

HOUSE No. 1963

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:
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>
<i>Michael D. Brady</i>	<i>9th Plymouth</i>
<i>Diana DiZoglio</i>	<i>14th Essex</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>

HOUSE No. 1963

By Ms. Garlick of Needham, a petition (accompanied by bill, House, No. 1963) of Denise C. Garlick and others relative to emergency medical services oversight. Public Health.

The Commonwealth of Massachusetts

—————
In the One Hundred and Eighty-Ninth General Court
(2015-2016)
—————

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. Section 1 of Chapter 111C of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended, in subsection (a), by inserting after the definition of
3 “Emergency medical services” the following definition:-

4 “Executive Council”, the Emergency Medical Services System Executive Council created
5 in Section 13A.”

6 SECTION 2. Section 3 of Chapter 111C, as so appearing, is hereby amended, in
7 subsection (b)(6), by adding after the word “years” the following words:- “, provided, that such
8 plan shall include guidelines for clear and streamlined communication between the regional
9 councils and the department”

10 SECTION 3. Section 3 of Chapter 111C, as so appearing, is hereby amended, in
11 subsection (c), by striking the word “board” and inserting in place thereof the following words:-
12 “executive council”.

13 SECTION 4. Section 4 of Chapter 111C of the General Laws, as so appearing, is hereby
14 amended by striking out subsection (c)(3) in its entirety.

15

16 SECTION 5. Section 4 of Chapter 111C of the General Laws, as so appearing, is hereby
17 amended, in subsection (c)(6), by adding after the words “input from” the following words:- “,
18 and communication to,”

19 SECTION 6. Section 4 of Chapter 111C of the General Laws, as so appearing, is hereby
20 amended by adding a new subsection (d) as follows:

21 “(d) Each regional EMS council shall prepare and annually file with the department and
22 the executive council on or before May 30 a regional EMS services and support plan outlining
23 the regional EMS council’s planned efforts to meet and advance the regional EMS council’s
24 roles and responsibilities as outlined in Section 4(c) of Chapter 111C of the General Laws. Each
25 regional EMS plan shall be consistent with the state EMS plan, although it may reflect regional
26 differences. Each regional EMS system plan shall also include, without limitation, a trauma plan
27 consisting of, at a minimum, trauma point of entry guidelines and scene triage criteria.

28 Upon submission, the department may amend each regional EMS council contract,
29 subject to appropriation and to the guidelines provided by Section 5 of Chapter 111C of the
30 General Laws, to reflect and respond to the submitted regional EMS plans.

31 SECTION 7. Section 5(d) of Chapter 111C of the General Laws, as so appearing, is
32 hereby amended by adding, after the word “regions”, the following words:- “, as well as the
33 regional council’s annual submitted regional EMS plan.”

34 SECTION 8. Section 13 of Chapter 111C of the General Laws, as so appearing, is hereby
35 amended by striking out subsection (b) and inserting in place thereof the following subsection:-

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

41 SECTION 9. Chapter 111C of the General Laws, as so appearing, is hereby amended by
42 inserting after section 13 the following section:-

43 “Section 13A. (a) There shall be within the department an Emergency Medical Services
44 System Executive Council, consisting of the commissioner or a designee; the state medical
45 director, or a designee; two directors of regional emergency medical services councils, or their
46 designees, provided that each regional emergency medical service council shall be represented
47 on the executive council for at least one term every ten years; two medical directors of regional
48 emergency medical services councils, or their designee, provided that each regional emergency
49 medical service council shall be represented on the executive council for at least one term every
50 ten years; the director of the office of preparedness and emergency management at the
51 department of public health, or a designee; and 12 members appointed by the commissioner, or
52 their designees, as follows: one each from the Professional Fire Fighters of Massachusetts, the
53 Massachusetts Ambulance Association, the Fire Chiefs Association of Massachusetts, the
54 International Association of EMTs and Paramedics, the Massachusetts Call/Volunteer
55 Firefighters Association, the Massachusetts Association of Hospital-Based Paramedic Services,

56 Massachusetts Chapter of the American College of Emergency Physicians, the Massachusetts
57 Chapter of the American College of Surgeons, the Massachusetts Medical Society, and the
58 Massachusetts Municipal Association; one from the volunteer ambulance associations; and, a
59 representative of the state 911 department.

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

65 (b) The executive council shall meet, at a minimum, once quarterly, and, in addition to
66 other powers conferred in this chapter, including, without limitation, in subsection (c) of section
67 3, shall assist in coordinating the efforts of all persons and agencies in the state concerned with
68 the EMS system, and shall render advice on the development of the EMS system where needed,
69 including, but not limited to, review of and recommendations on the submitted regional EMS
70 plans.

71 The executive council, in consultation with the department, shall make an annual report
72 to the commissioner and to the clerks of the house of representatives and senate on or before
73 June 30. There shall be established by the executive council, in consultation with the department,
74 committees advisory to the executive council, including, without limitation, a trauma systems
75 committee. The trauma systems committee shall be chaired by the commissioner or a designee
76 and shall be composed of several individuals, each identified as representing (1) regional EMS

77 councils, (2) trauma centers, and (3) community hospitals. Other committees may be established
78 and constituted by the executive council, in its discretion.

79 SECTION 10. Section 14 of Chapter 111C, as so appearing, is hereby amended by
80 adding, at the end, the following paragraphs:-

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

86 SECTION 11. The department, in consultation with the executive council and the
87 regional councils, shall study and make recommendations for potential permanent funding
88 sources and mechanisms to support the office of emergency medical services, the regional
89 councils, and central medical emergency direction centers. The department shall issue a report
90 with findings and recommendations to the clerks of the house of representatives and senate, as
91 well as the house and senate committees on ways and means, by December 1, 2015.

92 SECTION 12. There shall be an emergency medical services peer licensure advisory
93 committee, which shall consist of the commissioner or a designee, the director of the office of
94 emergency medical services or a designee, and 6 members appointed by the commissioner, or
95 their designees, as follows: one each from the Professional Fire Fighters of Massachusetts, the
96 Massachusetts Call/Volunteer Firefighters Association, the Professional Fire Chiefs Association
97 of Massachusetts, the Massachusetts Ambulance Association, the Massachusetts Association of
98 Hospital-Based Paramedic Services, and the International Association of EMTs and Paramedics.

99 The advisory committee shall meet, at a minimum, twice annually to advise the
100 department on the complaint resolution process and disciplinary actions relative to persons
101 certified, licensed, designated or otherwise approved by the department under Chapter 111C.
102 Each appointed member of this advisory council shall serve a term of three years, or until a
103 successor is appointed and qualified. At least one-half of the total appointed members of this
104 advisory council shall constitute a quorum for the transaction of business. No appointed member
105 shall serve more than three terms. Appointees shall serve without compensation.