

**HOUSE . . . . . No. 1963**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Denise C. Garlick***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

**An Act relative to emergency medical services oversight.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>	<i>1/14/2015</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>10/9/2019</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	<i>10/9/2019</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>10/9/2019</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>10/9/2019</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>	<i>10/9/2019</i>
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>	<i>10/9/2019</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>	<i>10/9/2019</i>
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>	<i>10/9/2019</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>10/9/2019</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>10/9/2019</i>
<i>Diana DiZoglio</i>	<i>14th Essex</i>	<i>10/9/2019</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>	<i>10/9/2019</i>

**HOUSE . . . . . No. 1963**

By Ms. Garlick of Needham, a petition (accompanied by bill, House, No. 1963) of Denise C. Garlick and others relative to emergency medical services oversight. Public Health.

**The Commonwealth of Massachusetts**

**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**

An Act relative to emergency medical services oversight.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 1 of Chapter 111C of the General Laws, as appearing in the 2012  
2 Official Edition, is hereby amended, in subsection (a), by inserting after the definition of  
3 “Emergency medical services” the following definition:-

4 “Executive Council”, the Emergency Medical Services System Executive Council created  
5 in Section 13A.”

6 SECTION 2. Section 3 of Chapter 111C, as so appearing, is hereby amended, in  
7 subsection (b)(6), by adding after the word “years” the following words:- “, provided, that such  
8 plan shall include guidelines for clear and streamlined communication between the regional  
9 councils and the department”

10 SECTION 3. Section 3 of Chapter 111C, as so appearing, is hereby amended, in  
11 subsection (c), by striking the word “board” and inserting in place thereof the following words:-  
12 “executive council”.

13 SECTION 4. Section 4 of Chapter 111C of the General Laws, as so appearing, is hereby  
14 amended by striking out subsection (c)(3) in its entirety.

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16 SECTION 5. Section 4 of Chapter 111C of the General Laws, as so appearing, is hereby  
17 amended, in subsection (c)(6), by adding after the words “input from” the following words:- “,  
18 and communication to,”

19 SECTION 6. Section 4 of Chapter 111C of the General Laws, as so appearing, is hereby  
20 amended by adding a new subsection (d) as follows:

21 “(d) Each regional EMS council shall prepare and annually file with the department and  
22 the executive council on or before May 30 a regional EMS services and support plan outlining  
23 the regional EMS council’s planned efforts to meet and advance the regional EMS council’s  
24 roles and responsibilities as outlined in Section 4(c) of Chapter 111C of the General Laws. Each  
25 regional EMS plan shall be consistent with the state EMS plan, although it may reflect regional  
26 differences. Each regional EMS system plan shall also include, without limitation, a trauma plan  
27 consisting of, at a minimum, trauma point of entry guidelines and scene triage criteria.

28 Upon submission, the department may amend each regional EMS council contract,  
29 subject to appropriation and to the guidelines provided by Section 5 of Chapter 111C of the  
30 General Laws, to reflect and respond to the submitted regional EMS plans.

31 SECTION 7. Section 5(d) of Chapter 111C of the General Laws, as so appearing, is  
32 hereby amended by adding, after the word “regions”, the following words:- “, as well as the  
33 regional council’s annual submitted regional EMS plan.”

34 SECTION 8. Section 13 of Chapter 111C of the General Laws, as so appearing, is hereby  
35 amended by striking out subsection (b) and inserting in place thereof the following subsection:-

36 “(b) The board shall meet, at a minimum, once annually and serve in a general advisory  
37 capacity to the executive council established in Section 13A, and the department, in coordinating  
38 the efforts of all persons and agencies in the state concerned with the EMS system, and shall  
39 render advice on the development of the EMS system where needed. At least one-half of the total  
40 appointed members shall constitute a quorum for the transaction of business.

41 SECTION 9. Chapter 111C of the General Laws, as so appearing, is hereby amended by  
42 inserting after section 13 the following section:-

43 “Section 13A. (a) There shall be within the department an Emergency Medical Services  
44 System Executive Council, consisting of the commissioner or a designee; the state medical  
45 director, or a designee; two directors of regional emergency medical services councils, or their  
46 designees, provided that each regional emergency medical service council shall be represented  
47 on the executive council for at least one term every ten years; two medical directors of regional  
48 emergency medical services councils, or their designee, provided that each regional emergency  
49 medical service council shall be represented on the executive council for at least one term every  
50 ten years; the director of the office of preparedness and emergency management at the  
51 department of public health, or a designee; and 12 members appointed by the commissioner, or  
52 their designees, as follows: one each from the Professional Fire Fighters of Massachusetts, the  
53 Massachusetts Ambulance Association, the Fire Chiefs Association of Massachusetts, the  
54 International Association of EMTs and Paramedics, the Massachusetts Call/Volunteer  
55 Firefighters Association, the Massachusetts Association of Hospital-Based Paramedic Services,

56 Massachusetts Chapter of the American College of Emergency Physicians, the Massachusetts  
57 Chapter of the American College of Surgeons, the Massachusetts Medical Society, and the  
58 Massachusetts Municipal Association; one from the volunteer ambulance associations; and, a  
59 representative of the state 911 department.

60 The commissioner shall appoint the chair of the executive council. Each appointed  
61 member of the executive council shall serve a term of three years, or until a successor is  
62 appointed and qualified. At least one-half of the total appointed members of executive council  
63 shall constitute a quorum for the transaction of business. No appointed member shall serve more  
64 than three terms. Appointees shall serve without compensation.

65 (b) The executive council shall meet, at a minimum, once quarterly, and, in addition to  
66 other powers conferred in this chapter, including, without limitation, in subsection (c) of section  
67 3, shall assist in coordinating the efforts of all persons and agencies in the state concerned with  
68 the EMS system, and shall render advice on the development of the EMS system where needed,  
69 including, but not limited to, review of and recommendations on the submitted regional EMS  
70 plans.

71 The executive council, in consultation with the department, shall make an annual report  
72 to the commissioner and to the clerks of the house of representatives and senate on or before  
73 June 30. There shall be established by the executive council, in consultation with the department,  
74 committees advisory to the executive council, including, without limitation, a trauma systems  
75 committee. The trauma systems committee shall be chaired by the commissioner or a designee  
76 and shall be composed of several individuals, each identified as representing (1) regional EMS

77 councils, (2) trauma centers, and (3) community hospitals. Other committees may be established  
78 and constituted by the executive council, in its discretion.

79 SECTION 10. Section 14 of Chapter 111C, as so appearing, is hereby amended by  
80 adding, at the end, the following paragraphs:-

81 “The department shall make available on the office of emergency medical services  
82 website information regarding the complaint resolution process for complaints made pursuant to  
83 this section, as well as any forms or other materials required to make a complaint against any  
84 person certified, licensed, designated, or otherwise approved by the department under this  
85 chapter.”

86 SECTION 11. The department, in consultation with the executive council and the  
87 regional councils, shall study and make recommendations for potential permanent funding  
88 sources and mechanisms to support the office of emergency medical services, the regional  
89 councils, and central medical emergency direction centers. The department shall issue a report  
90 with findings and recommendations to the clerks of the house of representatives and senate, as  
91 well as the house and senate committees on ways and means, by December 1, 2015.

92 SECTION 12. There shall be an emergency medical services peer licensure advisory  
93 committee, which shall consist of the commissioner or a designee, the director of the office of  
94 emergency medical services or a designee, and 6 members appointed by the commissioner, or  
95 their designees, as follows: one each from the Professional Fire Fighters of Massachusetts, the  
96 Massachusetts Call/Volunteer Firefighters Association, the Professional Fire Chiefs Association  
97 of Massachusetts, the Massachusetts Ambulance Association, the Massachusetts Association of  
98 Hospital-Based Paramedic Services, and the International Association of EMTs and Paramedics.

99           The advisory committee shall meet, at a minimum, twice annually to advise the  
100 department on the complaint resolution process and disciplinary actions relative to persons  
101 certified, licensed, designated or otherwise approved by the department under Chapter 111C.  
102 Each appointed member of this advisory council shall serve a term of three years, or until a  
103 successor is appointed and qualified. At least one-half of the total appointed members of this  
104 advisory council shall constitute a quorum for the transaction of business. No appointed member  
105 shall serve more than three terms. Appointees shall serve without compensation.