

**FIRST ENGROSSMENT
with Conference Committee Amendments****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 legislative intent
5 regarding state department of health assistance for prehospital emergency medical services
6 and department of human services medical assistance reimbursement rates.

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

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

10 **23-27-04.2. Prehospital emergency medical services - State assistance.** The
11 ~~health services branch~~ of the state department of health shall assist in the training of personnel
12 of certain prehospital emergency medical services as determined by the ~~branch~~ department
13 and financially shall assist certain prehospital emergency medical services as determined by
14 the ~~branch~~ department in obtaining equipment. Assistance provided under this section must be
15 within the limits of legislative appropriation. The ~~health services branch~~ department shall adopt
16 criteria for eligibility for assistance in the training of personnel of various types of prehospital
17 emergency medical services. To qualify for financial assistance for equipment, a prehospital
18 emergency medical service shall certify, in the manner required by the ~~health services branch~~
19 department, that the service has fifty percent of the amount of funds necessary for identified
20 equipment acquisitions. The ~~health services branch~~ department shall adopt a schedule of
21 eligibility for financial assistance for equipment. The schedule must provide for a direct
22 relationship between the amount of funds certified and the number of responses during the
23 preceding calendar year for the purpose of rendering medical care, transportation, or both, to
24 individuals who were sick or incapacitated. The schedule must require that as the number of

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

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

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

18 **SECTION 3. INTENT.** The funds appropriated for the purpose of defraying expenses
19 of prehospital emergency medical services under sections 1 and 2 of this Act, for the biennium
20 beginning July 1, 1999, and ending June 30, 2001 include \$940,000 appropriated from the
21 general fund in 1999 House Bill No. 1004 for training for volunteers. The funds provided for
22 training are for volunteer services based on \$2,200 for volunteer ambulance service training,
23 \$500 for volunteer rescue squad training, \$500 for the initial training of volunteer emergency
24 medical service providers, and \$1,500 for training of volunteer quick response units, subject to
25 reallocation by the state department of health based on training applications and available
26 funding. The state department of health may accept funds from other sources and may
27 distribute these funds to prehospital emergency medical services providers for the purpose of
28 obtaining equipment.

29 **SECTION 4. MEDICAL ASSISTANCE - REIMBURSEMENT FOR AMBULANCE**
30 **SERVICES.** During the biennium beginning July 1, 1999, and ending June 30, 2001, the
31 department of human services shall spend \$276,000 in addition to the \$943,068 in the

Fifty-sixth
Legislative Assembly

1 executive budget recommendation for medical assistance reimbursement for ambulance
2 services. If the amount of ambulance services billing is less than the amount required to be
3 spent under this section, the department of human services shall reimburse ambulance
4 services at one hundred percent of billing for ambulance services and the department shall use
5 the remainder for medical assistance reimbursement for other medical services.