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Legislative Document

No. 245

S.P. 111

In Senate, January 21, 2025

**An Act to Implement the Recommendations of the Blue Ribbon
Commission to Study Emergency Medical Services in the State**

(EMERGENCY)

Received by the Secretary of the Senate on January 16, 2025. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator TALBOT ROSS of Cumberland.
Cosponsored by Representative SALISBURY of Westbrook.

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, Resolve 2023, chapter 99 reestablished the Blue Ribbon Commission to Study Emergency Medical Services in the State, which was directed to examine and make recommendations on the structure, support and delivery of emergency medical services in the State; and

Whereas, the commission included in its published final report critical recommendations to ensure appropriate funding to cover the cost of sustaining emergency medical services in the State, to provide for necessary regulation and oversight of the emergency medical services system and to better support the resilience and sustainability of that system; and

Whereas, the expedient and efficient implementation of the commission's recommendations is necessary to support the short-term and long-term future of the emergency medical services system at a time when many emergency medical services entities are at immediate or future risk of failing and leaving their service areas without adequate access to emergency medical services; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §12004-J, sub-§22 is enacted to read:

22.

<u>Emergency Medical Services</u>	<u>Maine Emergency Medical Services Commission</u>	<u>Legislative Per Diem and Expenses</u>	<u>32 MRSA §99</u>
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Sec. 2. 30-A MRSA c. 154 is enacted to read:

CHAPTER 154

MUNICIPAL EMERGENCY MEDICAL SERVICES

§3171. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Ambulance service. "Ambulance service" has the same meaning as in Title 32, section 83, subsection 5.

2. Transporting emergency medical services. "Transporting emergency medical services" means emergency medical services provided by an ambulance service.

§3172. Municipal emergency medical services

1 **1. Adoption of plan.** The municipal officers of a municipality may adopt a plan
2 stipulating the method by which transporting emergency medical services will be delivered
3 within the municipality. A municipality that elects to adopt such a plan is not required
4 under this subsection to directly or indirectly provide or fund the delivery of transporting
5 emergency medical services within the municipality. The municipal officers may as
6 necessary amend a plan adopted pursuant to this subsection.

7 **2. Posting and submission of plan.** If a municipality adopts or amends a plan
8 pursuant to subsection 1, the municipal officers shall ensure that the plan is posted in the
9 same manner as ordinances are posted and shall submit the plan or amended plan for the
10 purpose of collecting data to the Department of Public Safety, Maine Emergency Medical
11 Services and the Maine Emergency Medical Services Commission established in Title 32,
12 section 99, subsection 1.

13 **Sec. 3. 32 MRSA §85, sub-§7, ¶A,** as amended by PL 2021, c. 587, §1, is further
14 amended to read:

15 A. Rendered in the person's capacity as an employee or contractor of the hospital or
16 health care facility;

17 **Sec. 4. 32 MRSA §99** is enacted to read:

18 **§99. Maine Emergency Medical Services Commission**

19 **1. Commission established.** The Maine Emergency Medical Services Commission,
20 referred to in this section as "the commission," is established pursuant to Title 5, section
21 12004-J, subsection 22 to monitor and evaluate the State's emergency medical services
22 system and to provide recommendations to the appropriate state agencies and to the
23 Legislature regarding necessary changes in the emergency medical services system.

24 **2. Members.** The commission consists of 26 members as follows:

25 A. Three members of the Senate, including at least one member of the party holding
26 the largest number of seats in the Legislature and at least one member of the party
27 holding the 2nd largest number of seats in the Legislature, appointed by the President
28 of the Senate;

29 B. Three members of the House of Representatives, including at least one member of
30 the party holding the largest number of seats in the Legislature and at least one member
31 of the party holding the 2nd largest number of seats in the Legislature, appointed by
32 the Speaker of the House of Representatives;

33 C. The Commissioner of Health and Human Services or the commissioner's designee;

34 D. The director or the director's designee;

35 E. The chair of the board or the chair's designee;

36 F. A representative of the Governor's office as designated by the Governor;

37 G. The following 5 members, appointed by the President of the Senate:

38 (1) A member who is employed or volunteers in the field of emergency medical
39 services and represents a community of 10,000 or more residents;

40 (2) A member who is employed or volunteers in the field of emergency medical
41 services and represents a community of fewer than 10,000 residents;

(3) A representative of the Maine Community College System;

(4) A member with expertise in health insurance coverage, billing and associated matters relating to the provision of emergency medical services by a licensed emergency medical service; and

(5) A member representing a licensed emergency medical service primarily engaged in the provision of nonemergency medical transportation services;

H. The following 5 members, appointed by the Speaker of the House of Representatives:

(1) A member representing a licensed emergency medical service operating primarily in a rural area of the State;

(2) A member representing a licensed emergency medical service operating primarily in a nonrural area of the State;

(3) A member who is a volunteer emergency medical services person;

(4) A representative of the state chapter of a national organization representing emergency physicians; and

(5) A member representing an air medical transport service; and

I. The following 6 members, appointed by the Governor:

(1) A representative of a statewide association representing hospitals;

(2) A representative of a statewide association representing ambulance services;

(3) A representative of a statewide association representing municipalities;

(4) A representative of a statewide association representing counties;

(5) A representative of a statewide association representing fire chiefs; and

(6) A member of the public.

3. Terms. Members of the commission are appointed for 3-year terms, except that the terms of appointment for legislative members appointed pursuant to subsection 2, paragraphs A and B coincide with their respective legislative terms of office. Members of the commission may serve beyond their designated terms until their successors are appointed.

4. Vacancies. In the event of a vacancy on the commission, the member's unexpired term must be filled through an appointment by the appointing authority for the vacant seat.

5. Quorum. A quorum of the commission consists of 14 members.

6. First meeting; officers. The director shall call the first meeting of the commission as soon as all appointments are made and to the extent resources are available. At the first meeting, the commission shall select a chair, a vice-chair, a secretary and a treasurer from among its members. The commission may select new officers annually.

7. Meetings. The commission may meet as often as necessary but shall meet at least quarterly. A meeting may be called by the chair or by any 4 members. The commission shall take and maintain minutes of all meetings.

1 **8. Staffing.** To the extent resources are available, the commission may employ staff
2 as needed.

3 **9. Funding.** The commission may seek, accept and expend outside funding to carry
4 out its duties.

5 **10. Duties.** The commission shall:

6 A. Regularly advise the Governor and officers of executive departments, the
7 Legislature, Maine Emergency Medical Services, licensed emergency medical service
8 and emergency medical services persons and any other parties affected by the
9 commission's recommendations regarding emergency medical services;

10 B. Submit a report containing the results of the commission's studies, findings and
11 recommendations to the Governor and to the joint standing committee of the
12 Legislature having jurisdiction over public safety matters by January 1, 2026 and
13 annually thereafter. As resources permit, the report must include, but is not limited to:

14 (1) An assessment of existing and needed resources and expected resource needs
15 within the State's emergency medical services system and recommendations for
16 funding those needs;

17 (2) An evaluation of existing emergency medical services programs, initiatives
18 and resources, including recommendations for improvements, new programs and
19 initiatives and funding options for oversight and administration of the State's
20 emergency medical services system;

21 (3) Recommendations regarding effective management of resources within the
22 State's emergency medical services system, enhancing the collection and
23 distribution of emergency medical services data, methods to evaluate the State's
24 emergency medical services system and recruitment and retention of emergency
25 medical services persons, both paid and volunteer; and

26 (4) The status of municipal emergency medical services plans adopted and
27 submitted pursuant to Title 30-A, section 3172 and an analysis of those plans.

28 After reviewing the report submitted under this paragraph, the committee may report
29 out legislation relating to the report;

30 C. Adopt rules of procedure necessary to carry out the commission's duties. Rules
31 adopted pursuant to this paragraph are routine technical rules as defined in Title 5,
32 chapter 375, subchapter 2-A; and

33 D. Conduct public hearings, conferences, workshops and other meetings to obtain
34 information about and discuss and publicize the needs of and solutions to problems
35 concerning the State's emergency medical services system.

36 **Sec. 5. Staggered terms.** Notwithstanding the Maine Revised Statutes, Title 32,
37 section 99, subsection 3, of the initial appointments made to the Maine Emergency Medical
38 Services Commission under Title 32, section 99, subsection 2, paragraphs G, H and I, each
39 appointing authority shall appoint 2 members for terms of 3 years, 2 members for terms of
40 2 years and the remaining members for a term of one year.

41 **Sec. 6. Maine Emergency Medical Services funding needs analysis; report.**
42 The Department of Public Safety, Maine Emergency Medical Services shall conduct a

1 funding needs analysis of communities seeking to engage in regional collaboration or the
2 adoption of a regional model in the delivery of emergency medical services.

3 On or before December 3, 2025, Maine Emergency Medical Services shall submit a
4 report describing the findings of its analysis and including recommendations and any
5 proposed legislation to the Joint Standing Committee on Criminal Justice and Public
6 Safety. After reviewing the report, the committee may report out legislation relating to the
7 report to the Second Regular Session of the 132nd Legislature.

8 **Sec. 7. Maine Emergency Medical Services structural reorganization**
9 **proposal.** By December 3, 2025, the Department of Public Safety, Maine Emergency
10 Medical Services shall submit to the Joint Standing Committee on Criminal Justice and
11 Public Safety a report, including proposed draft legislation, for the reorganization of the
12 Emergency Medical Services' Board, established in the Maine Revised Statutes, Title 5,
13 section 12004-A, subsection 15, consistent with the document titled "Maine EMS: Two-
14 Year Action Plan" published by Maine Emergency Medical Services on October 27, 2023.
15 The report must include, but is not limited to, identification of the necessary statutory
16 changes and funding needs associated with the reorganization of the Emergency Medical
17 Services' Board and any associated structural and organizational changes within Maine
18 Emergency Medical Services and within the state and regional governance system for the
19 emergency medical services program, as outlined in the document titled "Maine EMS:
20 Two-Year Action Plan." After reviewing the report, the committee may report out
21 legislation relating to the report to the Second Regular Session of the 132nd Legislature.

22 **Sec. 8. Maine Emergency Medical Services public information campaign;**
23 **report.** The Department of Public Safety, Maine Emergency Medical Services shall, as
24 resources allow, develop and, not later than July 1, 2026, implement a public information
25 campaign designed to enhance the public's understanding and appreciation of the delivery
26 of emergency medical services, the design and funding of the emergency medical services
27 system in the State and the essentiality of the services provided by emergency medical
28 services entities.

29 On or before December 3, 2025, Maine Emergency Medical Services shall submit a
30 report to the Joint Standing Committee on Criminal Justice and Public Safety regarding its
31 development and anticipated implementation of the public information campaign required
32 under this section. The report must include, but is not limited to, an assessment of the
33 resource needs associated with the public information campaign and identification of any
34 anticipated resource needs not currently available within the existing budgeted resources
35 of Maine Emergency Medical Services necessary for successful implementation of the
36 campaign. After reviewing the report, the committee may report out legislation relating to
37 the report to the Second Regular Session of the 132nd Legislature.

38 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
39 takes effect when approved.

40 SUMMARY

41 This bill does the following.

42 1. It establishes a permanent Maine Emergency Medical Services Commission to
43 monitor and evaluate the State's emergency medical services system on a continuing basis

1 and to provide recommendations to the appropriate state agencies and to the Legislature
2 regarding necessary changes in the emergency medical services system.

3 2. It permits the municipal officers of a municipality to adopt and post a plan
4 stipulating the method by which transporting emergency medical services will be delivered
5 within the municipality. A municipality is not required to directly or indirectly provide or
6 fund the delivery of transporting emergency medical services within the municipality.

7 3. It amends the Maine Emergency Medical Services Act of 1982 to authorize an
8 emergency medical services provider to render emergency medical services within a
9 hospital or health care facility where the provider is a contractor of the hospital or facility.

10 4. It directs the Department of Public Safety, Maine Emergency Medical Services to
11 conduct a funding needs analysis of communities seeking to engage in regional
12 collaboration or the adoption of a regional model in the delivery of emergency medical
13 services and to submit a report describing the findings of its analysis and any associated
14 recommendations on or before December 3, 2025 to the Joint Standing Committee on
15 Criminal Justice and Public Safety. The committee may report out related legislation to
16 the Second Regular Session of the 132nd Legislature.

17 5. It directs the Department of Public Safety, Maine Emergency Medical Services to
18 submit to the Joint Standing Committee on Criminal Justice and Public Safety by December
19 3, 2025 a proposal, including draft legislation, regarding the reorganization of the
20 Emergency Medical Services' Board consistent with the document titled "Maine EMS:
21 Two-Year Action Plan" published by Maine Emergency Medical Services on October 27,
22 2023. The committee may report out related legislation to the Second Regular Session of
23 the 132nd Legislature.

24 6. It directs the Department of Public Safety, Maine Emergency Medical Services, as
25 resources allow, to develop and, not later than July 1, 2026, implement a public information
26 campaign designed to enhance the public's understanding and appreciation of the delivery
27 of emergency medical services, the design and funding of the emergency medical services
28 system in the State and the essentiality of the services provided by emergency medical
29 services entities. On or before December 3, 2025, Maine Emergency Medical Services is
30 required to submit a report to the Joint Standing Committee on Criminal Justice and Public
31 Safety regarding its development and anticipated implementation of the public information
32 campaign. The committee may report out related legislation to the Second Regular Session
33 of the 132nd Legislature.