

**FIRST ENGROSSMENT  
with Senate Amendments**

Fifty-sixth  
Legislative Assembly  
of North Dakota

**ENGROSSED HOUSE BILL NO. 1038**

Introduced by

Legislative Council

(Insurance and Health Care Committee)

1 A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota  
2 Century Code, relating to medical assistance coverage of prehospital emergency medical  
3 services; to amend and reenact section 23-27-04.2 of the North Dakota Century Code, relating  
4 to state assistance to prehospital emergency medical services; and to provide for allocation of  
5 appropriated funds for the training of prehospital emergency medical services personnel.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1. AMENDMENT.** Section 23-27-04.2 of the 1997 Supplement to the North  
8 Dakota Century Code is amended and reenacted as follows:

9 **23-27-04.2. Prehospital emergency medical services - State assistance.** The  
10 ~~health services branch of the state department of health shall assist~~ offer services and financial  
11 assistance in the training of personnel of certain prehospital emergency medical services as  
12 determined by the ~~branch and financially shall assist certain prehospital emergency medical~~  
13 ~~services as determined by the branch in obtaining equipment~~ department. Assistance No more  
14 than one-half of the funds appropriated by the legislative assembly each biennium and  
15 allocated for training assistance may be distributed in the first year of the biennium. Services  
16 and financial assistance provided under this section must be within the limits of legislative  
17 appropriation. The ~~health services branch~~ department shall adopt criteria for eligibility for  
18 services and financial assistance in the training of personnel of various types of prehospital  
19 emergency medical services. ~~To qualify for financial assistance for equipment, a prehospital~~  
20 ~~emergency medical service shall certify, in the manner required by the health services branch,~~  
21 ~~that the service has fifty percent of the amount of funds necessary for identified equipment~~  
22 ~~acquisitions. The health services branch shall adopt a schedule of eligibility for financial~~  
23 ~~assistance for equipment. The schedule must provide for a direct relationship between the~~  
24 ~~amount of funds certified and the number of responses during the preceding calendar year for~~

1 ~~the purpose of rendering medical care, transportation, or both, to individuals who were sick or~~  
2 ~~incapacitated. The schedule must require that as the number of responses increases, a~~  
3 ~~greater amount of funds certified is required. The schedule must classify responses and the~~  
4 ~~financial assistance available for various classifications. The health services branch~~  
5 department may establish minimum and maximum amounts of financial assistance to be  
6 provided a prehospital emergency medical service under this section. If applications for  
7 financial assistance exceed the amount of allocated and available funds, the ~~health services~~  
8 ~~branch~~ department may prorate the funds among the applicants in accordance with criteria  
9 adopted by the ~~health services branch~~ department. ~~No more than one-half of the funds~~  
10 ~~appropriated by the legislative assembly each biennium and allocated for training assistance~~  
11 ~~may be distributed in the first year of the biennium.~~

12 **SECTION 2.** A new section to chapter 50-24.1 of the North Dakota Century Code is  
13 created and enacted as follows:

14 **Prehospital emergency medical services.** Medical assistance coverage must include  
15 prehospital emergency medical services benefits in the case of a medical condition that  
16 manifests itself by symptoms of sufficient severity which may include severe pain and which a  
17 prudent layperson who possesses an average knowledge of health and medicine could  
18 reasonably expect the absence of medical attention to result in placing the person's health in  
19 jeopardy, serious impairment of a bodily function, or serious dysfunction of any body part.

20 **SECTION 3. ALLOCATION OF FUNDS.** The funds provided during the 1999-2001  
21 biennium for training are for volunteer services.