Maryland Emergency Medical System Operations Fund
Fiscal 2017 Budget Overview

Department of Legislative Services
Office of Policy Analysis
Annapolis, Maryland
February 2016

Note: Numbers may not sum to total due to rounding.
For further information contact: Rebecca J. Ruff Phone: (410) 946-5530

Analysis of the FY 2017 Maryland Executive Budget, 2016
Funding for Maryland’s emergency medical services (EMS) system is provided from a variety of State, local, and volunteer sources. Annual State budget support for EMS is provided from the Maryland Emergency Medical System Operations Fund (MEMSOF). MEMSOF was created by legislation adopted by the 1992 General Assembly. The source of revenue for MEMSOF is a biennial surcharge of $29 on motor vehicle registrations for certain classes of vehicles, as specified in Section 13-954 of the Transportation Article. Funding from a $7.50 moving violation surcharge has also been credited to MEMSOF since fiscal 2014. Interest earned annually on the fund balance is credited to the fund.

**Uses of MEMSOF**

As stated in Section 13-955 of the Transportation Article, the money in MEMSOF shall be used solely for the following components of Maryland’s EMS program:

- **Maryland State Police Aviation Command:** The mission of the Maryland State Police Aviation Command (MSPAC) is to protect and improve the quality of life through the airborne delivery of emergency medical, law enforcement, homeland security, and search and rescue services. Special funds from MEMSOF support the medically oriented mission of MSPAC, as required by statute. General funds support law enforcement and homeland security functions. The funding split for MSPAC has remained at 80% in special funds and 20% in general funds since fiscal 2003. The funding split is based on the ratio of medically oriented functions to non-medical functions; search and rescue missions have been considered medically oriented functions since fiscal 2007. According to the Governor’s fiscal 2017 Managing for Results submission, medically oriented missions accounted for 84% of total operational activities in fiscal 2015.

- **Maryland Institute for Emergency Medical Services Systems:** The Maryland Institute for Emergency Medical Services Systems (MIEMSS) was established as a State agency under legislation that became effective July 1, 1993. MIEMSS had been in existence for 20 years prior to that – first under the Department of Health and Mental Hygiene and then under the University of Maryland, Baltimore. MIEMSS oversees and coordinates all components of the statewide EMS system.

- **R Adams Cowley Shock Trauma Center:** The R Adams Cowley Shock Trauma Center (Shock Trauma Center), operated by the University of Maryland Medical System, is the core element of the State’s EMS system and serves as the State’s Primary Adult Resource Center for the treatment of trauma. MEMSOF funds are provided as an operating subsidy to the Shock Trauma Center, which was level funded at $3.0 million from fiscal 2010 through 2014. In some years, the Shock Trauma Center received an annual inflationary increase. Chapter 429 of 2013 expressed intent to increase the Shock Trauma Center operating subsidy from $3.0 million to $3.2 million in fiscal 2015.
MEMSOF – Fiscal 2017 Budget Overview

- **Maryland Fire and Rescue Institute:** The Maryland Fire and Rescue Institute (MFRI) is the State’s fire and emergency service training agency responsible for the majority of basic level pre-hospital training and education for EMS providers.

- **Local Grants Under the Senator William H. Amoss Fire, Rescue, and Ambulance Fund:** Title 8, Subtitle 1 of the Public Safety Article established the Senator William H. Amoss Fire, Rescue, and Ambulance Fund (Amoss Fund) for grants to local jurisdictions for the purchase of fire and rescue equipment and building rehabilitation. These grants are administered by the Maryland Emergency Management Agency (MEMA). Distributions are made according to each county’s percentage of total property tax accounts. Each county receives a minimum of 2% of the total and must expend funds for fire protection from its own sources that are at least equal to the amount of State funds to be received and at least equal to the average amount expended in the prior three years. The fiscal 2017 allowance authorizes $15.0 million for the Amoss Fund, reflecting intent from Chapter 429 of 2013 to increase the Amoss Fund from $10.0 million to $15.0 million over three years, beginning in fiscal 2015.

MEMSOF Fiscal 2017 Allowance

The fiscal 2017 allowance provides for $74.4 million in total expenditures funded from MEMSOF. **Exhibit 1** provides the percentage breakdown of each MEMSOF entity relative to total spending. MSPAC (43.0%), MIEMSS (18.6%), and the Amoss Fund (20.0%) make up the largest portions of MEMSOF expenditures.
Memsof – Fiscal 2017 Budget Overview

Exhibit 1
MEMSOF 2017 Expenditures
($ in Millions)

Total = $74.4 Million

Amoss Fund: Senator William H. Amoss Fire, Rescue, and Ambulance Fund
MEMSOF: Maryland Emergency Medical System Operations Fund
MFRI: Maryland Fire and Rescue Institute
MIEMSS: Maryland Institute for Emergency Medical Services Systems
MSPAC: Maryland State Police Aviation Command
Shock Trauma Center: R Adams Cowley Shock Trauma Center

Note: Percentages may not sum to total due to rounding. The fiscal 2017 allowance for MFRI, MSPAC, and MIEMSS reflects increments budgeted in the Department of Budget and Management.

Source: Governor’s Budget Books, Fiscal 2017
MEMSOF Oversight

EMS Board

The EMS Board was created under Chapter 592 of 1993, known as the EMS Law. The EMS Board consists of 11 members appointed by the Governor to serve four-year terms, ending on June 30. The EMS Board is tasked with developing, adopting, and monitoring a statewide plan to ensure effective coordination and evaluation of emergency medical services. The EMS Board appoints the executive director of MIEMSS, who serves as the administrative head of the State’s EMS system and the operations of MIEMSS. MIEMSS implements the plan developed by the EMS Board. The EMS Board prepares an annual budget proposal that takes into account the estimated income of MEMSOF and budget requests from MIEMSS, the Shock Trauma operating fund, MFRI, and MSPAC.

EMS Advisory Council

The State EMS Advisory Council (SEMSAC) consists of 31 members appointed by the EMS Board, with approval by the Governor. SEMSAC serves as the principal advisory body, assists with the EMS plan (criteria and guidelines for delivery of EMS), and provides a means to address EMS issues regionally and statewide.

MEMSOF Entities without EMS Board Oversight

The Amoss Fund is not bound by a review and approval process by the EMS Board.

Amoss Fund

In the fiscal 2017 allowance, the Amoss Fund receives $15 million from MEMSOF. Funding is distributed by MEMA, within the Maryland Military Department, to 23 counties and Baltimore City to purchase fire and rescue equipment and for capital building improvements. Distributions are made according to each county’s percentage of total property tax accounts (e.g., the fiscal 2017 allocation will be based on property tax data published by the State Department of Assessments and Taxation in July 2016). Qualified municipalities in a county receive a percentage of the funds received by a county equal to one-half of the proportion that the municipality expenditures bear to the county’s expenditures. All counties receive a minimum of 2% of the annual Amoss Fund appropriation in addition to the amounts distributed to qualified municipalities. Chapter 332 of 2013 further required that counties spend a percentage of Amoss Fund money received on volunteer fire, rescue, and ambulance companies that equals the percentage spent in fiscal 2011 on volunteer companies, or at least 51% of the funds received, whichever is greater, beginning in fiscal 2015.

The Director of MEMA is also responsible for enforcing the Maintenance of Effort (MOE) provisions, which require counties to spend an amount greater than or equal to the amount of State funds received for fire protection from its own sources, and require that counties spend an amount at least equal to the average amount expended in the prior three years by the county. Chapter 225 of
2014 provided additional guidance on how MOE requirements should be enforced. The legislation specified the following:

- The Director of MEMA may withhold funds allocated for the second subsequent fiscal year from a county that does not comply with MOE requirements.

- If a jurisdiction does not comply with MOE requirements for two consecutive years, and no waiver is granted by the Board of Public Works or the General Assembly, then the director must withhold funds.

- The penalty for noncompliance is equal to the percentage by which the county failed to meet the MOE requirement.

- A county may request a waiver from the MOE requirement based on a determination that the county’s fiscal condition significantly impedes the county’s ability to fund the MOE requirement, but a waiver does not relieve a county of the requirement.

Chapter 225 also changed the calculation of fire protection expenditures beginning in fiscal 2015 to exclude capital expenditures. Therefore, in order to fairly calculate the three-year average, fiscal 2015 must be the base year of the three-year period, making fiscal 2018 the first year of a required penalty for not meeting MOE requirements.

MEMA annually sends out instructions to all counties updating any changes to the law and reiterating all rules and requirements. Counties are required to report on expenditures for fire protection from the prior fiscal year (Schedule A) and report the amount of money distributed to each recipient and purpose of the expenditure, including unencumbered/unexpended funds and the amount and nature of any in-kind assistance made by the county to volunteer fire, rescue, and ambulance companies.

**History of Revenues and Expenditures**

Exhibit 2 provides a history of MEMSOF revenues and expenditures from fiscal 2006 through 2015.

Revenues and expenditures have fluctuated over the past decade, with revenues exceeding expenditures in 4 of the 10 years. In fiscal 2004, there was a one-time transfer of $5.0 million to the Volunteer Company Assistance Fund, which was paid back at $1.0 million per year from fiscal 2005 to 2009. In fiscal 2006, expenditures dropped primarily due to a $2.3 million reduction for Shock Trauma Center capital funding. Revenues and expenditures stayed very close from fiscal 2007 to 2013, with expenditures exceeding revenues slightly in all but one fiscal year.
Motor Vehicle Registration Fee Increase

The motor vehicle registration fee supporting MEMSOF was originally established at $8.00 per year in 1992. The fee increased by $3.00 in 2001, raising it to $11.00 per year. Attempts were made to again raise the fee during the 2012 legislative session, but legislation containing such provisions failed to pass. There was concern that without a fee increase, MEMSOF would be insolvent by fiscal 2014. During the 2013 session, a fee increase of $3.50 per year was included in the Transportation Infrastructure Act (Chapter 429). The increase raised the fee from $11.00 to $14.50 per year, or $29.00 collected biennially.

In addition to sustaining the long-term viability of MEMSOF, the General Assembly expressed intent to enhance the funding provided to the user agencies of MEMSOF with the fee increase. These enhancements included:

- funding the upgrade and maintenance of the MIEMSS communications system;
MEMSOF – Fiscal 2017 Budget Overview

- increasing the base salary for MSPAC pilots and maintenance technicians to $70,000 and $60,000, respectively;

- hiring 20 additional MSPAC pilots to improve safety of flight operations;

- increasing the annual operating subsidy to the Shock Trauma Center to $3,200,000;

- purchasing high temperature tiles for MFRI;

- increasing the salary of MFRI field instructors by $2.00 per hour; and

- increasing the Amoss Fund to $15.0 million by fiscal 2017, with a gradual phase-in starting in fiscal 2015.

To date, all of these enhancements have been fully funded, with the exception of the upgrade to the MIEMSS communications system.

With the fee increase, MEMSOF revenues have exceeded expenditures significantly, by $10.1 million and $7.2 million in fiscal 2014 and 2015, respectively. This substantial gap between revenues and expenditures is not expected to continue, as the additional enhancements specified by the legislation and higher than anticipated operating costs for the MSPAC helicopter fleet continue to drive expenditures upward.

Exhibit 3 shows MEMSOF expenditures from fiscal 2015 to 2017. The fiscal 2017 allowance for all MEMSOF expenditures increases by nearly $4.5 million, or 6.4%, over the fiscal 2016 working appropriation. The 7.6% increase in funding for MSPAC operations accounts for 50.5% of the total increase in MEMSOF expenditures. The fiscal 2017 allowance funds the operation of the new Flight Training Device and providers for higher than anticipated fuel and maintenance costs for the helicopter fleet. The original maintenance warranties for 7 of 10 helicopters expire in fiscal 2016, with an additional 2 expiring in fiscal 2017. Fiscal 2016 is the first full fiscal year with the entire fleet of AW-139 helicopters. Even with the fleet under warranty for the majority of the fiscal year, MSPAC is projecting maintenance costs increasing by more than 100.0% over fiscal 2015 actual expenditures.

The next largest increase, $1.6 million in additional funding for the Amoss Fund, completes the gradual phase-in that began in fiscal 2015 and brings the total appropriation to the fund to $15.0 million. Growth in expenditures for MFRI, MSPAC, and MIEMSS is partially attributable to employee increments budgeted in the Department of Budget and Management (DBM).
### Exhibit 3
**MEMSOF Expenditures**  
Fiscal 2015-2017  
($ in Thousands)

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<tr>
<th></th>
<th>2015 Actual</th>
<th>2016 Approp.</th>
<th>2017 Allowance</th>
<th>2016-17 Change</th>
<th>2016-17 % Change</th>
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<td>R75T00.01</td>
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<td>3,200</td>
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<td>0.0%</td>
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<td>MIEMSS Communications System</td>
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<td>1,692</td>
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<td><strong>Total</strong></td>
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<td><strong>$69,885</strong></td>
<td><strong>$74,371</strong></td>
<td><strong>4,486</strong></td>
<td><strong>6.4%</strong></td>
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</table>

MEMSOF: Maryland Emergency Medical System Operations Fund

Note: The fiscal 2017 allowance for MFRI, MSPAC, and MIEMSS reflects increments budgeted in the Department of Budget and Management.

Source: Governor’s Budget Books, Fiscal 2017
MEMSOF – Fiscal 2017 Budget Overview

Issues

1. MEMSOF Forecasts

Appendix 1 provides the DBM MEMSOF forecast from fiscal 2015 through 2022. The forecast includes the following assumptions:

- **MFRI:** Expenditures grow at a rate of 2.7%.

- **MIEMSS:** Expenditures grow at a rate of 2.2%.

- **Shock Trauma Center:** The Shock Trauma Center receives $3.2 million in fiscal 2017, in line with the legislative intent expressed in Chapter 429 of 2013.

- **Amoss Fund:** Grants increase to $15.0 million in fiscal 2017, per legislative intent in Chapter 429 of 2013.

- **MSPAC:** Expenditures grow at a rate of 5.2%. This is a higher rate of growth than what has been assumed in previous years, accounting for increased fuel and maintenance costs for the helicopter fleet and the operation of the Flight Training Device.

- **MIEMSS Communication System:** Actual spending for the MIEMSS communication system has been considerably less than anticipated due to project delays. Fiscal 2015 expenditures for the project were $9.1 million less than anticipated. A budget amendment to fund the majority of the project is anticipated in fiscal 2017 once MIEMSS has developed a more accurate cost estimate; however, since the funds are not budgeted in the allowance, the DBM forecast does not reflect any of the assumed costs for the upgrade.

The DBM forecast predicts a balance of $1.4 million in fiscal 2022.

Appendix 2 provides the Department of Legislative Services’ (DLS) MEMSOF forecast from fiscal 2015 through 2022. The DLS forecast has a number of different assumptions from the DBM forecast, which ultimately impact the solvency of the MEMSOF fund. The assumptions that differ for the DLS forecast include:

- **Fiscal 2015 Beginning Balance:** The DLS forecast shows a higher beginning balance for fiscal 2015 because it reflects prior year canceled funds from MIEMSS and MSPAC that were not captured in the DBM forecast (Appendix 1).

- **Motor Vehicle Administration Registration Fees:** The DLS forecast shows that from fiscal 2016 through 2022, registration revenues will grow by 1.2%, based on the anticipated year-to-year changes assumed in the Maryland Department of Transportation’s fiscal 2017 Final Consolidated Transportation Program forecast.
MEMSF – Fiscal 2017 Budget Overview

- **MFRI**: The DLS forecast assumes a 3.2% annual increase through fiscal 2022, reflecting a 10-year average growth rate.

- **MIEMSS**: The forecast (Appendix 2) assumes a 2.7% annual rate of inflation through fiscal 2022, reflecting a 10-year average growth rate.

- **MSPAC**: MSPAC switched from a 70/30 to an 80/20 special fund/general fund split in fiscal 2003. The split has remained at 80/20 through the fiscal 2017 allowance. The forecast (Appendix 2) assumes a continuation of this split and a 6.5% annual rate of inflation through fiscal 2022, reflecting a 10-year average growth rate. Costs for the MSPAC Flight Training Device have been consolidated into MSPAC operating costs, as both the DBM and DLS forecasts assume the device will be operational in fiscal 2017.

- **MIEMSS Communication System Upgrade and Maintenance**: After an evaluation found the MIEMSS communication system obsolete and in jeopardy of failure, a conceptual design to replace the system was proposed, which would cost roughly $12.2 million and take five years to install. Chapter 429 of 2013 expressed intent that the funds for this project and ongoing maintenance be provided through MEMSOF. In fiscal 2013, $344,292 was spent from MEMSOF on the project. The majority of the costs were anticipated to be required in fiscal 2014 and 2015; however, the project has been delayed in order to renovate the System Communications Center to accept console equipment for the State’s 700 megahertz radio system. Both the DBM and DLS forecasts reflect what was actually spent in fiscal 2015. In contrast to the DBM forecast, DLS assumes the one-time expenditure of $11.0 million for the project in fiscal 2017. Based on conversations with MIEMSS, the project, which is discussed in greater detail in the fiscal 2017 MIEMSS operating budget analysis, is anticipated to begin in fiscal 2017 and be complete in fiscal 2018. The agency has indicated that $11.0 million is in line with anticipated expenditures, although a more detailed cost estimate will be available once a system integrator is in place and a more formal evaluation of the project is complete. MIEMSS intends to appropriate the full cost of the project via budget amendment in fiscal 2017 and encumber any unused funds for completing the project in fiscal 2018.

Based on these assumptions, the DLS forecast projects that MEMSOF will be insolvent by fiscal 2021. MEMSOF revenue sources are not inflation sensitive; therefore, expenditures will exceed revenues over time. This necessitates periodic revenue increases similar to that adopted at the 2013 session.

Considering the short timespan since the most recent revenue increase and that, under the DLS assumptions, MEMSOF is facing insolvency in less than five years, it may be prudent to evaluate the potential for constraining anticipated MEMSOF expenditures. The $11 million assumed in the DLS forecast for the MIEMSS Communication System Upgrade is a one-time expenditure, but reflects a significant draw down of the fund balance. Funding this project through other means would extend the viability of the fund through fiscal 2021 and would not have a structural impact on the budget. **Given the availability of cash balances in the fiscal 2017 allowance, DLS recommends the use of general fund pay-as-you-go to support the upgrade project.**

*Analysis of the FY 2017 Maryland Executive Budget, 2016*
## Emergency Medical Services Operations Fund Statements

**Department of Budget and Management**

**Fiscal 2015-2022 Est.**

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<td>$19,236,621</td>
<td>$17,070,121</td>
<td>$14,288,011</td>
<td>$8,831,609</td>
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<td><strong>MVA Registration Fees</strong></td>
<td>$69,682,153</td>
<td>$68,958,029</td>
<td>$70,679,204</td>
<td>$72,793,046</td>
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<td>3,200,000</td>
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MEMA: Maryland Emergency Management Agency
MVA: Motor Vehicle Administration
MFRI: Maryland Fire and Rescue Institute
UMCP: University of Maryland, College Park
MIEMSS: Maryland Institute for Emergency Medical Services Systems
UMMS: University of Maryland Medical Systems

Note: Fiscal 2017 allowance for MFRI, MIEMSS, and MSPAC reflect employee increments budgeted in the Department of Budget and Management.

Source: Governor’s Budget Books, Fiscal 2017
## Analysis of the FY 2017 Maryland Executive Budget, 2016

### Emergency Medical Services Operations Fund Statements

**Department of Legislative Services**

**Fiscal 2015-2022**

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<td>$8,889,135</td>
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<td>$9,458,490</td>
<td>$9,756,701</td>
<td>$10,064,313</td>
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<td>MIEMSS</td>
<td>13,204,020</td>
<td>13,755,432</td>
<td>13,832,163</td>
<td>14,206,190</td>
<td>14,590,331</td>
<td>14,984,860</td>
<td>15,390,056</td>
<td>15,806,210</td>
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<tr>
<td>Shock Trauma Center</td>
<td>3,200,000</td>
<td>3,200,000</td>
<td>3,200,000</td>
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<td>3,200,000</td>
<td>3,200,000</td>
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<tr>
<td>Grants to Local Fire, Rescue, and Ambulance</td>
<td>11,700,000</td>
<td>13,400,000</td>
<td>15,000,000</td>
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<tr>
<td>Maryland State Police – Aviation Division</td>
<td>29,628,555</td>
<td>29,726,244</td>
<td>32,423,418</td>
<td>34,431,257</td>
<td>36,755,055</td>
<td>39,230,581</td>
<td>41,867,742</td>
<td>44,683,984</td>
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<td>MIEMSS Communications Upgrade</td>
<td>406,300</td>
<td>11,012,500</td>
<td>11,012,500</td>
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<td>MIEMSS Communication Maintenance</td>
<td>398,785</td>
<td>1,642,720</td>
<td>1,692,001</td>
<td>1,742,761</td>
<td>1,795,044</td>
<td>1,848,895</td>
<td>1,904,362</td>
<td>1,961,493</td>
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<tr>
<td><strong>Current Year Expenditures</strong></td>
<td>$66,614,652</td>
<td>$69,885,889</td>
<td>$85,597,523</td>
<td>$77,469,343</td>
<td>$80,509,824</td>
<td>$83,722,826</td>
<td>$87,118,861</td>
<td>$90,716,000</td>
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**Note:** Fiscal 2017 allowance for MFRI, MIEMSS, and the Maryland State Police Aviation Command reflect employee increments budgeted in the Department of Budget and Management. Fiscal 2017 funding for the MIEMSS Community System upgrade are not budgeted in the allowance. A budget amendment is anticipated during fiscal 2017.

**Source:** Governor's Budget Books, Fiscal 2017; Maryland Judiciary; Department of Legislative Services

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**Note:**

- MVI: Maryland Institute of Emergency Medical Services Systems
- MFRI: Maryland Fire and Rescue Institute
- MVA: Maryland Vehicle Administration
- UMCP: University of Maryland, College Park

**Source:** Governor's Budget Books, Fiscal 2017; Maryland Judiciary; Department of Legislative Services