

HOUSE BILL 1151

R2
SB 810/08 – FIN

9lr3197
CF SB 649

By: **Delegate Smigiel**

Introduced and read first time: February 13, 2009

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation – Maryland Emergency Medical System Operations Fund –**
3 **Transport by Privately Owned Helicopter**

4 FOR the purpose of adding reimbursement of operators of private helicopter
5 companies for costs of emergency medical transport under certain
6 circumstances as an authorized use of money in the Maryland Emergency
7 Medical System Operations Fund; requiring the State Emergency Medical
8 Services Board to adopt certain regulations and protocols; making a certain
9 stylistic change; and generally relating to the Maryland Emergency Medical
10 System Operations Fund.

11 BY repealing and reenacting, with amendments,
12 Article – Transportation
13 Section 13–955
14 Annotated Code of Maryland
15 (2006 Replacement Volume and 2008 Supplement)

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

18 **Article – Transportation**

19 13–955.

20 (a) In this section, “Fund” means the Maryland Emergency Medical System
21 Operations Fund.

22 (b) (1) There is a Maryland Emergency Medical System Operations Fund.

23 (2) The Fund is a continuing, nonlapsing fund which is not subject to §
24 7–302 of the State Finance and Procurement Article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) Interest and earnings on the Fund shall be separately accounted
2 for and credited to the Fund, and are not subject to § 6–226(a) of the State Finance
3 and Procurement Article.

4 (c) The Fund consists of:

5 (1) Registration surcharges collected under § 13–954 of this subtitle;
6 and

7 (2) All funds, including charges for accident scene transports and
8 interhospital transfers of patients, generated by an entity specified in subsection (e) of
9 this section that is a unit of State government.

10 (d) Expenditures from the Fund shall be made pursuant to an appropriation
11 approved by the General Assembly in the annual State budget or by the budget
12 amendment procedure provided under § 7–209 of the State Finance and Procurement
13 Article, provided that any budget amendment shall be submitted to and approved by
14 the Legislative Policy Committee prior to the expenditure or obligation of funds.

15 (e) The money in the Fund shall be used solely for:

16 (1) Medically oriented functions of the Department of State Police,
17 Special Operations Bureau, Aviation [Division] **COMMAND**;

18 (2) The Maryland Institute for Emergency Medical Services Systems;

19 (3) The R Adams Cowley Shock Trauma Center at the University of
20 Maryland Medical System;

21 (4) The Maryland Fire and Rescue Institute;

22 (5) The provision of grants under the Senator William H. Amoss Fire,
23 Rescue, and Ambulance Fund in accordance with the provisions of Title 8, Subtitle 1 of
24 the Public Safety Article; [and]

25 **(6) THE REIMBURSEMENT OF PRIVATE HELICOPTER COMPANIES**
26 **FOR THE TRANSPORT OF PATIENTS FROM THE SCENE OF AN OUT OF HOSPITAL**
27 **MEDICAL EMERGENCY TO A HEALTH CARE FACILITY WHEN DISPATCHED BY**
28 **SYSTEM COMMUNICATIONS AT THE MARYLAND INSTITUTE FOR EMERGENCY**
29 **MEDICAL SERVICES SYSTEMS, PROVIDED THAT:**

30 **(I) THE REIMBURSEMENT CONSISTS ONLY OF THE**
31 **DIFFERENCE, IF ANY, BETWEEN THE THEN–CURRENT MEDICARE RATE FOR AN**
32 **ELIGIBLE BENEFICIARY FOR THE TRANSPORT PROVIDED AND THE AMOUNTS**
33 **RECEIVED BY THE PRIVATE HELICOPTER COMPANY FROM ANY OTHER SOURCE**
34 **EXCEPT THE PATIENT;**

1 **(II) THE PATIENT IS NOT BILLED BY THE PRIVATE**
2 **HELICOPTER COMPANY; AND**

3 **(III) THE TOTAL AMOUNT OF ALL REIMBURSEMENTS FROM**
4 **THE FUND TO PRIVATE HELICOPTER COMPANIES DOES NOT EXCEED \$150,000**
5 **ANNUALLY; AND**

6 **[(6)] (7)** The Volunteer Company Assistance Fund in accordance with
7 the provisions of Title 8, Subtitle 2 of the Public Safety Article.

8 **(F) THE STATE EMERGENCY MEDICAL SERVICES BOARD SHALL ADOPT**
9 **REGULATIONS AND PROTOCOLS FOR THE DISPATCH AND REIMBURSEMENT OF**
10 **PRIVATE HELICOPTER COMPANIES TO SUPPORT THE MEDICALLY ORIENTED**
11 **FUNCTIONS OF THE DEPARTMENT OF STATE POLICE, SPECIAL OPERATIONS**
12 **BUREAU, AVIATION COMMAND.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2009.