

Subject Office of Emergency Medical Services established

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## Article 1: Office of Emergency Medical Services

This article establishes the Office of Emergency Medical Services to replace the Emergency Medical Services (EMS) Regulatory Board and, effective January 1, 2025, transfers duties and authority from the board to the office and its director.

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**1 Advisory council.**

Adds subd. 16 to § 144E.001. Defines advisory council for chapter 144E as the Emergency Medical Services Advisory Council.

**2 Director.**

Adds subd. 17 to § 144E.001. Defines director for chapter 144E as the director of the Office of Emergency Medical Services.

**3 Office.**

Adds subd. 18 to § 144E.001. Defines office for chapter 144E as the Office of Emergency Medical Services.

**4 Office of Emergency Medical Services.**

Adds § 144E.011. Establishes the Office of Emergency Medical Services with a director appointed by the governor, and establishes duties for the director.

**Subd. 1. Establishment.** Establishes the Office of Emergency Medical Services with the powers and duties established in law.

**Subd. 2. Director.** Requires the governor to appoint a director for the office with the advice and consent of the senate, and requires the director to direct the activities of the office.

**Subd. 3. Powers and duties.** Lists powers and duties for the director: administering and enforcing chapter 144E and adopting rules to implement chapter 144E; licensing ambulance services and regulating their operation; establishing and modifying primary service areas; designating ambulance services to provide services in a primary service area and removing designations;

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registering medical response units and regulating their operation; certifying and registering individuals for the listed occupations; approving education programs and administering qualifications for instructors; administering grant programs; making recommendations to the legislature; investigating complaints and imposing disciplinary action; and performing other duties related to the provision of emergency medical services in the state.

**Subd. 4. Employees.** Allows the director to employ personnel in the classified services and unclassified personnel.

**Subd. 5. Work plan.** Requires the director to prepare a work plan to guide the work of the office, and to update the plan every two years.

**5 Emergency Medical Services Advisory Council.**

Adds § 144E.03. Establishes the Emergency Medical Services Advisory Council and specifies its duties.

**Subd. 1. Establishment; members.** Establishes the Emergency Medical Services Advisory Council consisting of one EMT, one paramedic, one medical director of a licensed ambulance service, one firefighter serving as an emergency medical responder (EMR), one flight nurse, one social worker, one member of a federally recognized Tribal Nation in Minnesota, three public members, one member appointed by an employee organization representing EMTs and paramedics, two members of the legislature, and the commissioner of health and commissioner of public safety as ex officio members.

**Subd. 2. Legislative members.** Provides for appointment of legislative members to the advisory council and provides for compensation and reimbursement for expenses.

**Subd. 3. Terms, compensation, removal, vacancies, and expiration.** Provides terms (except for initial appointees), compensation, removal of members, and vacancies are governed by section 15.059 (advisory councils and committees). Provides this advisory council does not expire.

**Subd. 4. Officers; meetings.** Requires the advisory council to elect a chair and vice-chair, and allows it to elect other officers as necessary. Requires the advisory council to meet quarterly or at the call of the chair and to comply with the Open Meeting Law.

**Subd. 5. Duties.** Requires the advisory council to make recommendations to the director on the listed topics.

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**6 Emergency Medical Services Physician Advisory Committee.**

Adds § 144E.035. Establishes an Emergency Medical Services Physician Advisory Committee as a standing committee of the Emergency Medical Services Advisory Council and specifies membership. Provides the advisory committee is governed by section 15.059, except the advisory committee does not expire. Requires the advisory committee to elect a chair and vice-chair, allows it to elect other officers, requires it to meet twice a year or at the call of the chair, and makes meetings subject to the Open Meeting Law. Lists advisory committee duties.

**7 Alternative EMS response model pilot program.**

Adds § 144E.105. Directs the board to administer an alternative EMS response model pilot program.

**Subd. 1. Definitions.** Defines terms for this section: partnering ambulance services and pilot program.

**Subd. 2. Pilot program established.** Requires the board to establish an alternative EMS response model pilot program in which partnering ambulance services provide expanded advanced life support intercept capability and staffing support.

**Subd. 3. Application.** Requires a basic life support ambulance service that wants to participate in the pilot program to apply to the board jointly with the advanced life support ambulance service with which it proposes to partner. Lists information the application must include.

**Subd. 4. Operation.** Allows an advanced life support ambulance service to partner with one or more basic life support services. The partnering services must jointly respond to emergency ambulance calls in the basic life support service's primary service area, and the advanced life support service may respond with an ambulance or a nontransporting vehicle.

**Subd. 5. Staffing.** When responding to an emergency ambulance call and when the partnering advanced life support service is also responding, requires the basic life support service to be staffed with at least one EMT and the advanced life support service to be staffed with at least one paramedic.

**Subd. 6. Medical director oversight.** Provides an ambulance service's medical director retains responsibility for the ambulance service personnel of their ambulance service.

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**Subd. 7. Waivers and variances.** Allows the board to issue waivers and variances needed to implement the pilot program, as long as the waiver or variance does not adversely affect public health or welfare.

**Subd. 8. Data and evaluation.** Requires the board to collect from partnering ambulance services, data needed to evaluate the pilot program.

**Subd. 9. Transfer of authority.** Effective January 1, 2025, transfers the duties assigned to the board in this section to the director.

**Subd. 10. Expiration.** Provides this section expires June 30, 2026.

Effective date: This section is effective July 1, 2024.

**8 Local government's powers.**

Amends § 144E.16, subd. 5. Transfers duties and authority from the EMS Regulatory Board to the director of the Office of Emergency Medical Services.

**9 Temporary suspension.**

Amends § 144E.19, subd. 3. Transfers duties and authority from the EMS Regulatory Board to the director of the Office of Emergency Medical Services and makes a conforming change.

**10 Denial, suspension, revocation.**

Amends § 144E.27, subd. 5. Transfers duties and authority from the EMS Regulatory Board to the director of the Office of Emergency Medical Services and establishes grounds for disciplinary action related to emergency medical responder participation in a health professionals services program or diversion program (a similar ground for disciplinary action in section 214.355 currently applies to ambulance service personnel and emergency medical responders; this bill removes ambulance service personnel and EMRs from section 214.355).

**11 Denial, suspension, revocation.**

Amends § 144E.28, subd. 5. Transfers duties and authority from the EMS Regulatory Board to the director of the Office of Emergency Medical Services and establishes grounds for disciplinary action related to participation by ambulance service personnel in a health professionals services program or diversion program (a similar ground for disciplinary action in section 214.355 currently applies to ambulance service personnel and emergency medical responders; this bill removes ambulance service personnel and EMRs from section 214.355).

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**12 Temporary suspension.**

Amends § 144E.28, subd. 6. Transfers duties and authority from the EMS Regulatory Board to the director of the Office of Emergency Medical Services and makes a conforming change.

**13 Temporary suspension.**

Amends § 144E.285, subd. 6. Transfers duties and authority from the EMS Regulatory Board to the director of the Office of Emergency Medical Services and makes a conforming change.

**14 Diversion program.**

Amends § 144E.287. Authorizes the director to conduct a health professionals services program or contract for a diversion program, rather than requiring participation in the health professionals services program for health-related licensing boards under chapter 214.

**15 Immunity.**

Amends § 144E.305, subd. 3. Makes changes to conform with the transfer of duties and authority from the EMS Regulatory Board to the Office of Emergency Medical Services.

**16 Initial members and first meeting; Emergency Medical Services Advisory Council.**

Requires initial appointments to the advisory council to be made by January 1, 2025, and specifies the terms of initial appointees. Requires the medical director appointee to convene the first meeting of the advisory council by February 1, 2025.

**17 Initial members and first meeting; Emergency Medical Services Physician Advisory Committee.**

Requires initial appointments to the advisory committee to be made by January 1, 2025, and specifies the terms of initial appointees. Requires the medical director appointee to convene the first meeting of the advisory committee by February 1, 2025.

**18 Transition.**

Requires the governor to appoint a director-designee to the office by October 1, 2024, and makes the designee the governor's appointee as director effective January 1, 2025. Effective January 1, 2025, transfers the responsibilities to regulate emergency medical services in the state from the Emergency Medical Services Regulatory Board to the Office of Emergency Medical Services and its director. Provides a statute on transfers of power among agencies applies to this transfer of responsibilities. Allows the commissioner of administration, with approval of the governor, to issue any needed reorganization orders. Provides a law that allows

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transfers of responsibilities to be made only to an agency that has been in existence for at least one year does not apply to this transfer.

**19 Revisor instruction.**

Instructs the revisor of statutes to modify terms in Minnesota Statutes consistent with the transfer of duties and authority from the Emergency Medical Services Regulatory Board to the Office of Emergency Medical Services and its director.

**20 Repealer.**

Repeals the following sections:

- 144E.001, subd. 5 (definition of board in chapter 144E);
- 144E.01 (establishing the Emergency Medical Services Regulatory Board);
- 144E.123, subd. 5 (obsolete subdivision on a working group in 2011 and 2012);
- 144E.50, subd. 3 (defining board)

## **Article 2: Conforming changes**

This article makes changes to conform with the transfer of duties and authority from the Emergency Medical Services Regulatory Board to the Office of Emergency Medical Services, including requiring the salary of the director of the office to be determined by the Compensation Council, allowing the office to designate unclassified positions, removing the board from the Council of Health Boards and from participation in the health professionals services program administered by the health-related licensing boards, and making other changes.



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