

HOUSE BILL 265

E4
HB 556/08 – HGO

9lr1021
CF SB 289

By: **Delegates G. Clagett, Barkley, Boteler, Cane, V. Clagett, Costa, DeBoy, Guzzone, Harrison, Jones, Levy, Love, Mathias, Sossi, ~~and V. Turner~~ V. Turner, Bohanan, Branch, Holmes, Malone, Weldon, Benson, Donoghue, Kullen, McDonough, Nathan-Pulliam, Pena-Melnyk, and Riley**

Introduced and read first time: January 29, 2009
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 22, 2009

CHAPTER _____

1 AN ACT concerning

2 **~~Public Safety~~ Emergency Medical Services - Emergency Medical Services**
3 **~~Board - Membership~~ and Joint Oversight Committee on Emergency Medical**
4 **Services**

5 FOR the purpose of altering the membership of the State Emergency Medical Services
6 Board by increasing the number of members who are from the public at large
7 and by adding one member who is a Director of Operations who is a helicopter
8 pilot employed by the Department of State Police within the Aviation Division;
9 Command; establishing the Joint Oversight Committee on Emergency Medical
10 Services; providing for the membership, appointment, staff, and duties of the
11 Committee; requiring the Committee to report to the General Assembly on or
12 before a certain date each year; providing for the termination of certain
13 provisions of this Act; and generally relating to emergency medical services, the
14 State Emergency Medical Services Board, and the Joint Oversight Committee
15 on Emergency Medical Services.

16 BY repealing and reenacting, with amendments,
17 Article – Education
18 Section 13-505
19 Annotated Code of Maryland
20 (2008 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY adding to
2 Article – State Government
3 Section 2–10A–13
4 Annotated Code of Maryland
5 (2004 Replacement Volume and 2008 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
7 MARYLAND, That the Laws of Maryland read as follows:

8 **Article – Education**

9 13–505.

10 (a) (1) The EMS Board consists of [11] **13** members appointed by the
11 Governor.

12 (2) Of the [11] **13** members:

13 (i) One shall be the Secretary of Health and Mental Hygiene or
14 the Secretary’s designee;

15 (ii) One shall be a representative of the University of Maryland,
16 Baltimore, nominated by the Board of Regents;

17 (iii) One shall be the chairperson of the Advisory Council;

18 (iv) One shall be a physician knowledgeable in the delivery of
19 emergency medical services;

20 (v) One shall be a physician experienced in the clinical care of
21 trauma patients;

22 (vi) One shall be a nurse experienced in the clinical care of
23 emergency patients;

24 (vii) One shall be a career firefighter, emergency medical
25 technician, or rescue squad person knowledgeable in the delivery of emergency
26 medical services;

27 (viii) One shall be a volunteer firefighter, emergency medical
28 technician, or rescue squad person knowledgeable in the delivery of emergency
29 medical services;

30 (ix) One shall be a hospital administrator knowledgeable in the
31 management and delivery of emergency medical services; [and]

1 **(X) ONE SHALL BE A DIRECTOR OF OPERATIONS WHO IS A**
2 **HELICOPTER PILOT EMPLOYED BY THE DEPARTMENT OF STATE POLICE**
3 **WITHIN THE AVIATION ~~DIVISION~~ COMMAND; AND**

4 **[(x)] (XI) [Two] THREE** shall be from the public at large, one of
5 whom shall reside in a county with a population of less than 175,000.

6 (b) (1) Each appointed member shall have demonstrated interest or
7 experience in the delivery of emergency medical services.

8 (2) In appointing members to the EMS Board, the Governor shall take
9 into consideration the five emergency medical service regions of the State to assure a
10 geographic balance in the Board's membership.

11 (3) In appointing members to the EMS Board, the Governor shall take
12 into consideration persons:

13 (i) Recommended by the Advisory Council; or

14 (ii) Recommended by any statewide organization or association
15 which is interested and involved in the delivery of emergency medical services.

16 (4) Except as authorized under this section, the Governor may not
17 appoint to the EMS Board any other person who is:

18 (i) A member of the Board of Regents;

19 (ii) A member of the Board of Directors of the Medical System
20 Corporation; or

21 (iii) An officer or full-time employee of the Medical System
22 Corporation or the University.

23 (c) (1) The term of an appointed member is 4 years.

24 (2) At the end of a term, an appointed member continues to serve until
25 a successor is appointed and qualifies.

26 (3) A member who is appointed after a term has begun serves only for
27 the rest of the term and until a successor is appointed and qualifies.

28 (d) Annually, from among the members of the EMS Board:

29 (1) The Governor shall appoint a chairperson; and

30 (2) The chairperson shall appoint a vice chairperson.

1 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as
2 follows:

3 Article – State Government

4 2-10A-13.

5 (A) THERE IS A JOINT OVERSIGHT COMMITTEE ON EMERGENCY
6 MEDICAL SERVICES.

7 (B) (1) THE COMMITTEE CONSISTS OF 12 MEMBERS.

8 (2) OF THE 12 MEMBERS:

9 (I) SIX SHALL BE MEMBERS OF THE SENATE OF
10 MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE; AND

11 (II) SIX SHALL BE MEMBERS OF THE HOUSE OF DELEGATES,
12 APPOINTED BY THE SPEAKER OF THE HOUSE.

13 (C) FROM AMONG THE MEMBERSHIP OF THE COMMITTEE, THE
14 PRESIDENT OF THE SENATE SHALL APPOINT A SENATOR TO SERVE AS THE
15 SENATE CHAIR OF THE COMMITTEE, AND THE SPEAKER OF THE HOUSE SHALL
16 APPOINT A DELEGATE TO SERVE AS THE HOUSE CHAIR OF THE COMMITTEE.

17 (D) THE DEPARTMENT OF LEGISLATIVE SERVICES SHALL PROVIDE
18 STAFF FOR THE COMMITTEE.

19 (E) THE COMMITTEE SHALL PROVIDE LEGISLATIVE OVERSIGHT OF
20 EMERGENCY MEDICAL SERVICES IN THE STATE.

21 (F) TO CARRY OUT ITS OVERSIGHT MISSION, THE COMMITTEE SHALL:

22 (1) MONITOR PROCUREMENT OF MARYLAND STATE POLICE
23 MEDEVAC HELICOPTERS;

24 (2) (I) REVIEW PROTOCOL CHANGES FOR EMERGENCY
25 MEDICAL SERVICES FIELD PROVIDERS; AND

26 (II) ENSURE THAT TRAINING AND EXAMINATION
27 REQUIREMENTS RELATED TO THE PROTOCOL CHANGES ARE ADEQUATE;

28 (3) REVIEW EFFORTS BY THE MARYLAND INSTITUTE FOR
29 EMERGENCY MEDICAL SERVICES SYSTEMS TO ADDRESS RECOMMENDATIONS

1 OF THE EXPERT PANEL ON HELICOPTER UTILIZATION AND PROTOCOLS
2 ASSEMBLED BY THE INSTITUTE IN NOVEMBER 2008;

3 (4) MONITOR ONGOING SAFETY IMPROVEMENTS FOR THE
4 MARYLAND STATE POLICE MEDEVAC HELICOPTERS, INCLUDING:

5 (I) COMPLIANCE WITH 14 C.F.R. PART 135 (FEDERAL
6 AVIATION ADMINISTRATION);

7 (II) ACCREDITATION BY THE COMMISSION FOR THE
8 ACCREDITATION OF MEDICAL TRANSPORT SYSTEMS;

9 (III) EQUIPMENT UPGRADES;

10 (IV) THE PHASE IN OF ADDITIONAL CO-PILOTS TO THE
11 MEDEVAC HELICOPTER FLIGHT CREW; AND

12 (V) IMPROVEMENTS RECOMMENDED BY THE NATIONAL
13 TRANSPORTATION SAFETY BOARD, INCLUDING FLIGHT RISK EVALUATION AND
14 FLIGHT FOLLOWING PROCEDURES; AND

15 (5) REVIEW THE FOLLOWING UPDATES, STUDIES, AND REPORTS
16 REQUESTED IN THE MARCH 2009 REPORT OF THE HOUSE EMERGENCY
17 MEDICAL SERVICES WORKGROUP:

18 (I) AN UPDATE FROM THE MARYLAND INSTITUTE OF
19 EMERGENCY MEDICAL SERVICES SYSTEMS AND THE MARYLAND STATE
20 POLICE OF THE STUDY REPORTED IN FEBRUARY 2009 OF THE APPROPRIATE
21 NUMBER AND DISTRIBUTION OF MEDEVAC HELICOPTERS AND BASES;

22 (II) A STUDY FROM THE MARYLAND STATE POLICE OF
23 SERVICE DELIVERY OPTIONS FOR MEDEVAC HELICOPTER MAINTENANCE;

24 (III) A STUDY AND RECOMMENDATIONS FROM THE
25 MARYLAND HEALTH CARE COMMISSION, IN COOPERATION WITH THE
26 MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS,
27 REGARDING THE CONFIGURATION OF THE STATE'S NETWORK OF TRAUMA AND
28 SPECIALTY REFERRAL CENTERS;

29 (IV) A REPORT FROM THE MARYLAND INSTITUTE ON
30 EMERGENCY MEDICAL SERVICES SYSTEMS ON AMBULANCE INFORMATION
31 SYSTEM FEATURES THAT PROMOTE ANALYSIS OF SYSTEM PERFORMANCE; AND

1 (V) THE ANNUAL REPORT REQUIRED UNDER § 13-509(B)(4)
 2 OF THE EDUCATION ARTICLE FROM THE EMERGENCY MEDICAL SERVICES
 3 BOARD.

4 (G) IN COOPERATION WITH THE MARYLAND INSTITUTE OF EMERGENCY
 5 MEDICAL SERVICES SYSTEMS, THE EMERGENCY MEDICAL SERVICES BOARD,
 6 THE STATE EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL, AND THE
 7 MARYLAND STATE POLICE, THE COMMITTEE SHALL:

8 (1) EXAMINE THE LONG-TERM VIABILITY OF THE MARYLAND
 9 EMERGENCY MEDICAL SERVICES OPERATING FUND; AND

10 (2) DEVELOP A LONG-TERM FINANCING PLAN FOR EMERGENCY
 11 MEDICAL SERVICES.

12 (H) THE COMMITTEE SHALL REPORT ITS FINDINGS AND
 13 RECOMMENDATIONS, IN ACCORDANCE WITH § 2-1246 OF THE STATE
 14 GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY ON OR BEFORE
 15 DECEMBER 1 OF EACH YEAR.

16 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
 17 effect October 1, 2009. Section 2 of this Act shall remain effective for a period of 4
 18 years and, at the end of September 30, 2013, with no further action required by the
 19 General Assembly, Section 2 of this Act shall be abrogated and of no further force and
 20 effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.