

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2833 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Ken Walker

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2833

By: Walker

7
8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to public health and safety; amending
10 63 O.S. 2011, Sections 1-2513 and 1-2515, which
11 relate to Oklahoma Emergency Response System
12 Development Act; prohibiting the State Commissioner
13 of Health from requiring certain approval before
14 granting certain license; exempting certain patient
15 transports from certain regulation; and providing an
16 effective date.

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

18 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-2513, is
19 amended to read as follows:

20 Section 1-2513. A. All persons, companies, governmental
21 entities or trust authorities desiring to operate an ambulance
22 service shall file with the State Commissioner of Health an
23 application for a license to operate the service. The Commissioner
24 shall, within two (2) months of the date of the application, notify
the applicant in writing of the granting or rejection of the license

1 and shall, in the event of rejection, specify the reasons for the
2 rejection.

3 B. The Commissioner may issue an Oklahoma Air Ambulance
4 Provider License to an Air Ambulance provider, duly licensed in good
5 standing and operating from bases in an adjoining state, that makes
6 application and provides documentation pursuant to rules promulgated
7 by the State Board of Health. Such ambulance provider staff shall
8 not be required to be licensed in this state but shall be required
9 to meet the licensure requirements in the state of origin.

10 C. The Commissioner shall not require the approval of Emergency
11 Medical Services (EMS) Regions, Ambulance Service districts or
12 municipalities before granting a stretcher aid van license in that
13 same service area, provided that the stretcher aid van service is
14 solely engaged in nonemergency transfers of medically stable
15 individuals who directly contact the stretcher aid van service to
16 request transportation within the boundaries of a county with a
17 population of more than four hundred thousand (400,000) according to
18 the most recent federal decennial census.

19 SECTION 2. AMENDATORY 63 O.S. 2011, Section 1-2515, is
20 amended to read as follows:

21 Section 1-2515. A. Notwithstanding any other provision of this
22 title, Emergency Medical Services (EMS) Regions, Ambulance Service
23 districts or municipalities are hereby authorized to regulate and
24 control, pursuant to duly enacted ordinance or regulation, Ambulance

1 Service transports originating within the jurisdiction of such EMS
2 Regions, Ambulance Service districts or municipalities.

3 B. Any ordinance or regulation adopted pursuant to subsection A
4 of this section shall meet and may exceed, but shall not be in
5 contravention of, the standards promulgated by the State Board of
6 Health for Ambulance Service transports.

7 C. 1. Any ordinance or regulation adopted by an EMS Region,
8 Ambulance Service district or a municipality may establish a sole-
9 provider system for stretcher aid van and/or Ambulance Service
10 transports; provided, however, any such designated or contracted
11 sole-provider which is not an EMS Region, Ambulance Service
12 district, municipality, or other public entity shall be selected by
13 competitive bidding.

14 2. A contract entered into pursuant to such bidding shall be
15 with the lowest and best bidder and may be for an initial term of
16 such duration as deemed operationally and fiscally prudent by the
17 contracting agency. The term of such sole-provider contract shall
18 be made public at the time bids are solicited, which solicitation
19 shall be not less than sixty (60) days prior to the contract start
20 date.

21 D. Any EMS Region, Ambulance Service district or municipality
22 may establish a sole-provider system for stretcher aid van and/or
23 Ambulance Service transports and may allow additional geographic or
24 political subdivisions to join such a system at any time. Whenever

1 such a geographic or political subdivision joins such a sole-
2 provider system, competitive bidding shall not be required and
3 provision for servicing the new jurisdiction may be accomplished by
4 amending the existing sole-provider contract. Furthermore, in the
5 event the expansion of the service area of the EMS Region, Ambulance
6 Service district or the municipality is substantial (in the sole
7 opinion of the governing body of the EMS Region, Ambulance Service
8 district or municipality), the existing sole-provider contract may
9 be extended for a period sufficient to allow reasonable opportunity
10 for recovery of capital costs of expansion, as determined by the
11 contracting agency.

12 E. The provisions of this section shall not be construed or
13 applied to limit the operation of any emergency medical service
14 district established and operating pursuant to Section 9C of Article
15 10 of the Oklahoma Constitution; provided, however, that, upon
16 invitation and approval of a majority of the voters of the district,
17 any such district is hereby authorized to join by appropriate
18 agreement any system established by an EMS Region, Ambulance Service
19 district or a municipality pursuant to the provisions of this
20 section.

21 F. The following types of patient transports shall be exempt
22 from regulation by EMS Regions, Ambulance Service districts or
23 municipalities:
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1 1. Any ambulance owned or operated by, or under contract to
2 perform ambulance transport services for, the Federal or State
3 government, or any agency thereof;

4 2. Any ambulance owned and operated by a hospital and in use to
5 transport a patient of the owner-hospital, which patient has been
6 admitted to and not been discharged from the owner-hospital, to or
7 from another hospital or medical care facility at which the patient
8 receives a diagnostic or therapeutic procedure not available at the
9 owner-hospital;

10 3. Any ambulance engaged in a routine transport call to
11 transport a patient from a hospital, nursing home, or dialysis
12 center located within an EMS Region, Ambulance Service district or
13 municipality to any location outside the EMS Region, Ambulance
14 Service district or municipality;

15 4. Any ambulance engaged in the transport of a patient from a
16 location outside an EMS Region, Ambulance Service district or
17 municipality to a location inside an EMS Region, Ambulance Service
18 district or municipality; ~~or~~

19 5. Any ambulance engaged in the interstate transport of a
20 patient; or

21 6. A stretcher aid van engaged in nonemergency transfers of
22 medically stable individuals who directly contact the stretcher aid
23 van service to request transportation within the boundaries of a
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1 county with a population of more than four hundred thousand
2 (400,000) according to the most recent federal decennial census.

3 SECTION 3. This act shall become effective November 1, 2016.

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5 55-2-9076 AMM 02/15/16
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