SENATE DOCKET, NO. 838 FILED ON: 1/18/2023

SENATE . . . . . No. 1367

The Commonwealth of Massachusetts

PRESENTED BY:

Paul R. Feeney

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:	
Paul R. Feeney	*Bristol and Norfolk*	
Adam J. Scanlon	*14th Bristol*	*11/13/2023*

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SENATE . . . . . No. 1367

By Mr. Feeney, a petition (accompanied by bill, Senate, No. 1367) of Paul R. Feeney for legislation to modernize emergency medical services oversight. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1434* OF 2021-2022.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

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:

SECTION 1. Paragraph (6) of subsection (b) of section 3 of chapter 111C, as appearing in the 2014 Official Edition, is hereby amended by inserting after the word “years”, in line 32, the following words:- , provided that, such plan shall include guidelines for clear and streamlined communication between the regional councils and the department.

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

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

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

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

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

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

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

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

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

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

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

Massachusetts Municipal Association; 1 from the volunteer ambulance associations; and, a representative of the state 911 department.

The commissioner shall appoint the chair of the executive council. Each appointed member of the executive council shall serve a term of 3 years, or until a successor is appointed and qualified. At least one-half of the total appointed members of executive council shall constitute a quorum for the transaction of business. No appointed member shall serve more than 3 terms. Appointees shall serve without compensation.

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

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

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

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

SECTION 10. The department, in consultation with the executive council and the regional councils, shall study and make recommendations for potential permanent funding sources and mechanisms to support the office of emergency medical services, the regional councils, and central medical emergency direction centers. The department shall issue a report, with findings and recommendations, to the clerks of the house of representatives and senate, as well as the house and senate committees on ways and means, by December 1, 2024.

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

The advisory committee shall meet, at a minimum, twice annually to advise the department on the complaint resolution process and disciplinary actions relative to persons certified, licensed, designated or otherwise approved by the department under chapter 111C.

Each appointed member of this advisory council shall serve a term of 3 years, or until a successor is appointed and qualified. At least one-half of the total appointed members of this advisory council shall constitute a quorum for the transaction of business. No appointed member shall serve more than 3 terms. Appointees shall serve without compensation.