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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2836

03/13/2012 Authored by Lohmer

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance

1.1 A bill for an act
 1.2 relating to emergency medical services; establishing an interstate highway
 1.3 emergency response account; creating an interstate emergency response
 1.4 reimbursement program; requiring a report from the Department of Revenue;
 1.5 appropriating money; amending Minnesota Statutes 2010, section 168A.40,
 1.6 subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 144E.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. **[144E.51] INTERSTATE HIGHWAY EMERGENCY RESPONSE**
 1.9 **ACCOUNT.**

1.10 An interstate highway emergency response account is created in the general fund.
 1.11 Money in the account must be used for the interstate highway emergency response
 1.12 reimbursement program, pursuant to section 144E.511. This account must be credited
 1.13 with \$500,000 each year from the automobile insurance surcharge, pursuant to section
 1.14 168A.40, subdivision 4.

1.15 Sec. 2. **[144E.511] INTERSTATE HIGHWAY EMERGENCY RESPONSE**
 1.16 **REIMBURSEMENT PROGRAM.**

1.17 Subdivision. 1. **Established.** The board shall establish and administer the interstate
 1.18 emergency response reimbursement program in order to reimburse ambulance services for
 1.19 unrecovered costs resulting from providing emergency services to persons on interstate
 1.20 highways in the state.

1.21 Subd. 2. **Eligibility.** In order to be eligible for reimbursement under this program,
 1.22 an ambulance service must meet the following criteria:

1.23 (1) be a licensed ambulance service with the majority of its personnel who are
 1.24 volunteer ambulance attendants, as defined in section 144E.001, subdivision 15;

2.1 (2) have at least one interstate highway that runs through its primary service area; and
 2.2 (3) submit evidence to the board demonstrating that it (i) provided emergency
 2.3 services to an out-of-state resident on an interstate highway, issued the patient a claim for
 2.4 such service, and was unable to collect on the debt, or (ii) provided emergency services on
 2.5 an interstate highway to an unidentified patient and was unable to collect on the debt.

2.6 Subd. 3. **Reimbursement.** Upon receipt of a request for reimbursement from
 2.7 an eligible ambulance service, pursuant to subdivision 2, the board must provide
 2.8 reimbursement to an eligible ambulance service within 30 days of receipt of the request.
 2.9 The board may determine the percentage of the claim to be reimbursed based on available
 2.10 funding in the interstate highway emergency response account.

2.11 Subd. 4. **Funds.** (a) Funds deposited into the interstate highway emergency response
 2.12 account established in section 144E.51, are appropriated to the board for purposes of
 2.13 providing reimbursement to eligible ambulance services pursuant to this section.

2.14 (b) A maximum of \$50,000 each year of the funds appropriated to the board under
 2.15 paragraph (a), may be used by the board for administrative expenses associated with
 2.16 implementing this section.

2.17 Sec. 3. Minnesota Statutes 2010, section 168A.40, subdivision 4, is amended to read:

2.18 Subd. 4. **Automobile theft prevention account.** A special revenue account is
 2.19 created in the state treasury to be credited with the proceeds of the surcharge imposed
 2.20 under subdivision 3. Of the revenue in the account, \$1,300,000 each year must be
 2.21 transferred to the general fund, and \$500,000 each year must be transferred to the interstate
 2.22 highway emergency response account established under section 144E.51. Revenues in
 2.23 excess of ~~\$1,300,000~~ \$1,800,000 each year may be used only for the automobile theft
 2.24 prevention program described in section 65B.84.

2.25 Sec. 4. **RECIPROCAL AMBULANCE SERVICES REVENUE RECAPTURE**
 2.26 **AND DEBT COLLECTION AGREEMENT WITH WISCONSIN.**

2.27 (a) The commissioner of revenue, in consultation with the director of the Emergency
 2.28 Medical Services Board, shall initiate discussions with the secretary of revenue of
 2.29 Wisconsin, to determine the feasibility of entering into an agreement under which
 2.30 Wisconsin would collect on behalf of Minnesota ambulance services the debts owed by
 2.31 Wisconsin residents, and Minnesota would collect on behalf of Wisconsin ambulance
 2.32 services the debts owed by Minnesota residents, either through direct state debt collection
 2.33 or through revenue recapture offsets under chapter 270A, or through both methods.

3.1 (b) No later than January 15, 2013, the Department of Revenue, in consultation
3.2 with the Emergency Medical Services Regulatory Board, must submit a report on the
3.3 discussions to the governor and to the chairs and ranking minority members of the
3.4 legislative committees having jurisdiction over health and human services reform and
3.5 finance, taxes, and transportation policy and finance, in compliance with Minnesota
3.6 Statutes, sections 3.195 and 3.197. The report must:

3.7 (1) identify existing laws and statutes in both states that could be relevant to
3.8 implementing a state-facilitated solution to collection of debts owed by residents of one
3.9 state to ambulance services of the other state;

3.10 (2) list the actions necessary for the two states to enter an agreement for collection of
3.11 debts owed to ambulance services;

3.12 (3) outline the advantages and disadvantages of implementing:

3.13 (i) a direct debt collection; or

3.14 (ii) a mechanism such as revenue recapture under chapter 270A; and

3.15 (4) propose draft legislation through which the two agencies could advance the
3.16 objective of making whole ambulance services owed debts by residents of the other state
3.17 for services performed in emergency situations.

3.18 (c) For purposes of this section, the term "ambulance services" means services
3.19 located in Minnesota and licensed under chapter 144E, and ambulance services located in
3.20 Wisconsin and licensed or otherwise authorized under a corresponding Wisconsin law.

3.21 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.22 **Sec. 5. SUNSET ADVISORY COMMISSION.**

3.23 The program established under Minnesota Statutes, section 144E.511, shall be
3.24 reviewed by the Sunset Advisory Commission when the Emergency Medical Services
3.25 Regulatory Board is reviewed, pursuant to Minnesota Statutes, chapter 3D.