

SENATE BILL NO. 1340

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BERNSKOETTER.

4836S.02I

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 190.053 and 190.109, RSMo, and to enact in lieu thereof five new sections relating to emergency medical services.

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

Section A. Sections 190.053 and 190.109, RSMo, are
2 repealed and five new sections enacted in lieu thereof, to be
3 known as sections 190.053, 190.076, 190.109, 190.112, and
4 190.166, to read as follows:

190.053. 1. All members of the board of directors of
2 an ambulance district first elected on or after January 1,
3 2008, shall attend and complete an educational seminar or
4 conference or other suitable training on the role and duties
5 of a board member of an ambulance district. The training
6 required under this section shall be offered by a statewide
7 association organized for the benefit of ambulance districts
8 or be approved by the state advisory council on emergency
9 medical services. Such training shall include, at a minimum:

- 10 (1) Information relating to the roles and duties of an
11 ambulance district director;
- 12 (2) A review of all state statutes and regulations
13 relevant to ambulance districts;
- 14 (3) State ethics laws;
- 15 (4) State sunshine laws, chapter 610;
- 16 (5) Financial and fiduciary responsibility;

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

17 (6) State laws relating to the setting of tax rates;
18 and

19 (7) State laws relating to revenue limitations.

20 2. [If any ambulance district board member fails to
21 attend a training session within twelve months after taking
22 office, the board member shall not be compensated for
23 attendance at meetings thereafter until the board member has
24 completed such training session. If any ambulance district
25 board member fails to attend a training session within
26 twelve months of taking office regardless of whether the
27 board member received an attendance fee for a training
28 session, the board member shall be ineligible to run for
29 reelection for another term of office until the board member
30 satisfies the training requirement of this section; however,
31 this requirement shall only apply to board members elected
32 after August 28, 2022] **All members of the board of directors
33 of an ambulance district shall complete three hours of
34 continuing education for each term of office. The
35 continuing education shall be offered by a statewide
36 association organized for the benefit of ambulance districts
37 or be approved by the state advisory council on emergency
38 medical services.**

39 3. Any ambulance district board member who fails to
40 complete the initial training and continuing education
41 requirements on or before the anniversary date of his or her
42 election or appointment shall immediately be disqualified
43 from office and his or her position shall be vacant without
44 further process or declaration. The vacancy shall be filled
45 in the manner provided for pursuant to section 190.052.

 190.076. Each ambulance district shall arrange for an
2 audit of the records and accounts of the district at least
3 every three years by a certified public accountant or firm

4 **of certified public accountants. The audit shall be made**
5 **available to the public on the district's website or**
6 **otherwise freely available by other electronic means.**

190.109. 1. The department shall, within a reasonable
2 time after receipt of an application, cause such
3 investigation as the department deems necessary to be made
4 of the applicant for a ground ambulance license.

5 2. Any person that owned and operated a licensed
6 ambulance on December 31, 1997, shall receive an ambulance
7 service license from the department, unless suspended,
8 revoked or terminated, for that ambulance service area which
9 was, on December 31, 1997, described and filed with the
10 department as the primary service area for its licensed
11 ambulances on August 28, 1998, provided that the person
12 makes application and adheres to the rules and regulations
13 promulgated by the department pursuant to sections 190.001
14 to 190.245.

15 3. The department shall issue a new ground ambulance
16 service license to an ambulance service that is not
17 currently licensed by the department, or is currently
18 licensed by the department and is seeking to expand its
19 ambulance service area, except as provided in subsection 4
20 of this section, to be valid for a period of five years,
21 unless suspended, revoked or terminated, when the director
22 finds that the applicant meets the requirements of ambulance
23 service licensure established pursuant to sections 190.100
24 to 190.245 and the rules adopted by the department pursuant
25 to sections 190.001 to 190.245. In order to be considered
26 for a new ambulance service license, an ambulance service
27 shall submit to the department a letter of endorsement from
28 each ambulance district or fire protection district that is
29 authorized to provide ambulance service, or from each

30 municipality not within an ambulance district or fire
31 protection district that is authorized to provide ambulance
32 service, in which the ambulance service proposes to
33 operate. If an ambulance service proposes to operate in
34 unincorporated portions of a county not within an ambulance
35 district or fire protection district that is authorized to
36 provide ambulance service, in order to be considered for a
37 new ambulance service license, the ambulance service shall
38 submit to the department a letter of endorsement from the
39 county. Any letter of endorsement required pursuant to this
40 section shall verify that the political subdivision has
41 conducted a public hearing regarding the endorsement and
42 that the governing body of the political subdivision has
43 adopted a resolution approving the endorsement. The letter
44 of endorsement shall affirmatively state that the proposed
45 ambulance service:

- 46 (1) Will provide a benefit to public health that
47 outweighs the associated costs;
- 48 (2) Will maintain or enhance the public's access to
49 ambulance services;
- 50 (3) Will maintain or improve the public health and
51 promote the continued development of the regional emergency
52 medical service system;
- 53 (4) Has demonstrated the appropriate expertise in the
54 operation of ambulance services; and
- 55 (5) Has demonstrated the financial resources necessary
56 for the operation of the proposed ambulance service.

57 4. A contract between a political subdivision and a
58 licensed ambulance service for the provision of ambulance
59 services for that political subdivision shall expand,
60 without further action by the department, the ambulance
61 service area of the licensed ambulance service to include

62 the jurisdictional boundaries of the political subdivision.
63 The termination of the aforementioned contract shall result
64 in a reduction of the licensed ambulance service's ambulance
65 service area by removing the geographic area of the
66 political subdivision from its ambulance service area,
67 except that licensed ambulance service providers may provide
68 ambulance services as are needed at and around the state
69 fair grounds for protection of attendees at the state fair.

70 5. The department shall renew a ground ambulance
71 service license if the applicant meets the requirements
72 established pursuant to sections 190.001 to 190.245, and the
73 rules adopted by the department pursuant to sections 190.001
74 to 190.245.

75 6. The department shall promulgate rules relating to
76 the requirements for a ground ambulance service license
77 including, but not limited to:

- 78 (1) Vehicle design, specification, operation and
79 maintenance standards;
- 80 (2) Equipment requirements;
- 81 (3) Staffing requirements;
- 82 (4) Five-year license renewal;
- 83 (5) Records and forms;
- 84 (6) Medical control plans;
- 85 (7) Medical director qualifications;
- 86 (8) Standards for medical communications;
- 87 (9) Memorandums of understanding with emergency
88 medical response agencies that provide advanced life support;
- 89 (10) Quality improvement committees; [and]
- 90 (11) Response time, patient care and transportation
91 standards;
- 92 (12) **Participation with regional emergency medical**
93 **services advisory committees; and**

94 **(13) Ambulance service administrator qualifications.**

95 7. Application for a ground ambulance service license
96 shall be made upon such forms as prescribed by the
97 department in rules adopted pursuant to sections 190.001 to
98 190.245. The application form shall contain such
99 information as the department deems necessary to make a
100 determination as to whether the ground ambulance service
101 meets all the requirements of sections 190.001 to 190.245
102 and rules promulgated pursuant to sections 190.001 to
103 190.245.

190.112. 1. Each ambulance service licensed under
2 **this chapter shall identify to the department the individual**
3 **servicing as the ambulance service administrator who is**
4 **responsible for the operations and staffing of the ambulance**
5 **service. The ambulance service administrator shall be**
6 **required to have achieved basic training of at least forty**
7 **hours regarding the operations of an ambulance service and**
8 **two hours of annual continuing education. The training**
9 **required under this section shall be offered by a statewide**
10 **association organized for the benefit of ambulance districts**
11 **or be approved by the state advisory council on emergency**
12 **medical services and shall include the following:**

- 13 (1) Basic principles of accounting and economics;
14 (2) State and federal laws applicable to ambulance
15 services;
16 (3) Regulatory requirements applicable to ambulance
17 services;
18 (4) Human resources management and laws;
19 (5) Grant writing, contracts, and fundraising;
20 (6) State sunshine laws in chapter 610, as well as
21 applicable ethics requirements; and
22 (7) Volunteer and community involvement.

23 2. Ambulance service administrators serving in this
24 capacity as of August 28, 2024, shall have until January 1,
25 2026, to demonstrate compliance with the provisions of this
26 section.

 190.166. 1. In addition to the provisions of section
2 190.165, the department of health and senior services may
3 refuse to issue, deny renewal of, or suspend a license
4 required pursuant to section 190.109, or take other
5 corrective actions as described in this section, based on
6 the following considerations:

7 (1) The license holder is determined to be financially
8 insolvent;

9 (2) The ambulance service has inadequate personnel to
10 operate the ambulance service to provide for basic emergency
11 operations, determined by the ability to staff a minimum of
12 one ambulance unit twenty-four hours per day, seven days per
13 week, with at least two licensed emergency medical
14 technicians and a reasonable plan and schedule for the
15 services of a second ambulance;

16 (3) The ambulance service requires an inordinate
17 amount of mutual aid from neighboring services, such as more
18 than ten percent of the total runs in the service area in
19 any given month, or than would be considered prudent and
20 thus cannot provide an appropriate level of emergency
21 response for the service area as would be considered prudent
22 by the typical ground ambulance services operator;

23 (4) The principal manager, board members, or other
24 executives are determined to be criminally liable for
25 actions related to the license or service provided;

26 (5) The license holder or principal manager, board
27 members, or other executives are determined by the Centers

28 for Medicare and Medicaid Services to be ineligible for
29 participation in Medicare;

30 (6) The license holder or principal manager, board
31 members, or other executives are determined by the MO
32 HealthNet division to be ineligible for participation in MO
33 HealthNet;

34 (7) The ambulance service administrator has failed to
35 meet the required qualifications or failed to complete the
36 training required pursuant to section 190.112; and

37 (8) Three or more board members have failed to
38 complete required training pursuant to section 190.053 if
39 the ambulance service is an ambulance district.

40 2. If the department makes a determination of
41 insolvency or insufficiency of operations of a license
42 holder under subsection 1 of this section, then the
43 department may require the license holder to submit a
44 corrective plan within fifteen days and require
45 implementation of the corrective plan within thirty days.

46 3. The department shall be required to provide notice
47 of any determination by the department of insolvency or
48 insufficiency of operations of a license holder to other
49 license holders operating in the license holder's vicinity,
50 members of the general assembly who represent the license
51 holder's service area, the governing officials of any county
52 or municipal entity in the license holder's service area,
53 the appropriate regional emergency medical services advisory
54 committee, and the state advisory council on emergency
55 medical services.

56 4. The department shall immediately engage with other
57 license holders in the area to determine the extent to which
58 ground ambulance service may be provided to the affected
59 service area during the time in which the license holder is

60 unable to provide adequate services, including any long-term
61 service arrangements. The nature of the agreement between
62 the license holder and other license holders providing
63 services to the affected area may include an agreement to
64 provide services, a joint powers agreement, formal
65 consideration, or some payment for services rendered.

66 5. Any license holder who provides assistance in the
67 service area of another license holder whose license has
68 been suspended under this section shall have the right to
69 seek reasonable compensation from the license holder whose
70 license to operate has been suspended for all calls, stand-
71 by time, and responses to medical emergencies during such
72 time as the license remains suspended. The reasonable
73 compensation shall not be limited to those expenses incurred
74 in actual responses, but may also include reasonable
75 expenses to maintain ambulance service, including, but not
76 limited to, the daily operation costs of maintaining the
77 service, personnel wages and benefits, equipment purchases
78 and maintenance, and other costs incurred in the operation
79 of a ground ambulance service. The license holder providing
80 assistance shall be entitled to an award of costs and
81 reasonable attorney fees in any action to enforce the
82 provisions of this subsection.

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