services are provided:

- (a) within the territorial limits of the municipality or county;
- (b) by a ground ambulance provider, licensed by the Bureau of Emergency Medical Services under Title 53, Chapter 2d, Part 5, Ambulance and Paramedic Providers; and
- (c) in accordance with rules established by the Trauma System and Emergency Medical Services Committee under Section 53-2d-105.

(2)(a) A municipality or county may:

~~[(a)] (i) [subject to Subsection (3),] provide, maintain, and support 911 ambulance services for the municipality's or county's own jurisdiction; or~~

~~[(b)] (ii) [contract to:] enter into an interlocal agreement or procurement contract with a public or private entity to provide, receive, support, or maintain, 911 ambulance services or ground ambulance interfacility transport services, under any arrangement and to any extent that the municipality or county determines.~~

~~[(i) provide 911 ambulance services to any county, municipal corporation, special district, special service district, interlocal entity, private corporation, nonprofit corporation, state agency, or federal agency;]~~

~~[(ii) receive 911 ambulance services from any county, municipal corporation, special district, special service district, interlocal entity, private corporation, nonprofit corporation, state agency, or federal agency;]~~

~~[(iii) jointly provide 911 ambulance services with any county, municipal corporation, special district, special service district, interlocal entity, private corporation, nonprofit corporation, state agency, or federal agency; or]~~

~~[(iv) contribute toward the support of 911 ambulance services in any county, municipal corporation, special district, special service district, interlocal entity, private corporation, nonprofit corporation, state agency, or federal agency in return for 911 ambulance services.]~~

(b)(i) A municipality or county shall enter into an interlocal agreement with a public or private entity for the provision of backup interfacility transport services.

(ii) An interlocal agreement described in Subsection (2)(b)(i) may be used when the primary interfacility transport service provider is unavailable.

(iii) A municipality or county shall share a copy of the interlocal agreement described in Subsection (2)(b)(i) with dispatchers and health care facilities within the municipality's or county's jurisdiction.

- (3)(a) Subject to Subsections (3)(b) and (c), at the expiration of a license term under Subsection 53-2d-501, a county or municipality shall offer a first right to provide interfacility transports for an area to the current 911 ambulance service provider for that area.
- (b) If the first right under Subsection (3)(a) is not exercised, the county or municipality shall ensure that 911 ambulance services are provided in accordance with this section.
- (c) If the current 911 ambulance service provider under Subsection (3)(a) is not the current interfacility transport provider, the current interfacility provider's license shall remain intact until the later of:
- (i) two years after the enactment of this subsection; or
- (ii) the day of the next formal review conducted in accordance with Subsection (4).
- (4)(a) A county or municipality shall conduct a formal review of 911 service providers and interfacility transport service providers:
- (i) not less than every four years;
- (ii) in an open and public meeting in accordance with Title 52, Chapter 4, Open and Public Meetings Act; and
- (iii) not more than three months prior to the day on which the current license will expire under Subsection 53-2d-501(2).
- (b) The review under Subsection (4)(a) shall evaluate the cost, quality, and access goals for the county's or municipality's emergency medical services in the geographic area pursuant to rule made by the division; and
- (c) The county or municipality conducting a review under Section (4)(b) shall issue a request for a competitive sealed proposal for the purpose of evaluating alternative qualified emergency medical service providers and interfacility transport providers, including for-profit emergency management service providers, government-operated emergency management service providers, and quasi-governmental emergency management service providers.
- [(3)] (5)[(a)] A municipality or county that provides, maintains, and supports 911 ambulance services for the municipality's or county's own jurisdiction under Subsection (2)(a) shall obtain a license as a ground ambulance provider from the Bureau of Emergency Medical Services under Title 53, Chapter 2d, Part 5, Ambulance and Paramedic Providers.
- [(b) Sections 53-2d-505 through 53-2d-505.3 do not apply to a license described in Subsection (3)(a).]

Section 2. Section 53-2d-103 is amended to read:

53-2d-103 . Bureau duties -- Data sharing.

(1) The bureau shall:

- (a) coordinate the emergency medical services within the state;
- (b) administer and enforce any programs and applicable rules created under this chapter;
- (c) establish a voluntary task force representing a diversity of emergency medical service providers to advise the bureau and the committee on rules;
- (d) establish an emergency medical service personnel peer review board to advise the bureau concerning discipline of emergency medical service personnel under this chapter; and
- (e) adopt rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:
 - (i) license ambulance providers and paramedic providers;
 - (ii) permit ambulances, emergency medical response vehicles, and nonemergency secured behavioral health transport vehicles, including approving an emergency vehicle operator's course in accordance with Section 53-2d-404;
 - (iii) establish:
 - (A) the qualifications for membership of the peer review board created by this section;
 - (B) a process for placing restrictions on a license while an investigation is pending;
 - (C) the process for the investigation and recommendation by the peer review board; and
 - (D) the process for determining the status of a license while a peer review board investigation is pending;
 - (iv) establish application, submission, and procedural requirements for licenses, designations, and permits; and
 - (v) establish and implement the programs, plans, and responsibilities as specified in other sections of this chapter.

(2)(a) The bureau shall share data related to the bureau's duties with the Department of Health and Human Services.

- (b) The Department of Health and Human Services shall share data related to the bureau's duties with the bureau.
- (c) All data collected by the bureau under this chapter is subject to Title 26B, Chapter 8, Part 4, Health Statistics, including data privacy protections.

Section 3. Section **53-2d-505** is amended to read:

53-2d-505 . Ground ambulance and paramedic licenses.

- [(1)] If the bureau determines that the application meets the minimum requirements for licensure under Section 53-2d-504, the bureau shall issue a notice of the approved application to the applicant.
- [(2) A current license holder responding to a request for proposal under Section 53-2d-505.2 is considered an approved applicant for purposes of Section 53-2d-505.2 if the current license holder, prior to responding to the request for proposal, submits the following to the department:]
- [(a) the information described in Subsections 53-2d-504(4)(a)(i) through (iii); and]
- [(b)(i) if the license holder is a private entity, a financial statement, a pro forma budget and necessary letters of credit demonstrating a financial ability to expand service to a new service area; or]
- [(ii) if the license holder is a governmental entity, a letter from the governmental entity's governing body demonstrating the governing body's willingness to financially support the application.]

Section 4. Section **53-2d-604** is amended to read:

53-2d-604 . Discipline of designated and licensed providers.

- (1) The bureau may refuse to issue a license or designation or a renewal, or revoke, suspend, restrict, or place on probation, [an] any emergency medical service provider's license or designation, including the license or designation of a non-911 service provider, if the provider has:
- (a) failed to abide by terms of the license or designation;
 - (b) violated statute or rule;
 - (c) failed to provide services at the level or in the exclusive geographic service area required by the license or designation;
 - (d) failed to submit a renewal application in a timely fashion as required by department rule;
 - (e) failed to follow operational standards established by the committee; or
 - (f) committed an act in the performance of a professional duty that endangered the public or constituted gross negligence.
- (2)(a) An action to revoke, suspend, restrict, or place a license or designation on probation shall be done in accordance with Title 63G, Chapter 4, Administrative Procedures Act.

(b) Notwithstanding Subsection (2)(a), the department may issue a cease and desist order under Section 53-2d-607 to immediately suspend a license or designation pending an administrative proceeding to be held within 30 days if there is evidence to show that the provider or facility poses a clear, immediate, and unjustifiable threat or potential threat to the public health, safety, or welfare.

Section 5. Section 53-2d-606.5 is enacted to read:

53-2d-606.5 . Investigative authority of the bureau -- Subpoenas -- Criminal penalty.

(1) In connection with conducting a formal investigation or any matters pending before the peer review board, the bureau may administer oaths and affirmations, subpoena witnesses, take evidence, and require by subpoena duces tecum the production of relevant papers, records, or other documents or information.

(2) A person who willfully disobeys a valid subpoena issued by the bureau is guilty of a class B misdemeanor.

Section 6. Section 53-2d-607 is amended to read:

53-2d-607 . Cease and desist letters -- Criminal penalty.

(1) The bureau may issue a cease and desist order to any person who:

~~[(1)]~~ (a) may be disciplined under Section 53-2d-603 or 53-2d-604; or

~~[(2)]~~ (b) otherwise violates this chapter or any rules adopted under this chapter.

(2) An individual who willfully disobeys a valid cease and desist letter issued by the bureau is guilty of a class B misdemeanor.

Section 7. **Repealer.**

This bill repeals:

Section 53-2d-505.1, **Selection of provider by political subdivision.**

Section 53-2d-505.2, **Selection of provider -- Request for competitive sealed proposal -- Public convenience and necessity.**

Section 53-2d-505.3, **Use of competitive sealed proposals -- Procedure -- Appeal rights.**

Section 53-2d-505.4, **Non-911 provider -- Finding of meritorious complaint -- Request for proposals.**

Section 53-2d-505.5, **Use of competitive sealed proposals -- Procedure -- Appeal rights.**

Section 53-2d-506, **Ground ambulance and paramedic licenses -- Parties.**

Section 53-2d-507, **Ground ambulance and paramedic licenses -- Proceedings.**

Section 53-2d-508, **Criteria for determining public convenience and necessity.**

Section 53-2d-509, **Ground ambulance and paramedic licenses -- Hearing and presiding**

233 **officers.**

234 Section 8. **Effective Date.**

235 This bill takes effect on May 7, 2025.