

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 653**  
97TH GENERAL ASSEMBLY

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Reported from the Committee on Jobs, Economic Development and Local Government, May 14, 2013, with recommendation that the Senate Committee Substitute do pass.

1650S.08C

TERRY L. SPIELER, Secretary.

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**AN ACT**

To repeal sections 99.845, 190.100, 190.300, and 190.308, RSMo, and to enact in lieu thereof five new sections relating to emergency services, with an existing penalty provision.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 99.845, 190.100, 190.300, and 190.308, RSMo, are  
2 repealed and five new sections enacted in lieu thereof, to be known as sections  
3 99.845, 190.098, 190.100, 190.300, and 190.308, to read as follows:

99.845. 1. A municipality, either at the time a redevelopment project is  
2 approved or, in the event a municipality has undertaken acts establishing a  
3 redevelopment plan and redevelopment project and has designated a  
4 redevelopment area after the passage and approval of sections 99.800 to 99.865  
5 but prior to August 13, 1982, which acts are in conformance with the procedures  
6 of sections 99.800 to 99.865, may adopt tax increment allocation financing by  
7 passing an ordinance providing that after the total equalized assessed valuation  
8 of the taxable real property in a redevelopment project exceeds the certified total  
9 initial equalized assessed valuation of the taxable real property in the  
10 redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if  
11 any, arising from the levies upon taxable real property in such redevelopment  
12 project by taxing districts and tax rates determined in the manner provided in  
13 subsection 2 of section 99.855 each year after the effective date of the ordinance  
14 until redevelopment costs have been paid shall be divided as follows:

15 (1) That portion of taxes, penalties and interest levied upon each taxable

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

16 lot, block, tract, or parcel of real property which is attributable to the initial  
17 equalized assessed value of each such taxable lot, block, tract, or parcel of real  
18 property in the area selected for the redevelopment project shall be allocated to  
19 and, when collected, shall be paid by the county collector to the respective  
20 affected taxing districts in the manner required by law in the absence of the  
21 adoption of tax increment allocation financing;

22       (2) (a) Payments in lieu of taxes attributable to the increase in the  
23 current equalized assessed valuation of each taxable lot, block, tract, or parcel of  
24 real property in the area selected for the redevelopment project and any  
25 applicable penalty and interest over and above the initial equalized assessed  
26 value of each such unit of property in the area selected for the redevelopment  
27 project shall be allocated to and, when collected, shall be paid to the municipal  
28 treasurer who shall deposit such payment in lieu of taxes into a special fund  
29 called the "Special Allocation Fund" of the municipality for the purpose of paying  
30 redevelopment costs and obligations incurred in the payment thereof. Payments  
31 in lieu of taxes which are due and owing shall constitute a lien against the real  
32 estate of the redevelopment project from which they are derived and shall be  
33 collected in the same manner as the real property tax, including the assessment  
34 of penalties and interest where applicable. The municipality may, in the  
35 ordinance, pledge the funds in the special allocation fund for the payment of such  
36 costs and obligations and provide for the collection of payments in lieu of taxes,  
37 the lien of which may be foreclosed in the same manner as a special assessment  
38 lien as provided in section 88.861. No part of the current equalized assessed  
39 valuation of each lot, block, tract, or parcel of property in the area selected for the  
40 redevelopment project attributable to any increase above the total initial  
41 equalized assessed value of such properties shall be used in calculating the  
42 general state school aid formula provided for in section 163.031 until such time  
43 as all redevelopment costs have been paid as provided for in this section and  
44 section 99.850;

45       (b) Notwithstanding any provisions of this section to the contrary, for  
46 purposes of determining the limitation on indebtedness of local government  
47 pursuant to article VI, section 26(b) of the Missouri Constitution, the current  
48 equalized assessed value of the property in an area selected for redevelopment  
49 attributable to the increase above the total initial equalized assessed valuation  
50 shall be included in the value of taxable tangible property as shown on the last  
51 completed assessment for state or county purposes;

52 (c) The county assessor shall include the current assessed value of all  
53 property within the taxing district in the aggregate valuation of assessed property  
54 entered upon the assessor's book and verified pursuant to section 137.245, and  
55 such value shall be utilized for the purpose of the debt limitation on local  
56 government pursuant to article VI, section 26(b) of the Missouri Constitution;

57 (3) For purposes of this section, "levies upon taxable real property in such  
58 redevelopment project by taxing districts" shall not include the blind pension fund  
59 tax levied under the authority of article III, section 38(b) of the Missouri  
60 Constitution, or the merchants' and manufacturers' inventory replacement tax  
61 levied under the authority of subsection 2 of section 6 of article X of the Missouri  
62 Constitution, except in redevelopment project areas in which tax increment  
63 financing has been adopted by ordinance pursuant to a plan approved by vote of  
64 the governing body of the municipality taken after August 13, 1982, and before  
65 January 1, 1998.

66 2. In addition to the payments in lieu of taxes described in subdivision (2)  
67 of subsection 1 of this section, for redevelopment plans and projects adopted or  
68 redevelopment projects approved by ordinance after July 12, 1990, and prior to  
69 August 31, 1991, fifty percent of the total additional revenue from taxes, penalties  
70 and interest imposed by the municipality, or other taxing districts, which are  
71 generated by economic activities within the area of the redevelopment project over  
72 the amount of such taxes generated by economic activities within the area of the  
73 redevelopment project in the calendar year prior to the adoption of the  
74 redevelopment project by ordinance, while tax increment financing remains in  
75 effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by  
76 transient guests of hotels and motels, taxes levied pursuant to section 70.500,  
77 licenses, fees or special assessments other than payments in lieu of taxes and any  
78 penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant  
79 to section 94.660, for the purpose of public transportation, shall be allocated to,  
80 and paid by the local political subdivision collecting officer to the treasurer or  
81 other designated financial officer of the municipality, who shall deposit such  
82 funds in a separate segregated account within the special allocation fund. Any  
83 provision of an agreement, contract or covenant entered into prior to July 12,  
84 1990, between a municipality and any other political subdivision which provides  
85 for an appropriation of other municipal revenues to the special allocation fund  
86 shall be and remain enforceable.

87 3. In addition to the payments in lieu of taxes described in subdivision (2)

88 of subsection 1 of this section, for redevelopment plans and projects adopted or  
89 redevelopment projects approved by ordinance after August 31, 1991, fifty percent  
90 of the total additional revenue from taxes, penalties and interest which are  
91 imposed by the municipality or other taxing districts, and which are generated  
92 by economic activities within the area of the redevelopment project over the  
93 amount of such taxes generated by economic activities within the area of the  
94 redevelopment project in the calendar year prior to the adoption of the  
95 redevelopment project by ordinance, while tax increment financing remains in  
96 effect, but excluding personal property taxes, taxes imposed on sales or charges  
97 for sleeping rooms paid by transient guests of hotels and motels, taxes levied  
98 pursuant to section 70.500, taxes levied for the purpose of public transportation  
99 pursuant to section 94.660, licenses, fees or special assessments other than  
100 payments in lieu of taxes and penalties and interest thereon, [or] any sales tax  
101 imposed by a county with a charter form of government and with more than six  
102 hundred thousand but fewer than seven hundred thousand inhabitants, for the  
103 purpose of sports stadium improvement or levied by such county under section  
104 238.410 for the purpose of the county transit authority operating transportation  
105 facilities, **or for redevelopment plans and projects adopted or**  
106 **redevelopment projects approved by ordinance after August 28, 2013,**  
107 **taxes imposed on sales pursuant to section 650.399 for the purpose of**  
108 **emergency communication systems**, shall be allocated to, and paid by the  
109 local political subdivision collecting officer to the treasurer or other designated  
110 financial officer of the municipality, who shall deposit such funds in a separate  
111 segregated account within the special allocation fund.

112 4. Beginning January 1, 1998, for redevelopment plans and projects  
113 adopted or redevelopment projects approved by ordinance and which have  
114 complied with subsections 4 to 12 of this section, in addition to the payments in  
115 lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of  
116 this section, up to fifty percent of the new state revenues, as defined in subsection  
117 8 of this section, estimated for the businesses within the project area and  
118 identified by the municipality in the application required by subsection 10 of this  
119 section, over and above the amount of such taxes reported by businesses within  
120 the project area as identified by the municipality in their application prior to the  
121 approval of the redevelopment project by ordinance, while tax increment  
122 financing remains in effect, may be available for appropriation by the general  
123 assembly as provided in subsection 10 of this section to the department of

124 economic development supplemental tax increment financing fund, from the  
125 general revenue fund, for distribution to the treasurer or other designated  
126 financial officer of the municipality with approved plans or projects.

127         5. The treasurer or other designated financial officer of the municipality  
128 with approved plans or projects shall deposit such funds in a separate segregated  
129 account within the special allocation fund established pursuant to section 99.805.

130         6. No transfer from the general revenue fund to the Missouri  
131 supplemental tax increment financing fund shall be made unless an appropriation  
132 is made from the general revenue fund for that purpose. No municipality shall  
133 commit any state revenues prior to an appropriation being made for that  
134 project. For all redevelopment plans or projects adopted or approved after  
135 December 23, 1997, appropriations from the new state revenues shall not be  
136 distributed from the Missouri supplemental tax increment financing fund into the  
137 special allocation fund unless the municipality's redevelopment plan ensures that  
138 one hundred percent of payments in lieu of taxes and fifty percent of economic  
139 activity taxes generated by the project shall be used for eligible redevelopment  
140 project costs while tax increment financing remains in effect. This account shall  
141 be separate from the account into which payments in lieu of taxes are deposited,  
142 and separate from the account into which economic activity taxes are deposited.

143         7. In order for the redevelopment plan or project to be eligible to receive  
144 the revenue described in subsection 4 of this section, the municipality shall  
145 comply with the requirements of subsection 10 of this section prior to the time the  
146 project or plan is adopted or approved by ordinance. The director of the  
147 department of economic development and the commissioner of the office of  
148 administration may waive the requirement that the municipality's application be  
149 submitted prior to the redevelopment plan's or project's adoption or the  
150 redevelopment plan's or project's approval by ordinance.

151         8. For purposes of this section, "new state revenues" means:

152         (1) The incremental increase in the general revenue portion of state sales  
153 tax revenues received pursuant to section 144.020, excluding sales taxes that are  
154 constitutionally dedicated, taxes deposited to the school district trust fund in  
155 accordance with section 144.701, sales and use taxes on motor vehicles, trailers,  
156 boats and outboard motors and future sales taxes earmarked by law. In no event  
157 shall the incremental increase include any amounts attributable to retail sales  
158 unless the municipality or authority has proven to the Missouri development  
159 finance board and the department of economic development and such entities

160 have made a finding that the sales tax increment attributable to retail sales is  
161 from new sources which did not exist in the state during the baseline year. The  
162 incremental increase in the general revenue portion of state sales tax revenues  
163 for an existing or relocated facility shall be the amount that current state sales  
164 tax revenue exceeds the state sales tax revenue in the base year as stated in the  
165 redevelopment plan as provided in subsection 10 of this section; or

166 (2) The state income tax withheld on behalf of new employees by the  
167 employer pursuant to section 143.221 at the business located within the project  
168 as identified by the municipality. The state income tax withholding allowed by  
169 this section shall be the municipality's estimate of the amount of state income tax  
170 withheld by the employer within the redevelopment area for new employees who  
171 fill new jobs directly created by the tax increment financing project.

172 9. Subsection 4 of this section shall apply only to blighted areas located  
173 in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas  
174 located in federal empowerment zones, or to blighted areas located in central  
175 business districts or urban core areas of cities which districts or urban core areas  
176 at the time of approval of the project by ordinance, provided that the enterprise  
177 zones, federal empowerment zones or blighted areas contained one or more  
178 buildings at least fifty years old; and

179 (1) Suffered from generally declining population or property taxes over the  
180 twenty-year period immediately preceding the area's designation as a project area  
181 by ordinance; or

182 (2) Was a historic hotel located in a county of the first classification  
183 without a charter form of government with a population according to the most  
184 recent federal decennial census in excess of one hundred fifty thousand and  
185 containing a portion of a city with a population according to the most recent  
186 federal decennial census in excess of three hundred fifty thousand.

187 10. The initial appropriation of up to fifty percent of the new state  
188 revenues authorized pursuant to subsections 4 and 5 of this section shall not be  
189 made to or distributed by the department of economic development to a  
190 municipality until all of the following conditions have been satisfied:

191 (1) The director of the department of economic development or his or her  
192 designee and the commissioner of the office of administration or his or her  
193 designee have approved a tax increment financing application made by the  
194 municipality for the appropriation of the new state revenues. The municipality  
195 shall include in the application the following items in addition to the items in

196 section 99.810:

197 (a) The tax increment financing district or redevelopment area, including  
198 the businesses identified within the redevelopment area;

199 (b) The base year of state sales tax revenues or the base year of state  
200 income tax withheld on behalf of existing employees, reported by existing  
201 businesses within the project area prior to approval of the redevelopment project;

202 (c) The estimate of the incremental increase in the general revenue  
203 portion of state sales tax revenue or the estimate for the state income tax  
204 withheld by the employer on behalf of new employees expected to fill new jobs  
205 created within the redevelopment area after redevelopment;

206 (d) The official statement of any bond issue pursuant to this subsection  
207 after December 23, 1997;

208 (e) An affidavit that is signed by the developer or developers attesting  
209 that the provisions of subdivision (1) of subsection 1 of section 99.810 have been  
210 met and specifying that the redevelopment area would not be reasonably  
211 anticipated to be developed without the appropriation of the new state revenues;

212 (f) The cost-benefit analysis required by section 99.810 includes a study  
213 of the fiscal impact on the state of Missouri; and

214 (g) The statement of election between the use of the incremental increase  
215 of the general revenue portion of the state sales tax revenues or the state income  
216 tax withheld by employers on behalf of new employees who fill new jobs created  
217 in the redevelopment area;

218 (h) The name, street and mailing address, and phone number of the mayor  
219 or chief executive officer of the municipality;

220 (i) The street address of the development site;

221 (j) The three-digit North American Industry Classification System number  
222 or numbers characterizing the development project;

223 (k) The estimated development project costs;

224 (l) The anticipated sources of funds to pay such development project costs;

225 (m) Evidence of the commitments to finance such development project  
226 costs;

227 (n) The anticipated type and term of the sources of funds to pay such  
228 development project costs;

229 (o) The anticipated type and terms of the obligations to be issued;

230 (p) The most recent equalized assessed valuation of the property within  
231 the development project area;

- 232 (q) An estimate as to the equalized assessed valuation after the  
233 development project area is developed in accordance with a development plan;
- 234 (r) The general land uses to apply in the development area;
- 235 (s) The total number of individuals employed in the development area,  
236 broken down by full-time, part-time, and temporary positions;
- 237 (t) The total number of full-time equivalent positions in the development  
238 area;
- 239 (u) The current gross wages, state income tax withholdings, and federal  
240 income tax withholdings for individuals employed in the development area;
- 241 (v) The total number of individuals employed in this state by the  
242 corporate parent of any business benefitting from public expenditures in the  
243 development area, and all subsidiaries thereof, as of December thirty-first of the  
244 prior fiscal year, broken down by full-time, part-time, and temporary positions;
- 245 (w) The number of new jobs to be created by any business benefitting from  
246 public expenditures in the development area, broken down by full-time, part-time,  
247 and temporary positions;
- 248 (x) The average hourly wage to be paid to all current and new employees  
249 at the project site, broken down by full-time, part-time, and temporary positions;
- 250 (y) For project sites located in a metropolitan statistical area, as defined  
251 by the federal Office of Management and Budget, the average hourly wage paid  
252 to nonmanagerial employees in this state for the industries involved at the  
253 project, as established by the United States Bureau of Labor Statistics;
- 254 (z) For project sites located outside of metropolitan statistical areas, the  
255 average weekly wage paid to nonmanagerial employees in the county for  
256 industries involved at the project, as established by the United States  
257 Department of Commerce;
- 258 (aa) A list of other community and economic benefits to result from the  
259 project;
- 260 (bb) A list of all development subsidies that any business benefitting from  
261 public expenditures in the development area has previously received for the  
262 project, and the name of any other granting body from which such subsidies are  
263 sought;
- 264 (cc) A list of all other public investments made or to be made by this state  
265 or units of local government to support infrastructure or other needs generated  
266 by the project for which the funding pursuant to this section is being sought;
- 267 (dd) A statement as to whether the development project may reduce

268 employment at any other site, within or without the state, resulting from  
269 automation, merger, acquisition, corporate restructuring, relocation, or other  
270 business activity;

271 (ee) A statement as to whether or not the project involves the relocation  
272 of work from another address and if so, the number of jobs to be relocated and the  
273 address from which they are to be relocated;

274 (ff) A list of competing businesses in the county containing the  
275 development area and in each contiguous county;

276 (gg) A market study for the development area;

277 (hh) A certification by the chief officer of the applicant as to the accuracy  
278 of the development plan;

279 (2) The methodologies used in the application for determining the base  
280 year and determining the estimate of the incremental increase in the general  
281 revenue portion of the state sales tax revenues or the state income tax withheld  
282 by employers on behalf of new employees who fill new jobs created in the  
283 redevelopment area shall be approved by the director of the department of  
284 economic development or his or her designee and the commissioner of the office  
285 of administration or his or her designee. Upon approval of the application, the  
286 director of the department of economic development or his or her designee and  
287 the commissioner of the office of administration or his or her designee shall issue  
288 a certificate of approval. The department of economic development may request  
289 the appropriation following application approval;

290 (3) The appropriation shall be either a portion of the estimate of the  
291 incremental increase in the general revenue portion of state sales tax revenues  
292 in the redevelopment area or a portion of the estimate of the state income tax  
293 withheld by the employer on behalf of new employees who fill new jobs created  
294 in the redevelopment area as indicated in the municipality's application,  
295 approved by the director of the department of economic development or his or her  
296 designee and the commissioner of the office of administration or his or her  
297 designee. At no time shall the annual amount of the new state revenues  
298 approved for disbursements from the Missouri supplemental tax increment  
299 financing fund exceed thirty-two million dollars;

300 (4) Redevelopment plans and projects receiving new state revenues shall  
301 have a duration of up to fifteen years, unless prior approval for a longer term is  
302 given by the director of the department of economic development or his or her  
303 designee and the commissioner of the office of administration or his or her

304 designee; except that, in no case shall the duration exceed twenty-three years.

305           11. In addition to the areas authorized in subsection 9 of this section, the  
306 funding authorized pursuant to subsection 4 of this section shall also be available  
307 in a federally approved levee district, where construction of a levee begins after  
308 December 23, 1997, and which is contained within a county of the first  
309 classification without a charter form of government with a population between  
310 fifty thousand and one hundred thousand inhabitants which contains all or part  
311 of a city with a population in excess of four hundred thousand or more  
312 inhabitants.

313           12. There is hereby established within the state treasury a special fund  
314 to be known as the "Missouri Supplemental Tax Increment Financing Fund", to  
315 be administered by the department of economic development. The department  
316 shall annually distribute from the Missouri supplemental tax increment financing  
317 fund the amount of the new state revenues as appropriated as provided in the  
318 provisions of subsections 4 and 5 of this section if and only if the conditions of  
319 subsection 10 of this section are met. The fund shall also consist of any gifts,  
320 contributions, grants or bequests received from federal, private or other  
321 sources. Moneys in the Missouri supplemental tax increment financing fund shall  
322 be disbursed per project pursuant to state appropriations.

323           13. Redevelopment project costs may include, at the prerogative of the  
324 state, the portion of salaries and expenses of the department of economic  
325 development and the department of revenue reasonably allocable to each  
326 redevelopment project approved for disbursements from the Missouri  
327 supplemental tax increment financing fund for the ongoing administrative  
328 functions associated with such redevelopment project. Such amounts shall be  
329 recovered from new state revenues deposited into the Missouri supplemental tax  
330 increment financing fund created under this section.

331           14. For redevelopment plans or projects approved by ordinance that result  
332 in net new jobs from the relocation of a national headquarters from another state  
333 to the area of the redevelopment project, the economic activity taxes and new  
334 state tax revenues shall not be based on a calculation of the incremental increase  
335 in taxes as compared to the base year or prior calendar year for such  
336 redevelopment project, rather the incremental increase shall be the amount of  
337 total taxes generated from the net new jobs brought in by the national  
338 headquarters from another state. In no event shall this subsection be construed  
339 to allow a redevelopment project to receive an appropriation in excess of up to

340 fifty percent of the new state revenues.

190.098. 1. In order for a person to be eligible for certification  
2 by the department as a community paramedic, an individual shall:

3 (1) Be currently certified as a paramedic;

4 (2) Successfully complete or have successfully completed a  
5 community paramedic certification program from a college, university,  
6 or educational institution that has been approved by the department  
7 or accredited by a national accreditation organization approved by the  
8 department; and

9 (3) Complete an application form approved by the department.

10 2. A community paramedic shall practice in accordance with  
11 protocols and supervisory standards established by the medical  
12 director. A community paramedic shall provide services of a health  
13 care plan if the plan has been developed by the patient's physician or  
14 by an advanced practice registered nurse through a collaborative  
15 practice arrangement with a physician or a physician assistant through  
16 a collaborative practice arrangement with a physician and there is no  
17 duplication of services to the patient from another provider.

18 3. Any ambulance service shall enter into a written contract to  
19 provide community paramedic services in another ambulance service  
20 area, as that term is defined in section 190.100. The contract that is  
21 agreed upon may be for an indefinite period of time, as long as it  
22 includes at least a sixty-day cancellation notice by either ambulance  
23 service.

24 4. A community paramedic is subject to the provisions of sections  
25 190.001 to 190.245 and rules promulgated under sections 190.001 to  
26 190.245.

27 5. No person shall hold himself or herself out as a community  
28 paramedic or provide the services of a community paramedic unless  
29 such person is certified by the department.

30 6. The medical director shall approve the implementation of the  
31 community paramedic program.

32 7. Any rule or portion of a rule, as that term is defined in section  
33 536.010, that is created under the authority delegated in this section  
34 shall become effective only if it complies with and is subject to all of  
35 the provisions of chapter 536 and, if applicable, section 536.028. This  
36 section and chapter 536 are nonseverable and if any of the powers

37 **vested with the general assembly pursuant to chapter 536 to review, to**  
38 **delay the effective date, or to disapprove and annul a rule are**  
39 **subsequently held unconstitutional, then the grant of rulemaking**  
40 **authority and any rule proposed or adopted after August 28, 2013, shall**  
41 **be invalid and void.**

190.100. As used in sections 190.001 to 190.245, the following words and  
2 terms mean:

3 (1) "Advanced life support (ALS)", an advanced level of care as provided  
4 to the adult and pediatric patient such as defined by national curricula, and any  
5 modifications to that curricula specified in rules adopted by the department  
6 pursuant to sections 190.001 to 190.245;

7 (2) "Ambulance", any privately or publicly owned vehicle or craft that is  
8 specially designed, constructed or modified, staffed or equipped for, and is  
9 intended or used, maintained or operated for the transportation of persons who  
10 are sick, injured, wounded or otherwise incapacitated or helpless, or who require  
11 the presence of medical equipment being used on such individuals, but the term  
12 does not include any motor vehicle specially designed, constructed or converted  
13 for the regular transportation of persons who are disabled, handicapped, normally  
14 using a wheelchair, or otherwise not acutely ill, or emergency vehicles used  
15 within airports;

16 (3) "Ambulance service", a person or entity that provides emergency or  
17 nonemergency ambulance transportation and services, or both, in compliance with  
18 sections 190.001 to 190.245, and the rules promulgated by the department  
19 pursuant to sections 190.001 to 190.245;

20 (4) "Ambulance service area", a specific geographic area in which an  
21 ambulance service has been authorized to operate;

22 (5) "Basic life support (BLS)", a basic level of care, as provided to the  
23 adult and pediatric patient as defined by national curricula, and any  
24 modifications to that curricula specified in rules adopted by the department  
25 pursuant to sections 190.001 to 190.245;

26 (6) "Council", the state advisory council on emergency medical services;

27 (7) "Department", the department of health and senior services, state of  
28 Missouri;

29 (8) "Director", the director of the department of health and senior services  
30 or the director's duly authorized representative;

31 (9) "Dispatch agency", any person or organization that receives requests

32 for emergency medical services from the public, by telephone or other means, and  
33 is responsible for dispatching emergency medical services;

34 (10) "Emergency", the sudden and, at the time, unexpected onset of a  
35 health condition that manifests itself by symptoms of sufficient severity that  
36 would lead a prudent layperson, possessing an average knowledge of health and  
37 medicine, to believe that the absence of immediate medical care could result in:

38 (a) Placing the person's health, or with respect to a pregnant woman, the  
39 health of the woman or her unborn child, in significant jeopardy;

40 (b) Serious impairment to a bodily function;

41 (c) Serious dysfunction of any bodily organ or part;

42 (d) Inadequately controlled pain;

43 (11) "Emergency medical dispatcher", a person who receives emergency  
44 calls from the public and has successfully completed an emergency medical  
45 dispatcher course, meeting or exceeding the national curriculum of the United  
46 States Department of Transportation and any modifications to such curricula  
47 specified by the department through rules adopted pursuant to sections 190.001  
48 to 190.245;

49 (12) "Emergency medical response agency", any person that regularly  
50 provides a level of care that includes first response, basic life support or advanced  
51 life support, exclusive of patient transportation;

52 (13) "Emergency medical services for children (EMS-C) system", the  
53 arrangement of personnel, facilities and equipment for effective and coordinated  
54 delivery of pediatric emergency medical services required in prevention and  
55 management of incidents which occur as a result of a medical emergency or of an  
56 injury event, natural disaster or similar situation;

57 (14) "Emergency medical services (EMS) system", the arrangement of  
58 personnel, facilities and equipment for the effective and coordinated delivery of  
59 emergency medical services required in prevention and management of incidents  
60 occurring as a result of an illness, injury, natural disaster or similar situation;

61 (15) "Emergency medical technician", a person licensed in emergency  
62 medical care in accordance with standards prescribed by sections 190.001 to  
63 190.245, and by rules adopted by the department pursuant to sections 190.001 to  
64 190.245;

65 (16) "Emergency medical technician-basic" or "EMT-B", a person who has  
66 successfully completed a course of instruction in basic life support as prescribed  
67 by the department and is licensed by the department in accordance with

68 standards prescribed by sections 190.001 to 190.245 and rules adopted by the  
69 department pursuant to sections 190.001 to 190.245;

70 (17) **"Emergency medical technician-community paramedic",**  
71 **"community paramedic", or "EMT-CP", a person who is certified as an**  
72 **emergency medical technician-paramedic and is licensed by the**  
73 **department in accordance with standards prescribed in section 190.098;**

74 (18) "Emergency medical technician-intermediate" or "EMT-I", a person  
75 who has successfully completed a course of instruction in certain aspects of  
76 advanced life support care as prescribed by the department and is licensed by the  
77 department in accordance with sections 190.001 to 190.245 and rules and  
78 regulations adopted by the department pursuant to sections 190.001 to 190.245;

79 [(18)] (19) "Emergency medical technician-paramedic" or "EMT-P", a  
80 person who has successfully completed a course of instruction in advanced life  
81 support care as prescribed by the department and is licensed by the department  
82 in accordance with sections 190.001 to 190.245 and rules adopted by the  
83 department pursuant to sections 190.001 to 190.245;

84 [(19)] (20) "Emergency services", health care items and services  
85 furnished or required to screen and stabilize an emergency which may include,  
86 but shall not be limited to, health care services that are provided in a licensed  
87 hospital's emergency facility by an appropriate provider or by an ambulance  
88 service or emergency medical response agency;

89 [(20)] (21) "First responder", a person who has successfully completed an  
90 emergency first response course meeting or exceeding the national curriculum of  
91 the United States Department of Transportation and any modifications to such  
92 curricula specified by the department through rules adopted pursuant to sections  
93 190.001 to 190.245 and who provides emergency medical care through  
94 employment by or in association with an emergency medical response agency;

95 [(21)] (22) "Health care facility", a hospital, nursing home, physician's  
96 office or other fixed location at which medical and health care services are  
97 performed;

98 [(22)] (23) "Hospital", an establishment as defined in the hospital  
99 licensing law, subsection 2 of section 197.020, or a hospital operated by the state;

100 [(23)] (24) "Medical control", supervision provided by or under the  
101 direction of physicians to providers by written or verbal communications;

102 [(24)] (25) "Medical direction", medical guidance and supervision  
103 provided by a physician to an emergency services provider or emergency medical

104 services system;

105 [(25)] (26) "Medical director", a physician licensed pursuant to chapter  
106 334 designated by the ambulance service or emergency medical response agency  
107 and who meets criteria specified by the department by rules pursuant to sections  
108 190.001 to 190.245;

109 [(26)] (27) "Memorandum of understanding", an agreement between an  
110 emergency medical response agency or dispatch agency and an ambulance service  
111 or services within whose territory the agency operates, in order to coordinate  
112 emergency medical services;

113 [(27)] (28) "Patient", an individual who is sick, injured, wounded,  
114 diseased, or otherwise incapacitated or helpless, or dead, excluding deceased  
115 individuals being transported from or between private or public institutions,  
116 homes or cemeteries, and individuals declared dead prior to the time an  
117 ambulance is called for assistance;

118 [(28)] (29) "Person", as used in these definitions and elsewhere in  
119 sections 190.001 to 190.245, any individual, firm, partnership, copartnership,  
120 joint venture, association, cooperative organization, corporation, municipal or  
121 private, and whether organized for profit or not, state, county, political  
122 subdivision, state department, commission, board, bureau or fraternal  
123 organization, estate, public trust, business or common law trust, receiver,  
124 assignee for the benefit of creditors, trustee or trustee in bankruptcy, or any other  
125 service user or provider;

126 [(29)] (30) "Physician", a person licensed as a physician pursuant to  
127 chapter 334;

128 [(30)] (31) "Political subdivision", any municipality, city, county, city not  
129 within a county, ambulance district or fire protection district located in this state  
130 which provides or has authority to provide ambulance service;

131 [(31)] (32) "Professional organization", any organized group or  
132 association with an ongoing interest regarding emergency medical services. Such  
133 groups and associations could include those representing volunteers, labor,  
134 management, firefighters, EMT-B's, nurses, EMT-P's, physicians, communications  
135 specialists and instructors. Organizations could also represent the interests of  
136 ground ambulance services, air ambulance services, fire service organizations, law  
137 enforcement, hospitals, trauma centers, communication centers, pediatric  
138 services, labor unions and poison control services;

139 [(32)] (33) "Proof of financial responsibility", proof of ability to respond

140 to damages for liability, on account of accidents occurring subsequent to the  
141 effective date of such proof, arising out of the ownership, maintenance or use of  
142 a motor vehicle in the financial amount set in rules promulgated by the  
143 department, but in no event less than the statutory minimum required for motor  
144 vehicles. Proof of financial responsibility shall be used as proof of self-insurance;

145 [(33)] **(34)** "Protocol", a predetermined, written medical care guideline,  
146 which may include standing orders;

147 [(34)] **(35)** "Regional EMS advisory committee", a committee formed  
148 within an emergency medical services (EMS) region to advise ambulance services,  
149 the state advisory council on EMS and the department;

150 [(35)] **(36)** "Specialty care transportation", the transportation of a patient  
151 requiring the services of an emergency medical technician-paramedic who has  
152 received additional training beyond the training prescribed by the  
153 department. Specialty care transportation services shall be defined in writing in  
154 the appropriate local protocols for ground and air ambulance services and  
155 approved by the local physician medical director. The protocols shall be  
156 maintained by the local ambulance service and shall define the additional  
157 training required of the emergency medical technician-paramedic;

158 [(36)] **(37)** "Stabilize", with respect to an emergency, the provision of  
159 such medical treatment as may be necessary to attempt to assure within  
160 reasonable medical probability that no material deterioration of an individual's  
161 medical condition is likely to result from or occur during ambulance  
162 transportation unless the likely benefits of such transportation outweigh the  
163 risks;

164 [(37)] **(38)** "State advisory council on emergency medical services", a  
165 committee formed to advise the department on policy affecting emergency medical  
166 service throughout the state;

167 [(38)] **(39)** "State EMS medical directors advisory committee", a  
168 subcommittee of the state advisory council on emergency medical services formed  
169 to advise the state advisory council on emergency medical services and the  
170 department on medical issues;

171 [(39)] **(40)** "STEMI" or "ST-elevation myocardial infarction", a type of  
172 heart attack in which impaired blood flow to the patient's heart muscle is  
173 evidenced by ST-segment elevation in electrocardiogram analysis, and as further  
174 defined in rules promulgated by the department under sections 190.001 to  
175 190.250;

176 [(40)] (41) "STEMI care", includes education and prevention, emergency  
177 transport, triage, and acute care and rehabilitative services for STEMI that  
178 requires immediate medical or surgical intervention or treatment;

179 [(41)] (42) "STEMI center", a hospital that is currently designated as  
180 such by the department to care for patients with ST-segment elevation myocardial  
181 infarctions;

182 [(42)] (43) "Stroke", a condition of impaired blood flow to a patient's  
183 brain as defined by the department;

184 [(43)] (44) "Stroke care", includes emergency transport, triage, and acute  
185 intervention and other acute care services for stroke that potentially require  
186 immediate medical or surgical intervention or treatment, and may include  
187 education, primary prevention, acute intervention, acute and subacute  
188 management, prevention of complications, secondary stroke prevention, and  
189 rehabilitative services;

190 [(44)] (45) "Stroke center", a hospital that is currently designated as such  
191 by the department;

192 [(45)] (46) "Trauma", an injury to human tissues and organs resulting  
193 from the transfer of energy from the environment;

194 [(46)] (47) "Trauma care" includes injury prevention, triage, acute care  
195 and rehabilitative services for major single system or multisystem injuries that  
196 potentially require immediate medical or surgical intervention or treatment;

197 [(47)] (48) "Trauma center", a hospital that is currently designated as  
198 such by the department.

199 190.300. As used in sections 190.300 to [190.320] **190.340**, the following  
200 terms and phrases mean:

201 (1) "Emergency telephone service", a telephone system utilizing a single  
202 three digit number "911" for reporting police, fire, medical or other emergency  
203 situations;

204 (2) "Emergency telephone tax", a tax to finance the operation of emergency  
205 telephone service;

206 (3) "Exchange access facilities", all facilities provided by the service  
207 supplier for local telephone exchange access to a service user;

208 (4) "Governing body", the legislative body for a city, county or city not  
209 within a county;

210 (5) "Person", any individual, firm, partnership, copartnership, joint  
211 venture, association, cooperative organization, corporation, municipal or private,  
212  
213

14 and whether organized for profit or not, state, county, political subdivision, state  
15 department, commission, board, bureau or fraternal organization, estate, trust,  
16 business or common law trust, receiver, assignee for the benefit of creditors,  
17 trustee or trustee in bankruptcy, or any other service user;

18 (6) "Public agency", any city, county, city not within a county, municipal  
19 corporation, public district or public authority located in whole or in part within  
20 this state which provides or has authority to provide fire fighting, law  
21 enforcement, ambulance, emergency medical, or other emergency services;

22 (7) "Service supplier", any person providing exchange telephone services  
23 to any service user in this state;

24 (8) "Service user", any person, other than a person providing pay  
25 telephone service pursuant to the provisions of section 392.520 not otherwise  
26 exempt from taxation, who is provided exchange telephone service in this state;

27 (9) "Tariff rate", the rate or rates billed by a service supplier to a service  
28 user as stated in the service supplier's tariffs, approved by the Missouri public  
29 service commission which represent the service supplier's recurring charges for  
30 exchange access facilities or their equivalent, exclusive of all taxes, fees, licenses  
31 or similar charges whatsoever.

190.308. 1. In any county that has established an emergency telephone  
2 service pursuant to sections 190.300 to [190.320] **190.340**, it shall be unlawful  
3 for any person to misuse the emergency telephone service. For the purposes of  
4 this section, "emergency" means any incident involving danger to life or property  
5 that calls for an emergency response dispatch of police, fire, EMS or other public  
6 safety organization, "misuse the emergency telephone service" includes, but is not  
7 limited to, repeatedly calling the "911" for nonemergency situations causing  
8 operators or equipment to be in use when emergency situations may need such  
9 operators or equipment and "repeatedly" means three or more times within a  
10 one-month period.

11 2. Any violation of this section is a class B misdemeanor.

12 3. No political subdivision shall impose any fine or penalty on the owner  
13 of a pay telephone or on the owner of any property upon which a pay telephone  
14 is located for calls to the emergency telephone service made from the pay  
15 telephone. Any such fine or penalty is hereby void.

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