

SENATE No. 1140

The Commonwealth of Massachusetts

PRESENTED BY:

Kenneth J. Donnelly

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 modernizing emergency medical services oversight.

PETITION OF:

NAME:

Kenneth J. Donnelly

DISTRICT/ADDRESS:

Fourth Middlesex

SENATE No. 1140

By Mr. Donnelly, a petition (accompanied by bill, Senate, No. 1140) of Kenneth J. Donnelly for legislation to modernize emergency medical services oversight. Public Health.

The Commonwealth of Massachusetts

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

An Act modernizing 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
5 created 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.

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

18 SECTION 6. Section 4 of chapter 111C of the General Laws, as so appearing, is hereby
19 amended by after subsection (c) the following new section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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