

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 HOUSE BILL 2436

By: Cockroft

4
5 AS INTRODUCED

6 An Act relating to public health and safety; creating
7 the Emergency Medical Service Survival Act; amending
8 63 O.S. 2011, Section 1-2530.9, which relates to the
9 Trauma Care Assistance Revolving Fund; permitting
10 fund to be used for certain programs; establishing
11 the Rural Emergency Medical Technician and Paramedic
12 Scholarship Program; providing for purpose; providing
13 for administration and funding; providing certain
14 eligibility for program; requiring licensed emergency
15 medical providers to have certain individuals
16 available beginning certain year; establishing the
17 Rural Emergency Medical Service Survival Program;
18 providing for purpose; providing for administration
19 and funding; providing certain eligibility for
20 program; establishing standards for paramedic
21 education programs; requiring State Department of
22 Health to revoke certain program under certain
23 condition; providing for the promulgation of certain
24 rules; providing for applicability; providing for
codification; providing for noncodification; and
declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be
codified in the Oklahoma Statutes reads as follows:

This act may be cited as the "Emergency Medical Service Survival
Act".

1 SECTION 2. AMENDATORY 63 O.S. 2011, Section 1-2530.9, is
2 amended to read as follows:

3 Section 1-2530.9 A. There is hereby created in the State
4 Treasury a revolving fund for the State Department of Health to be
5 designated the "Trauma Care Assistance Revolving Fund". The fund
6 shall be a continuing fund, not subject to fiscal year limitations,
7 and shall consist of all monies received by the State Department of
8 Health from monies apportioned thereto for purposes of this section.
9 All monies accruing to the credit of the fund are hereby
10 appropriated and may be budgeted and expended by the Department as
11 follows:

12 1. Ninety percent (90%) of such monies shall be used for the
13 Rural Emergency Medical Technician and Paramedic Scholarship Program
14 as established in Section 3 of this act, the Rural Emergency Medical
15 Service Survival Program as established in Section 5 of this act,
16 and to reimburse recognized trauma facilities, licensed ambulance
17 service providers and physicians for uncompensated trauma care
18 expenditures as documented in the statewide emergency medical
19 services and trauma analysis system developed pursuant to the
20 provisions of Section 1-2511 of this title. In lieu of or in
21 combination with reimbursement for uncompensated care, monies from
22 the fund may also be used to support readiness costs incurred by
23 licensed ambulance service providers and recognized trauma
24 facilities associated with ensuring a stable trauma care system with

1 availability of twenty-four-hour prehospital emergency medical
2 services and physician services for the provision of trauma care.

3 Any monies used for the treatment of Medicaid-eligible patients that
4 are subsequently used to establish federal matching fund
5 requirements shall also be reimbursed to eligible trauma facilities,
6 licensed ambulance service providers and physicians; and

7 2. Ten percent (10%) of such monies shall be used by the
8 Department in the furtherance of its powers and duties set forth in
9 the Oklahoma Emergency Response Systems Development Act.

10 B. Expenditures from the fund shall be made upon warrants
11 issued by the State Treasurer against claims filed as prescribed by
12 law with the Director of State Finance for approval and payment.

13 C. The State Board of Health shall establish by rule a formula
14 and procedure for the distribution of funds for uncompensated trauma
15 care and/or readiness costs that shall provide for the allocation of
16 funds to hospitals, ambulance service providers and physicians.

17 D. Annually, monies accumulated in the fund may be transferred
18 to the Oklahoma Health Care Authority, by order of the State
19 Commissioner of Health, to maximize Medicaid reimbursement of trauma
20 care. The Oklahoma Health Care Authority shall use these funds with
21 federal matching funds to reimburse hospitals, ambulance service
22 providers and physicians for trauma care provided to severely
23 injured patients who are participants in Medicaid.

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1 E. An annual report detailing the disbursements from the fund
2 shall be provided on January 1 of each year to the Speaker of the
3 House of Representatives, the President Pro Tempore of the Senate,
4 and the Chair of each health-related committee of both the House of
5 Representatives and the Senate.

6 SECTION 3. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 1-2530.10 of Title 63, unless
8 there is created a duplication in numbering, reads as follows:

9 A. There is hereby established the Rural Emergency Medical
10 Technician and Paramedic Scholarship Program. The purpose of the
11 program is to encourage persons to enter an emergency medical
12 technician program or a paramedic education program that leads to an
13 associate degree from a nationally accredited Emergency Medical
14 Services (EMS) program and to serve in rural or medically
15 underserved areas of this state. The program shall ensure statewide
16 access by utilizing distance learning resources.

17 B. The Rural Emergency Medical Technician and Paramedic
18 Scholarship Program shall be administered by the State Department of
19 Health pursuant to rules promulgated by the Department and shall be
20 funded by the Trauma Care Assistance Revolving Fund as established
21 in Section 1-2530.9 of Title 63 of the Oklahoma Statutes. The Rural
22 Emergency Medical Technician and Paramedic Scholarship Program shall
23 be funded annually based on need as determined by the Department but
24 in no year shall less than One Million Two Hundred Thousand Dollars

1 (\$1,200,000.00) be made available to the Rural Emergency Medical
2 Technician and Paramedic Scholarship Program by the Department. The
3 amount of each award granted by the Department pursuant to the Rural
4 Emergency Medical Technician and Paramedic Scholarship Program shall
5 not exceed the annual cost of books, tuition and fees as determined
6 by the Department.

7 C. Only individuals who are residents of this state and who
8 have been admitted as a student in an emergency medical technician
9 program or a nationally accredited paramedic program and agree to
10 work for two (2) years as a licensed emergency medical service
11 provider shall be eligible to participate in the Rural Emergency
12 Medical Technician and Paramedic Scholarship Program.

13 D. In the event an individual receiving funds from the Rural
14 Emergency Medical Technician and Paramedic Scholarship Program fails
15 to fully comply with the provisions of the contract for such funds,
16 such individual shall refund to the Department all funds received
17 pursuant to the provisions of the contract plus interest at a rate
18 that equals the prime interest rate plus one percent (1%) from the
19 date of disbursement of the funds and shall be liable for any other
20 liquidated damages as specified in the contract. Such refund shall
21 be deposited into the Trauma Care Assistance Revolving Fund.

22 SECTION 4. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 1-2530.11 of Title 63, unless
24 there is created a duplication in numbering, reads as follows:

1 Beginning January 1, 2018, all licensed emergency medical
2 providers shall have, as a minimum, an emergency medical technician
3 and a paramedic on every emergency or nonemergency response unless
4 an event occurs that overwhelms the resources available. Volunteer
5 licensed emergency medical providers whether paid or unpaid shall
6 not be subject to this section.

7 SECTION 5. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 1-2530.12 of Title 63, unless
9 there is created a duplication in numbering, reads as follows:

10 A. There is hereby established the Rural Emergency Medical
11 Service Survival Program. The purpose of the program is to ensure
12 the access of emergency care to rural and medically underserved
13 areas of this state.

14 B. The Rural Emergency Medical Service Survival Program shall
15 be administered by the State Department of Health pursuant to rules
16 promulgated by the Department and shall be funded by the Trauma Care
17 Assistance Revolving Fund as established in Section 1-2530.9 of
18 Title 63 of the Oklahoma Statutes. The Rural Emergency Medical
19 Service Survival Program shall be funded annually based on need as
20 determined by the Department but in no year shall less than Five
21 Million Dollars (\$5,000,000.00) be made available to the Rural
22 Emergency Medical Service Survival Program by the Department. Only
23 licensed emergency medical service providers who provide the
24 Department a statement of need and documentation of financial

1 statements for the previous two (2) years shall be eligible to
2 participate in the Rural Emergency Medical Service Survival Program.

3 SECTION 6. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 1-2530.13 of Title 63, unless
5 there is created a duplication in numbering, reads as follows:

6 A. Establishing certain standards for paramedic educational
7 programs is necessary in order to protect the health and safety of
8 the citizens of this state.

9 B. Educational programs for training paramedic-level courses
10 shall be approved by the State Department of Health and shall be
11 offered by the state's colleges, universities, community colleges,
12 tribal entities and technology centers.

13 C. Beginning January 1, 2016, paramedic educators shall be
14 required to be nationally certified Emergency Medical Services (EMS)
15 Educators and possess a minimum of an associate degree.

16 D. Beginning January 1, 2016, the Department shall revoke the
17 licensure of any paramedic educational program which does not
18 achieve the lesser of the student average first time pass rate of
19 seventy percent (70%) or the national average on the National
20 Registry examination in three (3) of the last five (5) years.

21 E. The Department shall promulgate rules pursuant to this
22 section that are consistent with achieving at least the national
23 average first time pass rate on the national Registry of Emergency
24 Medical Technicians examination.

1 F. This section shall not apply to continuing education, in-
2 service instruction or refresher courses as required by the National
3 Registry of Emergency Medical Technicians.

4 SECTION 7. It being immediately necessary for the preservation
5 of the public peace, health and safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

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