

SENATE No. 1192

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:	DISTRICT/ADDRESS:	
<i>Kenneth J. Donnelly</i>	<i>Fourth Middlesex</i>	
<i>Frank A. Moran</i>	<i>17th Essex</i>	<i>1/26/2017</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>1/27/2017</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/31/2017</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	<i>1/31/2017</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>	<i>2/3/2017</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>2/3/2017</i>
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>	<i>3/23/2017</i>

SENATE No. 1192

By Mr. Donnelly, a petition (accompanied by bill, Senate, No. 1192) of Kenneth J. Donnelly, Frank A. Moran, Michael D. Brady, Patrick M. O'Connor and other members of the General Court for legislation to modernize emergency medical services oversight. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

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. Paragraph (6) of subsection (b) of section 3 of chapter 111C, as appearing
2 in the 2014 Official Edition, is hereby amended by inserting after the word “years”, in line 32,
3 the following words:- , provided that, such plan shall include guidelines for clear and streamlined
4 communication between the regional councils and the department.

5 SECTION 2. Subsection (c) of said section 3 of said chapter 111C, as so appearing, is
6 hereby amended by striking out the word “board”, in line 101, and inserting in place thereof the
7 following words:- “executive council”.

8 SECTION 3. Section 4 of said chapter 111C, as so appearing, is hereby amended by
9 striking out paragraph (3) of subsection (c) in its entirety.

10 SECTION 4. Paragraph (6) of subsection (c) of said section 4 of said chapter 111C, as so
11 appearing, is hereby amended by inserting after the words “input from”, in line 50, the following
12 words:- , and communication to, .

13 SECTION 5. Said section 4 of said chapter 111C, as so appearing, is hereby amended by
14 inserting after subsection (c) the following section:-

15 (d) Each regional EMS council shall prepare and annually file with the department and
16 the executive council, on or before May 30, a regional EMS services and support plan outlining
17 the regional EMS council's planned efforts to meet and advance the regional EMS council's
18 roles and responsibilities, as outlined in section 4(c) of this chapter. Each regional EMS plan
19 shall be consistent with the state EMS plan, although it may reflect regional differences. Each
20 regional EMS system plan shall also include, without limitation, a trauma plan consisting of, at a
21 minimum, trauma point of entry guidelines and scene triage criteria.

22 Upon submission, the department may amend each regional EMS council contract,
23 subject to appropriation and to the guidelines provided by section 5 of this chapter, to reflect and
24 respond to the submitted regional EMS plans.

25 SECTION 6. Subsection (d) of section 5 of said chapter 111C, as so appearing, is hereby
26 amended by inserting after the word "regions", in line 18, the following words:- , as well as the
27 regional council's annual submitted regional EMS plan.

28 SECTION 7. Section 13 of said chapter 111C, as so appearing, is hereby amended by
29 striking out subsection (b) and inserting in place thereof the following subsection:-

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

35 SECTION 8. Said chapter 111C, as so appearing, is hereby amended by inserting after
36 section 13 the following section:-

37 Section 13A. (a) There shall be within the department an Emergency Medical Services
38 System Executive Council, consisting of the commissioner or a designee; the state medical
39 director, or a designee; 2 directors of regional emergency medical services councils, or their
40 designees, provided that each regional emergency medical service council shall be represented
41 on the executive council for at least 1 term every 10 years; 2 medical directors of regional
42 emergency medical services councils, or their designee, provided that, each regional emergency
43 medical service council shall be represented on the executive council for at least 1 term every 10
44 years; the director of the office of preparedness and emergency management at the department of
45 public health, or a designee; and 12 members appointed by the commissioner, or their designees,
46 as follows: 1 each from the Professional Fire Fighters of Massachusetts, the Massachusetts
47 Ambulance Association, the Fire Chiefs Association of Massachusetts, the International
48 Association of EMTs and Paramedics, the Massachusetts Call/Volunteer Firefighters
49 Association, the Massachusetts Association of Hospital-Based Paramedic Services,
50 Massachusetts Chapter of the American College of Emergency Physicians, the Massachusetts
51 Chapter of the American College of Surgeons, the Massachusetts Medical Society, and the
52 Massachusetts Municipal Association; 1 from the volunteer ambulance associations; and, a
53 representative of the state 911 department.

54 The commissioner shall appoint the chair of the executive council. Each appointed
55 member of the executive council shall serve a term of 3 years, or until a successor is appointed
56 and qualified. At least one-half of the total appointed members of executive council shall

57 constitute a quorum for the transaction of business. No appointed member shall serve more than
58 3 terms. Appointees shall serve without compensation.

59 (b) The executive council shall meet, at a minimum, once quarterly, and, in addition to
60 other powers conferred in this chapter, including, without limitation, in subsection (c) of section
61 3, shall assist in coordinating the efforts of all persons and agencies in the state concerned with
62 the EMS system, and shall render advice on the development of the EMS system where needed,
63 including, but not limited to, review of and recommendations on the submitted regional EMS
64 plans.

65 The executive council, in consultation with the department, shall submit an annual report
66 to the commissioner and to the clerks of the house of representatives and senate, on or before
67 June 30. There shall be established by the executive council, in consultation with the department,
68 advisory committees to the executive council, including, without limitation, a trauma systems
69 committee. The trauma systems committee shall be chaired by the commissioner or a designee
70 and shall be composed of several individuals, each identified as representing: (1) regional EMS
71 councils; (2) trauma centers; and (3) community hospitals. Other committees may be established
72 and constituted by the executive council, in its discretion.

73 SECTION 9. Section 14 of said chapter 111C, as so appearing, is hereby amended by
74 inserting at the end thereof the following paragraph:-

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

79 SECTION 10. The department, in consultation with the executive council and the
80 regional councils, shall study and make recommendations for potential permanent funding
81 sources and mechanisms to support the office of emergency medical services, the regional
82 councils, and central medical emergency direction centers. The department shall issue a report,
83 with findings and recommendations, to the clerks of the house of representatives and senate, as
84 well as the house and senate committees on ways and means, by December 1, 2017.

85 SECTION 11. There shall be an emergency medical services peer licensure advisory
86 committee, which shall consist of the commissioner or a designee, the director of the office of
87 emergency medical services or a designee, and 6 members appointed by the commissioner, or
88 their designees, as follows: 1 each from the Professional Fire Fighters of Massachusetts, the
89 Massachusetts Call/Volunteer Firefighters Association, the Professional Fire Chiefs Association
90 of Massachusetts, the Massachusetts Ambulance Association, the Massachusetts Association of
91 Hospital-Based Paramedic Services, and the International Association of EMTs and Paramedics.

92 The advisory committee shall meet, at a minimum, twice annually to advise the
93 department on the complaint resolution process and disciplinary actions relative to persons
94 certified, licensed, designated or otherwise approved by the department under chapter 111C.
95 Each appointed member of this advisory council shall serve a term of 3 years, or until a
96 successor is appointed and qualified. At least one-half of the total appointed members of this
97 advisory council shall constitute a quorum for the transaction of business. No appointed member
98 shall serve more than 3 terms. Appointees shall serve without compensation.