

# HOUSE . . . . . No. 5455

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## *The Commonwealth of Massachusetts*

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HOUSE OF REPRESENTATIVES, April 5, 1989.

The committee on Health Care, to whom was referred the petition (accompanied by bill, House, No. 5179) of Daniel E. Bosley and other members of the General Court relative to emergency medical service, reports recommending that the accompanying bill (House, No. 5455) ought to pass.

For the committee,

JOHN C. McNEIL.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty-Nine.

## AN ACT RELATIVE TO EMERGENCY MEDICAL SERVICE.

*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. Chapter 90 of the Massachusetts General Laws  
2 is hereby amended by adding after section 20F the following new  
3 section:

4 Section 20G. From any fine imposed by Section 20 of this  
5 chapter, Section 5 of Chapter 89, or any other section of Chapters  
6 89 or 90 which involve the violation caused by a moving motor  
7 vehicle, there shall be an automatic assessment of one dollar  
8 (\$1.00) for each violation. Said assessments shall be collected by  
9 the court at the time of payment of the fine imposed. All revenues  
10 collected by any court pursuant to this section shall be retained  
11 in a special account maintained by that court and shall be turned  
12 over semi-annually, together with any interest accrued thereon, on  
13 June 30 and December 31 of each year to the State Treasurer;  
14 provided, however, that each court shall be permitted to retain  
15 no more than ten (10) percent of the revenues collected pursuant  
16 to this section for administrative costs. Upon receipt of these  
17 funds, the State Treasurer shall deposit said funds in the  
18 Emergency Medical Services trust fund created pursuant to  
19 Section 15 of Chapter 111C.

1 SECTION 2. Chapter 10 of the Massachusetts General Laws  
2 is hereby amended by adding after Section 17B the following new  
3 section: —

4 Section 17C. The State Treasurer shall receive all funds  
5 collected pursuant to Section 20G of Chapter 90 and shall credit  
6 all funds so received to the Emergency Medical Services Trust  
7 Fund created pursuant to Section 15 of Chapter 111C. He shall  
8 invest said funds safely and shall be held responsible for the  
9 faithful management of said trust funds in the same manner as  
10 other funds held by him in public capacity. All funds collected,

11 shall be held in such trust and forwarded to the Department of  
12 Public Health upon request and used for the development and  
13 maintenance of emergency medical care in the Commonwealth as  
14 specified in Chapter 111C, Sections 15 and 16 of the  
15 Massachusetts General Laws.

1 SECTION 3. Section 2 of Chapter 111C of the Massachusetts  
2 General Laws is hereby amended by adding after paragraph (10)  
3 the following new paragraph:

4 (11) administer the disbursement of funds from the Emergency  
5 Medical Services Trust Fund for the development and  
6 maintenance of emergency care in the Commonwealth.

1 SECTION 4. Chapter 111C of the Massachusetts General Laws  
2 is hereby amended by adding after Section 14 the following new  
3 sections: —

4 Section 15. There is hereby created an Emergency Medical  
5 Services Trust Fund to be administered by the Department of  
6 Public Health for the purposes listed in Section 16. Said fund shall  
7 be funded by assessments imposed pursuant to Section 20G of  
8 Chapter 90. All monies received shall be held by the State  
9 Treasurer pursuant to Section 17C of Chapter 10 and shall be  
10 expended by forwarding such funds to the Department of Public  
11 Health for disbursement in a manner specified in Section 16.

12 Section 16. The Department of Public Health shall be  
13 responsible for collecting funds contained in the Emergency  
14 Medical Services Trust Fund from the State Treasurer and  
15 distributing such funds in accordance with procedures established  
16 in Department regulations. All of the funds collected on an annual  
17 basis shall be allocated in the following manner.

18 At least 20% shall be made available to municipalities and other  
19 public agencies for the training of first responders and basic life  
20 support personnel.

21 The Department shall retain for administrative costs an amount  
22 equal to the indirect cost rate for the Commonwealth. This rate  
23 shall be defined by the Commonwealth of Massachusetts Budget  
24 Bureau. In no event shall this amount exceed 20% of the total  
25 amount deposited per annum in the trust fund.

26 The remainder of the funds shall be distributed to EMS  
27 Regional Councils established and operating in accordance with

28 a Department approved Regional Plan. The total amount  
29 allocated to each regional council shall be determined by the  
30 Department of Public Health in accordance with Section 17.

31 Section 17. Distribution and use of funds by Regional  
32 Councils shall be governed by rules and regulations promulgated  
33 by the Department of Public Health with the advice and approval  
34 of the Emergency Medical Care Advisory Board. Such rules and  
35 regulations shall recognize the following goals and objectives for  
36 the use and disbursement of such funds.

37 1. Maintenance and operation of Regional Emergency Medical  
38 Services Councils.

39 2. Operation and maintenance of regional communication  
40 centers (C-MED).

41 3. Training of personnel involved in pre-hospital care,  
42 including first responders, Basic EMTs, and Advanced EMTs  
43 (EMT-I, EMT-A, EMT-P). Such training shall be interpreted to  
44 include initial training and recertification.

45 Portions of this legislation relating to the establishment of the  
46 Emergency Medical Services Trust Fund and collection of funds  
47 as described shall commence on July 1, 1989. Distribution of funds  
48 to EMS councils shall commence on July 1, 1990.