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Chapter 122 – Emergency Medical Services (H.F. No. 4738)

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Article 1 – Office of Emergency Medical Services

Note: Sections 1 to 17, 19 to 21, 23, and 24 are identical to Article 63 of Laws 2024, Chapter 127.

Section 1 (adds Minn. Stat. § 144E.001, subdivision 16) This section defines “director” for the purposes of the Office of Emergency Medical Services.

Section 2 (adds Minn. Stat. §144E.001, subdivision 17) This section defines the term “office” for the purposes of the Office of Emergency Medical Services.

Section 3 (adds Minn. Stat. § 144E.011) This section establishes the Office of Emergency Medical Services, headed by a director appointed by the Governor, and specifies the duties of the director, which include licensing ambulance services, assigning and modifying primary service areas, registering medical response units, certifying ambulance service personnel, approving education programs, and investigating complaints against ambulance services providers and ambulance personnel.

Section 4 (adds Minn. Stat. § 144E.015) This section establishes the medical services division within the Office of Emergency Medical Services, headed by a deputy director who must be a physician and appointed by the director, which will have primary responsibility for overseeing prehospital clinical care and education programs.

Section 5 (adds Minn. Stat. § 144E.016) This section establishes the ambulance services division within the Office of Emergency Medical Services, headed by a deputy director appointed by the director, which will have primary responsibility for the operating standards and licensing of ambulance services, oversight of primary service areas and coordination of the provision of ambulance services across the state, and the administration of grants to ambulance services and EMS regions.

Section 6 (adds Minn. Stat. § 144E.017) This section establishes the emergency medical service providers division within the Office of Emergency Medical Services, headed by a deputy director appointed by the director, which will have primary responsibility for certifying and registering ambulance service personnel, overseeing worker safety, worker well-being, and working conditions, implementing education programs, and administering grants.

Section 7 (adds Minn. Stat. § 144E.03) This section establishes the Emergency Medical Services Advisory Council, specifies the members and the appointing authorities, and specifies the duty of the council to advise the director and deputy directors on the regulation and provision of emergency medical services in the state.

Section 8 (adds Minn. Stat. § 144E.035) This section establishes the Emergency Medical Services Physician Advisory Council, specifies the members and the appointing authorities, and specifies the duty of the council to advise the director and deputy director of the medical services division on prehospital clinical care and other clinical care topics.

Section 9 (adds Minn. Stat. § 144E.04) This section establishes the Labor and Emergency Medical Services Providers Advisory Council, specifies the members and the appointing authorities, and specifies the duty of the council to advise the director and deputy director of the emergency medical service providers division.

Section 10 (amends Minn. Stat. § 144E.16, subdivision 5) This section makes conforming changes.

Section 11 (amends Minn. Stat. § 144E.19, subdivision 3) This section makes conforming changes.

Section 12 (amends Minn. Stat. § 144E.27, subdivision 5) This section makes conforming changes and authorizes the board to take disciplinary action against an EMR or driver of a basic life support ambulance for failing to participate in a health professional services program or diversion program to which they are referred.

Section 13 (amends Minn. Stat. § 144E.28, subdivision 5) This section makes conforming changes and authorizes the board to take disciplinary action against EMT, AEMT, or paramedic for failing to participate in a health professional services program or diversion program to which they are referred.

Section 14 (amends Minn. Stat. § 144E.28, subdivision 6) This section makes conforming changes.

Section 15 (amends Minn. Stat. § 144E.285, subdivision 6) This section makes conforming changes.

Section 16 (amends Minn. Stat. § 144E.287) This section makes conforming and technical changes.

Section 17 (amends Minn. Stat. § 144E.305, subdivision 3) This section makes conforming changes.

Section 18 (ALTERNATIVE EMERGENCY MEDICAL SERVICES RESPONSE MODEL PILOT PROGRAM) This section establishes two 3-year pilot projects for an alternative model of EMS response, one in Otter Tail County and one in St. Louis County. This section authorizes

Emergency Medical Services board to waiver or permit variances to statutory provisions and rules to permit a response consisting of one paramedic and one EMT who do not arrive in the same vehicle.

Section 19 (INITIAL MEMBERS AND FIRST MEETING; EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL) This section specifies that initial appointments to the emergency medical services advisory board must be made by January 1, 2025, the length of initial terms, and that the first meeting must be convened by February 1, 2025.

Section 20 (INITIAL MEMBERS AND FIRST MEETING; EMERGENCY MEDICAL SERVICES PHYSICIAN ADVISORY COUNCIL) This section specifies that initial appointments to the emergency medical services physician advisory board must be made by January 1, 2025, the length of initial terms, and that the first meeting must be convened by February 1, 2025.

Section 21 (INITIAL MEMBERS AND FIRST MEETING; LABOR AND EMERGENCY MEDICAL SERVICE PROVIDERS ADVISORY COUNCIL) This section specifies that the initial appointments to the labor and emergency medical service providers advisory council must be made by January 1, 2025, the length of the initial terms, and that the first meeting must be convened by February 1, 2025.

Section 22 (TRANSITION) This section requires the Governor to appoint a director-designee by October 1, 2024, and transfers the duties and authorities of the board to the director on January 1, 2025

Section 22 (APPROPRIATION) This section appropriates \$6 million from the general fund for the alternative emergency medical services response model pilot projects in Otter Tail County and St. Louis County.

Section 23 (REVISOR INSTRUCTION) This section directs the revisor of statutes to make necessary conforming changes to terms in specified statutes to clarify the replacement of the EMSRB with the Office of EMS.

Section 24 (REPEALER) This section repeals language in Chapter 144E related to the board other and obsolete language.

Article 2 – Conforming Changes

Note: Article 2 is identical to Article 64 of Laws 2024, Chapter 127.

Section 1 (amends Minn. Stat. § 15A.0815, subdivision 2) This section requires the compensation council to determine the salary of the Director of the Office of Emergency Medical Services.

Section 2 (amends Minn. Stat. § 43A.08, subdivision 1a) This section authorizes the appointing authority of the Office of Emergency Medical Services to designate additional unclassified positions within the Office.

Section 3 (amends Minn. Stat. § 62J.49, subdivision 1) This section makes conforming changes related to the establishment of the Office of Emergency Medical Services.

Section 4 (amends Minn. Stat. § 152.126, subdivision 6) This section makes conforming changes.

Section 5 (amends Minn. Stat. § 214.025) This section makes conforming changes.

Section 6 (amends Minn. Stat. § 214.04, subdivision 2a) This section makes conforming changes.

Section 7 (amends Minn. Stat. § 214.29) This section makes conforming changes.

Section 8 (amends Minn. Stat. § 214.31) This section makes conforming changes.

Section 9 (amends Minn. Stat. § 214.355) This section makes conforming changes.

Article 3 – Ambulance Service Personnel and Emergency Medical Responders

Note: Article 3 is identical to Article 65 of Laws 2024, Chapter 127.

Section 1 (amends Minn. Stat. § 144E.001, subdivision 3a) This section modifies the definition of “ambulance service personnel” with respect to (1) registered nurses by eliminating the requirement that registered nurses pass a paramedic practical skills test, and instead authorizing an ambulance service medical director to approve registered nurses to serve as ambulance service personnel, and by allowing certified flight nurses and certified emergency nurses to serve as ambulance service personnel, and (2) physician assistants by eliminating the requirement that physician assistants pass a paramedic practical skills test, and instead authorizing an ambulance service medical director to approve physician assistants to serve as ambulance service personnel.

Section 2 (amends Minn. Stat. § 144E.101, subdivision 6) This section modifies the staffing requirements for a basic life support ambulance by permitting one qualified driver and one individual who accompanies the patient and is either an EMT, a qualified registered nurse, or a qualified physician assistant. This section also eliminates the previous rural-only limitation on staffing a basic life support ambulance in this way.

Section 3 (adds Minn. Stat. § 144E.101, subdivision 6a) This section establishes a variance process for the staffing of basic life support ambulances that permits the board to allow the ambulance to be driven by an individual who is not a registered emergency medical responder driver.

Section 4 (amends Minn. Stat. § 144E.101, subdivision 7) This section modifies the staffing requirements for an advanced life support ambulance by clarifying the requirements for an RN or PA to staff an advanced life support ambulance, removes the rural-only limitation on issuing a variance for alternative staffing of an advanced life support ambulance, and removes the rural-only limitation on alternative staffing for interfacility transfers.

Section 5 (amends Minn. Stat. § 144E.27, subdivision 3) This section requires emergency medical responders to successfully complete a course in cardiopulmonary resuscitation as a condition of renewal or reinstatement of registration.

Section 6 (amends Minn. Stat. § 144E.27, subdivision 5) This section clarifies that this subdivision applies only to EMRs and drivers of basic life support ambulances, and clarifies which provisions

apply only to emergency medical responders and which apply to EMRs and drivers of basic life support ambulances.

Section 7 (amends Minn. Stat. § 144E.27, subdivision 6) This section clarifies that this subdivision applies only to EMRs and drivers of basic life support ambulances.

Section 8 (amends Minn. Stat. § 144E.28, subdivision 3) This section makes technical changes.

Section 9 (amends Minn. Stat. § 144E.28, subdivision 8) This section makes technical and conforming corrections and provides a temporarily available process for EMT, AEMTs, paramedics and community paramedics whose certifications have lapsed to have their certifications reinstated.

Section 10 (amends Minn. Stat. § 144E.285, subdivision 1) This section requires EMR education programs to be approved by the board and eliminates various education program requirements from this subdivision. The eliminated education program requirements for types of education programs are addressed in subsequent subdivisions.

Section 11 (adds Minn. Stat. § 144E.285, subdivision 1a) This section establishes requirements specific to EMR education programs.

Section 12 (adds Minn. Stat. § 144E.285, subdivision 1b) This section establishes requirements specific to EMT education programs.

Section 13 (amends Minn. Stat. § 144E.285, subdivision 2) This section modifies requirements specific to AEMT and paramedic education programs.

Section 14 (amends Minn. Stat. § 144E.285, subdivision 4) This section modifies the requirements for reapproval of education programs, including requiring a site visit by the board.

Section 15 (REPEALER) This section repeals obsolete or redundant language in Chapter 144E related to education programs.

Article 4 – Emergency Ambulance Service Aid

Section 1 (EMERGENCY AMBULANCE SERVICE AID) establishes a onetime aid program for licensed ambulance service providers.

Subdivision 1. Definitions. Defines the following terms: ambulance service, board, capital expenses, commissioner, EMS responses, licensed ambulance service provider, metropolitan county, multiple license holder, nonexcluded license, operational expenses, primary service area, response density, and unit of government.

Subdivision 2. Excluded services. Requires the commissioner to exclude responses by specialized life support when calculating EMS responses, response density, and aid payments under this section.

Subdivision 3. Certain multiple license holders excluded. Excludes from aid eligibility all licenses held by a multiple license holder if any license held by the multiple license holder serves a primary service area with any portion located within Duluth, Mankato, Moorhead, Rochester, St. Cloud, or a metropolitan county. For a multiple license holder who meets

specific criteria, excludes only the license located entirely within one or more metropolitan counties from aid.

Subdivision 4. Eligibility. Provides that a licensed ambulance service provider is eligible for aid if the provider possessed a license in 2022, continues to operate under license in 2024, and completes the application requirements under subdivision 5.

Subdivision 5. Application process. Authorizes the commissioner of revenue to establish an application process for eligible licensed ambulance service providers to apply for aid and to require applicants to submit any necessary information to calculate aid payments. Applicants must submit applications to the commissioner and provide a copy of the application to the executive director of the Emergency Medical Services Review Board by September 16, 2024. Requires that the executive director of the Emergency Medical Services Review Board certify data to the commissioner by September 20, 2024.

Subdivision 6. Commissioner calculations. Requires the commissioner to calculate the following aid amounts:

- 20 percent of the aid appropriation, distributed equally among all eligible licensed ambulance service providers who possess at least one nonexcluded license. Disqualifies eligible providers who possess only one nonexcluded license if the nonexcluded license has a response density greater than 30.
- 40 percent of the aid appropriation, distributed among all nonexcluded licenses proportionally to the size of their primary service areas. Requires a nonexcluded license to have a response density of 30 or less to qualify for this aid.
- 40 percent of the aid appropriation, distributed among all nonexcluded licenses proportionally to points awarded to each nonexcluded license based on number of EMS responses. Requires a nonexcluded license to have a response density of 30 or less to qualify for this aid.

Subdivision 7. Aid amount. Requires the commissioner to pay each eligible licensed ambulance service provider an aid amount equal to the sum of the amounts calculated under subdivision 6 for each nonexcluded license.

Subdivision 8. Eligible uses. Requires aid to be spent on operational and capital expenses incurred providing services within the primary service area that is located in Minnesota.

Subdivision 9. Administration. Requires the commissioner to certify aid amounts by December 1, 2024, and to make full aid payments by December 26, 2024. Funds not spent or encumbered for eligible uses by December 31, 2025, must be returned to the commissioner and cancel to the general fund.

Subdivision 10. Report. Requires each provider that received aid to submit a report by February 15, 2026, to the commissioner and to the legislative committees with jurisdiction over taxes and property taxes. Specifies required items in the report. Authorizes the executive director of the Emergency Medical Services Review Board to request necessary information to verify aid was spent on eligible uses.

Subdivision 11. Appropriation. Appropriates \$24,000,000 in fiscal year 2025 to the commissioner from the general fund for aid payments under this section. Allows the commissioner to retain up to \$60,000 for administrative costs. Onetime appropriation.

This section is effective for aids payable in 2024.