

1 **SENATE FLOOR VERSION**

2 February 9, 2022

3 SENATE BILL NO. 1441

By: Rosino

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5
6 An Act relating to emergency medical services;
7 amending 63 O.S. 2021, Section 1-2515, which relates
8 to ambulance service transports; broadening exemption
9 from certain regulation; updating statutory language;
10 and providing an effective date.

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

12 SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-2515, is
13 amended to read as follows:

14 Section 1-2515. A. Notwithstanding any other provision of this
15 title, ~~Emergency Medical Services~~ emergency medical services (EMS)
16 ~~Regions~~ regions, ~~Ambulance Service~~ ambulance service districts or
17 municipalities are hereby authorized to regulate and control,
18 pursuant to duly enacted ordinance or regulation, ~~Ambulance Service~~
19 ambulance service transports originating within the jurisdiction of
20 such EMS ~~Regions~~ regions, ~~Ambulance Service~~ ambulance service
21 districts or municipalities.

22 B. Any ordinance or regulation adopted pursuant to subsection A
23 of this section shall meet and may exceed, but shall not be in
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1 contravention of, the standards promulgated by the State Board of
2 Health for ~~Ambulance Service~~ ambulance service transports.

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

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

18 D. Any EMS ~~Region~~ region, ~~Ambulance Service~~ ambulance service
19 district or municipality may establish a sole-provider system for
20 stretcher van and/or ~~Ambulance Service~~ ambulance service transports
21 and may allow additional geographic or political subdivisions to
22 join such a system at any time. Whenever such a geographic or
23 political subdivision joins such a sole-provider system, competitive
24 bidding shall not be required and provision for servicing the new

1 jurisdiction may be accomplished by amending the existing sole-
2 provider contract. Furthermore, in the event the expansion of the
3 service area of the EMS ~~Region~~ region, ~~Ambulance Service~~ ambulance
4 service district or the municipality is substantial (in the sole
5 opinion of the governing body of the EMS ~~Region~~ region, ~~Ambulance~~
6 ~~Service~~ ambulance service district or municipality), the existing
7 sole-provider contract may be extended for a period sufficient to
8 allow reasonable opportunity for recovery of capital costs of
9 expansion, as determined by the contracting agency.

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

19 F. The following types of patient transports shall be exempt
20 from regulation by EMS ~~Regions~~ regions, ~~Ambulance Service~~ ambulance
21 service districts or municipalities:

22 1. Any ambulance owned or operated by, or under contract to
23 perform ambulance transport services for, the Federal or ~~State~~ state
24 government, or any agency thereof;

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

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

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

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

21 SECTION 2. This act shall become effective November 1, 2022.

22 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
23 February 9, 2022 - DO PASS

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