

**HOUSE . . . . . No. 1894**

**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>1/16/2019</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	<i>1/22/2019</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>1/24/2019</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>	<i>1/31/2019</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>2/1/2019</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>1/25/2019</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>1/25/2019</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>	<i>1/28/2019</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>	<i>2/1/2019</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>1/31/2019</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>1/30/2019</i>
<i>Harold P. Naughton, Jr.</i>	<i>12th Worcester</i>	<i>1/31/2019</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>1/25/2019</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>	<i>2/1/2019</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>1/24/2019</i>

**HOUSE . . . . . No. 1894**

By Ms. Garlick of Needham, a petition (accompanied by bill, House, No. 1894) of Denise C. Garlick and others relative to emergency medical services oversight. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3237 OF 2017-2018.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
\_\_\_\_\_

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. 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, 2019.

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.